



## Planning Director Staff Report – Hearing on December 6, 2012

County of Ventura · Resource Management Agency · Planning Division

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • [ventura.org/rma/planning](http://ventura.org/rma/planning)

### A. PROJECT INFORMATION

1. **Request:** The applicant requests that a Minor Modification of Planned Development Permit (“PD”) 573-2 be granted to authorize the continued use of the property as a ‘Contractor’s Service and Storage Yard’ (Ventura County Non-Coastal Zoning Ordinance, §8105-5) [Case No. LU10-0023].
2. **Applicant/Property Owner:** WOSS Properties, LLC.
3. **Applicant’s Representative:** Larry Graves, 2105 Hyland Avenue, Ventura, CA 93001
4. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (§8105-5 and §8111-1.2 et seq.), the Planning Director is the decision-maker for the requested PD.
5. **Project Site Location and Parcel Number:** The project site is located at 736 Mission Rock Road, in the community of Santa Paula, in the unincorporated area of Ventura County. This site is approximately 1,400 feet southwest of the Briggs Road off-ramp and State Highway 126, and approximately one and one-half miles west of the city limits of the City of Santa Paula. The Tax Assessor’s parcel number for the project site is 099-0-060-405. The project site is 2.00 acres in size (Exhibit 2 – Location Map).
6. **Project Site Land Use and Zoning Designations:**
  - a. Countywide General Plan Land Use Map Designation: The lot on which the proposed project site is located is designated as Existing Community (Exhibit 2 – Zoning/General Plan Map).
  - b. Zoning Designation: The lot on which the proposed project site is located is zoned “M3-10,000” (General Industrial, 10,000 square feet minimum lot area) (Exhibit 2 – Zoning/General Plan Map).

**7. Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
<b>North</b>	M3-10,000 sq. ft.	Contractors Service and Storage Yards and Buildings and Truck Transportation Operation
<b>South</b>	M3-10,000 sq. ft.	Salvage Yard, including Automobile Wrecking Yards with Ancillary Retail Sales of Salvaged Materials
<b>East</b>	"AE-40 ac/MRP" (Agricultural Exclusive, 40 acres minimum lot size, Mineral Resource Protection Overlay Zone)	Orchards
<b>West</b>	M3-10,000 sq. ft.	Santa Clara Waste Water Treatment Plant and Oil/Gas Production

**8. History:** Industrial uses have existed in the vicinity of the project site over the past 50 years on land that was previously in agricultural use (primarily pasture). Oil development began in the mid-1950's with the first producing oil well being secured in 1955. Also during that time period, production of sand and gravel in the Santa Clara riverbed commenced. In 1959, an asphalt batch plant was approved in an area located to the south of the current Mission Rock Road Existing Community. Within the Existing Community itself, the County issued the first permit for a vehicle wrecking yard in 1962. In the 1960's and early 1970's, the County permitted more industrial uses.

On July 20, 1965, the Board of Supervisors adopted Ordinance No. 1718 to change the site's zoning to M-P-D (Manufactured Planned Development) on Assessor's Parcel No. ("APN") 099-0-060-365 (i.e., the original Tax Assessor's parcel number of the project site). On October 19, 1966, the Board of Zoning Adjustment granted PD No. 573 (Resolution No. 66-261) to the Leal Corporation for construction of an office building and maintenance of a truck storage yard on APN 099-0-060-365. On October 28, 1966, the Planning Director approved a minor change to PD No. 573 to allow the addition of a 1,500 square foot ("sq. ft.") repair shop.

On September 19, 1967, the Board of Supervisors adopted Ordinance No. 1976 to change the site's zoning to M-3 (General Industrial). On November 21, 1968, the County recorded a parcel map (Parcel Map Book 4, Page 100) which created the subject lot (which corresponds with APN 099-0-060-405).

The "Mission Rock Road Community" designation was assigned to this area by the Board of Supervisors in 1983. The boundary of the area encompasses approximately 95 acres and is comprised of multiple APNs.

On February 16, 1984, Ventura Petroleum Services purchased the subject property and continued to use the site as a truck storage yard under PD No. 573.

On August 30, 1990, the Planning Commission granted PD No. 573, Major Modification No. 1 ("PD No. 573-1"). PD No. 573-1 was granted for the authorization to continue the trucking operation (hazardous waste hauling) with repair and storage facilities solely on APN 099-0-060-405.

At that time, the Planning Commission granted 14 land use entitlements for various industrial uses in the Mission Rock Road community, all of which were subject to the following requirements:

1. Each Permittee was required to participate in a property owners association to fund the installation and maintenance of road improvements, drainage improvements, and a water supply system for fire protection purposes, within the Mission Rock Road community; and,
2. Each entitlement was subject to site- and project-specific conditions for the uses that were permitted as part of each entitlement.

The Permittees were initially required to satisfy these requirements by August 30, 1991. On August 29, 1991, the Planning Commission granted a one-year time extension to allow the Permittees additional time to satisfy the requirements. The Mission Rock Road Property Owner's Association was formed in May 1992, and commenced with the community-wide improvements.

On August 5, 1992, the Mission Rock Road Property Owner's Association requested that the Planning Director grant a Permit Adjustment to all of the permits, thereby extending the expiration date of the permits by 90 days, to November 5, 1992, in order to allow additional time to complete the road and drainage improvements, obtain off-site easements, survey the properties, and, obtain a CUP for an off-site water line from the Santa Paula Water Works. The Planning Director approved the Permit Adjustment on August 29, 1992. The Mission Rock Road Property Owner's Association requested and received seven more Permit Adjustments for short-term time extensions due to various complications related to the above tasks.

By October 18, 1993, the three major improvements (fire, flood, and transportation) were completed to the satisfaction of County Agencies.

On April 19, 2001, the Planning Commission approved PD No. 573, Modification No. 2 ("PD No. 573-2"), for the continued use of the land as a hazardous waste hauling facility including repair, storage, and maintenance services, and, approved a set of "umbrella" conditions, which were applicable to the 14 land use entitlements in the Mission Rock Road Community. These conditions were meant to supplement project-specific conditions for each entitlement and were automatically continued for the life of the associated, permitted land use.

On May 24, 2002, the Planning Director approved a Permit Adjustment to PD No. 573-2 to change the use of the property to an oil spreading service for the asphalt paving industry, local ranches, and private homeowners. The permit also authorized the installation of oil tanks used for storage of various paving grade liquid asphalts and asphaltic emulsions and the operation of support vehicles and equipment used for chip sealing, seal coating, and asphalt patching.

On May 20, 2004, the Planning Division issued a Zoning Clearance (ZC04-0851) for a 400 sq. ft. office trailer with an attached handicap ramp.

On February 8, 2008, the Planning Division issued a Zoning Clearance (ZC08-0126) for the demolition of illegal structures and the relocation of existing structures to abate Zoning Violation No. ZV07-0412.

- 9. Project Description:** The project consists of the continued use of the property as a contractor's service and storage yard for an oil spreading services business. This facility would serve the asphalt paving industry, local ranches, and private homeowners. The facility includes oil storage tanks used to contain various paving grade liquid asphalts and asphaltic emulsions. Containment areas for the storage of aggregate (sand and gravel) used in the oil spreading business are also included. Operation of support vehicles and equipment used for chip sealing, seal coating, and asphalt patching are part of the proposed project. A 600 sq. ft. truck scale is located at the entrance to the project site in order to weigh the arriving and departing trucks.

The project site will encompass 2.00 acres of land and will be located entirely on Tax Assessor's Parcel No. 099-0-060-405.

Removal of an existing 400 sq. ft. mobile office trailer and demolition of an 800 sq. ft. wooden office building are included in the project. These structures would be replaced with a newly-constructed 4,992 sq. ft. metal building that includes a 2,000 sq. ft. interior office space and a 2,992 sq. ft. shop. Additionally, the applicant proposes to remove an illegal 800 sq. ft. metal framed canopy and to legalize a 728 sq. ft. metal framed canopy.

This operation is proposed to utilize the following structures:

<b>List of Structures</b>	<b>Size of Structure</b>
Metal Framed Canopy	728 sq. ft.
Wood Framed Shop	2,193 sq. ft.
Hot Water Tank	15,000 gallons
New Metal Building with Office Space	4,992 sq. ft.
Trash Enclosure	80 sq. ft.
Slow Setting Emulsion Tank	9,750 gallons
Seal Coat Tank	(2) at 9,750 gallons
Diesel Tank	11,250 gallons
AR 4,000 Tank	12,000 gallons
SC70 Tank	9,750 gallons
Emulsified Asphalt CRS-2	15,000 gallons
Spare Tank	10,100 gallons
SC250 Tank	12,400 gallons
Empty Tank	7,500 gallons
Seal Coat Storage, Water Based Tank	6,500 gallons

The existing, unpermitted vehicle parking area located at the front of the property adjacent to Mission Rock Road will be relocated to within the permit area boundaries. Fifteen parking spaces are proposed (one of which would be handicap accessible).

The oil spreading facility would be operated on Monday through Friday, 7:00 a.m. to 5:00 p.m. The facility will involve one shift with 19 employees per shift.

The requested modified permit would also authorize the deletion of the following two existing conditions of approval of PD No. 573-2:

- Condition 7 a-c (“Umbrella Conditions,” Part 1 of 2): This condition currently requires the installation of a tree row along the northeast and northwest property lines to reduce the visual impacts of the industrial use from State Highway 126.
- Condition 2 (“Specific Conditions,” Part 2 of 2): This condition sets a permit expiration date.

The full text of these conditions is included in Exhibit 5 (2001 Umbrella and Specific Conditions).

Pursuant to the *Ventura County Non-Coastal Zoning Ordinance* (§8109-3.4), the applicant proposes 5% landscaping on the project site to meet the requirements of the M-3 zone.

The City of Santa Paula will continue to provide water service to the project site. As part of the proposed project, the existing septic system would be removed and replaced. A new 1500-gallon septic tank and new 100-foot long leach field would provide sewage disposal services for the existing and proposed building. (Exhibit 3).

## **B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE**

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

In August 1990, a Mitigated Negative Declaration (MND) was adopted by the County of Ventura that evaluated the impacts of industrial development in the Mission Rock Road area. This document covered PD No. 573-1, for truck transportation services (hazardous waste hauling) with repair and storage facilities.

On November 23, 1990, the Planning Director approved a permit adjustment (PD No. 573-1, PAJ No. 1) to clarify the size and location of all existing structures on the site. The Planning Director determined that this change was categorically exempt for CEQA review under Section 15301, class 1 (a), Existing Facilities.

In April 2001, the Planning Commission found that the 1990 MND, as augmented by an Addendum, constituted adequate environmental review of the minor modification of PD No. 573-1 (Case No. PD 573-2) to authorize the continued use of the property for a truck transportation services (hazardous waste hauling) with repair and storage facilities. This MND is attached as Exhibit 4.

On May 24, 2002, the Planning Director approved a permit adjustment to PD No. 573-2 to allow a change of use on the property from a truck transportation services business to a contractor's service and storage yard, which performs oil spreading services for the asphalt paving industry (current use). The Planning Director determined that this change was categorically exempt for CEQA review under Section 15301, class 1 (a), Existing Facilities.

The CEQA Guidelines [§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 (§15162) calling for the preparation of a subsequent MND have occurred. Exhibit 6 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 EIR or subsequent MND.

Based on the discussion in the Addendum, staff recommends that the decision-maker find that the MND, as augmented by the Addendum (Exhibit 6), constitute adequate environmental review pursuant to CEQA.

### **C. CONSISTENCY WITH THE GENERAL PLAN**

The Ventura County General Plan *Goals, Policies and Programs* (2011, page 4) states:

*...in the unincorporated area of Ventura County, zoning and any permits issued thereunder, any subdivision of land, any public works project, any public (County, Special District, or Local Government) land acquisition or disposition, and any specific plan, must be consistent with the Ventura County General Plan Goals, Policies and Programs, and where applicable, the adopted Area Plan.*

Furthermore, the Ventura County NCZO (§8111-1.2.1.1.a) states that in order to be approved, a PD must be found consistent with all applicable policies of the Ventura County General Plan.

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

- 1. Resources Policy 1.1.2-1:** *All General Plan amendments, zone changes and discretionary development shall be evaluated for their individual and cumulative impacts on resources in compliance with the California Environmental Quality Act.*

As discussed in Section B (above) and in the Addendum to the MND (Exhibit 6), the project will not involve any new significant environmental impacts or an increase in the severity of the potentially significant environmental impacts that were identified in the MND, and will not require major revisions to the MND. Therefore, the project's individual impacts and contribution to cumulative impacts on resources have been evaluated in compliance with CEQA.

Based on the discussion above, the proposed project is consistent with Policy 1.1.2-1.

- 2. Resources Policy 1.1.2-2:** *Except as otherwise covered by a more restrictive policy within the Resources Chapter, significant adverse impacts on resources identified in environmental assessments and reports shall be mitigated to less than significant levels or, where no feasible mitigation measures are available, a statement of overriding considerations shall be adopted.*

As discussed in Section B (above) and in the Addendum to the MND (Exhibit 6), the project will not create any new significant environmental impacts that were not identified in the previous MND. The original MND identified potentially significant but mitigable impacts relating to fire protection, floodplain management, and access and circulation. The proposed PD will include the mitigation measures identified in the MND as conditions of approval. With the implementation of these conditions of approval, project-specific and cumulative impacts will be less than significant (Exhibit 7 – Condition Nos. 19, 36, 46 and 47-63).

Based on the discussion above, the proposed project is consistent with Policy 1.1.2-2.

- 3. Resources Policy 1.2.2-1:** *The air quality impacts of discretionary development shall be evaluated by use of the Guidelines for the Preparation of Air Quality Impact Analysis.*

The Ventura County Air Pollution Control District (VCAPCD) reviewed the proposed project (Memorandum from Alicia Stratton to Franca Rosengren, dated March 12, 2012) in order to assess potential air quality impacts associated with the proposed contractor's service and storage yard. Although the proposed project is not expected to result in any significant local air quality impacts, the VCAPCD has recommended that any project construction and site preparation operations be in compliance with all applicable VCAPCD Rules and Regulations to help minimize fugitive dust and particulate matter that may result from activities on the site. Conditions of approval are recommended in order to ensure compliance with air quality policies of the Ventura County General Plan (Exhibit 7 – Condition No. 64).

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

- 4. Resources Policy 1.3.2-2:** *Discretionary development shall comply with all applicable County and State water regulations.*

**Resource Policy 1.3.2-3:** *The installation of on-site septic systems shall meet all applicable State and County regulations.*

**Resource Policy 1.3.2-4:** *Discretionary development shall not significantly impact the quantity or quality of water resources within watersheds, groundwater recharge areas or groundwater basins.*

The Ventura County Watershed Protection District, Water and Environmental Resources Division, Surface Water Quality Section (SWQ), reviewed the project (Memorandum from Ewelina Mutkowska to Franca Rosengren, dated May 17, 2012) and determined that the Permittee will be required, as a condition of approval, to include Best Management Practices for construction less than 1 acre designed to ensure compliance and implementation of an effective



combination of erosion and sediment control measures to protect surface water quality during construction. Additionally, SWQ has recommended a condition of approval to ensure the project maintains compliance with all water quality provisions in accordance with National Pollutant Discharge Elimination System General Permit. With the implementation of these conditions, the water quality will be in compliance with the State Water Resources Control Board Water Quality Order No. 97-03-DWQ, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Industrial Activities (Exhibit 7, Condition No. 45).

The Ventura County, Watershed Protection District, Ground Water (GWQ) Section, reviewed the proposed project (Memoranda from Rick Viergutz to Franca Rosengren, dated December 6, 2010, March 30, 2011, and February 21, 2012) and determined that the existing water system is supplied by an existing service connection to the Santa Paula Waterworks. This water system pumps water from the Santa Paula Groundwater Basin. According to GWQ, groundwater extractions by the City of Santa Paula are not expected to increase in order to supply the proposed project. The daily water use by the 19 on-site employees for toilet flushing, hand washing and drinking would be minor. The City of Santa Paula operates several water wells that are regulated and/or limited by the court adjudication decree that created the Santa Paula Pumpers Association (SPPA). The SPPA regulations ensure the Santa Paula Groundwater Basin extractions do not exceed annual safe yield amounts.

The GWQ has recommended conditions of approval to ensure the permittee continues to retain containment areas for the storage of asphalt and emulsion as well as for the proposed diesel tank and is prohibited from truck washing or vehicle maintenance functions on-site. With the implementation of these conditions, water quality impacts will be reduced to less than significant (Exhibit 7 – Condition Nos. 41-43).

Additionally, the project liquid effluent is disposed of through a County of Ventura Environmental Health Division (EHD) approved on-site septic system, and the subject septic system is located far enough apart from each other, and constructed with adequate clearances from historical groundwater levels so as not to create any cumulative effects upon local groundwater supplies. All existing and proposed above ground asphalt and emulsion storage tanks are regulated by the EHD and will be required to continue to provide adequate containment areas to prevent spills.

The EHD reviewed the proposed project (Environmental Analysis, dated August 7, 2012) and determined that the public water system which will serve domestic water to this project is regulated by the State Department of Health Services. The quality of domestic water must be in compliance with applicable State drinking water standards and the design and construction of the proposed project must conform with applicable State and Building Code requirements pertaining to

water systems. In addition, EHD has recommended conditions of approval for the proposed project that will ensure that the existing septic system is in compliance with general waste discharge requirements for commercial and multi-family sewage disposal systems as regulated by the Los Angeles Regional Water Quality Control Board and that only domestic waste as defined in the Ventura County General Plan and the Ventura County Building Code Ordinance is allowed to be discharged into the on-site sewage disposal system (Exhibit 7 – Condition Nos. 30-33).

Therefore, with the implementation of the recommended conditions of approval by the Watershed Protection District, Groundwater Section and the Environmental Health Division, there are no anticipated significant impacts on the quantity or quality of water resources within watersheds, groundwater recharge areas or groundwater basins caused by the proposed project.

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

- 5. Resource Policy 1.5.2-3:** *Discretionary development that is proposed to be located within 300 feet of a marsh, small wash, intermittent lake, intermittent stream, spring, or perennial stream (as identified on the latest USGS 7½ minute quad map), shall be evaluated by a County approved biologist for potential impacts on wetland habitats. Discretionary development that would have a significant impact on significant wetland habitats shall be prohibited, unless mitigation measures are adopted that would reduce the impact to a less than significant level; or for lands designated "Urban" or "Existing Community", a statement of overriding considerations is adopted by the decision-making body.*

The Planning Division staff biologist reviewed the proposed project to determine whether or not the proposed project would have a significant impact on wetland habitats and other biological resources on the site or in the area. The staff biologist determined that the site is about 1,000 feet from the Santa Clara River and is currently developed with a contractor's service and storage yard. The site is devoid of vegetation and biological resources, and is surrounded by other industrial uses and crop production. A drainage ditch that is under the jurisdiction of the Watershed Protection District is located less than 50 feet to the west of the project site (Cummings Road Drain). This drainage ditch flows into the Santa Clara River. Since the proposed physical changes are internal to the subject property (construction of a warehouse) and there are no drainage impacts to the Cummings Road Drain, there are no anticipated impacts to biological resources.

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

**6. Resource Policy 1.6.2-6:** *Discretionary development adjacent to Agricultural-designated lands shall not conflict with agricultural use of those lands.*

The project site is surrounded by Prime Farmland to the east. Since the early 1960s the subject property has been zoned for industrial uses. The Office of the Agricultural Commissioner reviewed the proposed project (Memorandum from Rudy Martel to Franca Rosengren, dated March 12, 2012) for the introduction of land uses incompatible with off-site agricultural lands and off-site crop production. The Commissioner determined that the proposed project is not an agricultural related use and would normally need to be in compliance with vegetative setback barriers. However, the proposed project is a continuing industrial use with no substantial changes. Thus, the Agricultural Commissioner's waiver criteria apply to this project and the vegetative setback barrier is not required.

The project site is a 2.00 acre lot. An extended setback for the benefit of off-site farmland would preclude reasonable use of the project parcel. The project does not import or store firewood that may contain agricultural pests or diseases, nor will the proposed uses deplete an agricultural water source.

The VCAPCD reviewed the proposed project for impacts from dust to off-site properties. With the implementation of VCAPCD's recommended conditions of approval to help reduce fugitive dust and particulate matter, dust impacts to adjacent farmland will be less than significant. Therefore, the Office of the Agricultural Commissioner does not recommend additional conditions on this project to increase compatibility with the off-site agriculture.

**7. Resource Policy 1.7.2-1:** *Notwithstanding Policy 1.7.2-2, discretionary development which would significantly degrade visual resources or significantly alter or obscure public views of visual resources shall be prohibited unless no feasible mitigation measures are available and the decision-making body determines there are overriding considerations.*

State Highway 126 (Hwy 126) is an eligible scenic highway that is located within proximity to the project site. However, due to the prevalence of existing development throughout the surrounding community, and the distance (approximately 1,500 feet) between the project site and Hwy 126, the proposed project is not expected to have any significant adverse impacts on the viewshed from Hwy 126. Finally, there are no scenic features located on or near the project site that the proposed project could adversely affect (e.g., modify or remove). Therefore, the proposed project will not result in significant environmental impacts to scenic highways, areas, or features.

Based on the above information, the proposed project will be consistent with these policies.

- 8. Resource Policy 1.8.2-1:** *Discretionary developments shall be assessed for potential paleontological and cultural resource impacts, except when exempt from such requirements by CEQA. Such assessments shall be incorporated into a Countywide paleontological and cultural resource data base.*

The proposed project involves the continued use of an existing and previously approved operation. According to the Planning GIS, the paleontological importance of geologic formations exposed in the proposed project's disturbed area is "undetermined". The soil's report, prepared by Workman Engineering Consulting, dated February 3, 2012, states that the subsurface conditions of the project's proposed disturbed area contains artificial fill and alluvium to a depth of 15 feet. Pursuant to the Initial Study Assessment Guidelines (April, 2011), Section 7.E., alluvium is considered to have none, low or moderate paleontological importance and therefore, the proposed project is not anticipated to impact paleontological and cultural resources. Additionally, the proposed project is within an area that has been previously disturbed and does not have any known historical, archaeological, or paleontological resources. Although no impacts to paleontological and cultural resources are anticipated with the construction of the warehouse, the project will be subject to a condition of approval to ensure that if in the event archeological or paleontological remains and/or artifacts are encountered during ground disturbance or construction activities associated with the construction of the warehouse, the permittee will retain an archaeological, paleontological, and/or Native American consultant (as appropriate) to evaluate the find and implement procedures to preserve the discovered remains and/or artifacts (Exhibit 7 – Condition Nos. 28-29).

Based on the above information, the proposed project will be consistent with this policy.

- 9. Hazards Policy 2.13.2-1:** *All discretionary permits shall be required, as a condition of approval, to provide adequate water supply and access for fire protection and evacuation purposes.*

**Public Facilities and Services Policy 4.8.2-1:** *Discretionary development shall be permitted only if adequate water supply, access and response time for fire protection can be made available.*

The Ventura County Fire Protection District ("VCFPD") reviewed the proposed project (Memorandum from Marnel Vanden Bossche to Franca Rosengren, dated March 14, 2012) for compliance with fire codes pertaining to adequate water

supply, access and evacuation purposes, and response time. VCFPD determined the following:

- Water supply for fire protection will be provided by the City of Santa Paula in compliance with the required fire flow and VCFPD current ordinance.
- Access to the site is served by public roads (Briggs Road and Pinkerton Road) and existing driveways that meet current Fire District Access Standards and Ventura County Public Roads Standards.
- The nearest fire station to the Mission Rock Road Community is Station No. 26, located at 12391 W. Telegraph Road, Santa Paula, CA, 93060. The proximity of this full-time, paid fire station ensures adequate fire response time. Also, the proposed project does not create the need for a new fire station or additional equipment.

Additionally, the VCFPD has recommended conditions of approval for the project that will require on-going compliance with International Fire Code and current VCFPD Fire Land Standards requirements for minimum widths of access roads, access road gate design, installation of fire sprinklers, and hydrant location markers (Exhibit 7 - Condition Nos. 47-63). With the implementation of these conditions, the project site will meet the VCFPD's requirements pertaining to adequate water supply, access, and response time.

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

**10. Hazards Policy 2.15.2-2:** *Site plans for discretionary development that will generate hazardous wastes or utilize hazardous materials shall include details on hazardous waste reduction, recycling and storage.*

The modification application materials (e.g., site plan and application questionnaire) for the proposed project included sufficient information for Ventura County agencies to evaluate the proposed project's risks and environmental impacts related to the use and/or storage of hazardous wastes and materials. The EHD has reviewed the proposed project (Environmental Analysis, dated August 7, 2012) and has recommended a condition of approval that will ensure that the storage, handling, and disposal of any potentially hazardous material will occur in a manner consistent with applicable State regulations (Exhibit 7 – Condition No. 33). The VCFPD also reviewed the project (Memorandum from Marnel Vanden Bossche to Franca Rosengren dated March 14, 2012) and noted that any hazardous material use and storage will be required to comply with the 2006 International Fire Code, as adopted and amended by the VCFPD current ordinance (Exhibit 7- Condition No. 61). In addition, the Public Works Agency, Integrated Waste Management Division ("IWMD"), reviewed the proposed project (Memorandum from Derrick Wilson to Franca Rosengren dated February 14, 2012) and has recommended a condition of approval to ensure that the removal of any hazardous waste from the project site is in compliance with all local, state, and

federal hazardous waste regulations (Exhibit 7- Condition No. 40). Therefore, with the implementation of these conditions of approval, the impacts will be considered less than significant.

Based on the above information, the proposed project will be consistent with this policy.

**11. Hazards Policy 2.15.2-3:** *Any business that handles a hazardous material shall establish a plan for emergency response to a release or threatened release of a hazardous material. The County Fire Protection District is designated as the agency responsible for implementation of this policy.*

As discussed above in Policy 2.15.2-2, the VCFPD has reviewed the projects and has recommended conditions of approval to ensure that the storage of any hazardous material complies with the 2006 International Fire Code, Article 27, as adopted and amended by the VCFPD Ordinance No. 26. With these recommended conditions of approval, the proposed project will comply with the requirements of this policy.

Based on the above information, the proposed project will be consistent with this policy.

**12. Hazards Policy 2.16.2-1:** *All discretionary development shall be reviewed for noise compatibility with surrounding uses. Noise compatibility shall be determined from a consistent set of criteria based on the standards listed below. An acoustical analysis by a qualified acoustical engineer shall be required of discretionary developments 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...*

*(4) 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.  *$L_{eq}1H$  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.  *$L_{eq}1H$  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.*
- c.  *$L_{eq}1H$  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.*

*Section 2.16.2(4) is not applicable to increased traffic noise along any of the roads identified within the 2020 Regional Roadway Network (Figure 4.2.3) Public Facilities Appendix of the Ventura County General Plan (see 2.16.2-1(1)). In addition, State and Federal highways, all railroad line operations, aircraft in flight, and public utility facilities are noise generators having Federal and State regulations that preempt local regulations.*

*(5) Construction noise shall be evaluated and, if necessary, mitigated in accordance with the County Construction Noise Threshold Criteria and Control Plan.*

The proposed operation is considered to be a noise generator. Although there are existing caretaker dwelling units located in the vicinity of the proposed project, these types of dwellings are not considered to be “noise-sensitive” since they are accessory to industrial uses. Although typically industrial noise has the potential to adversely affect dwellings, dwellings for caretakers of industrial sites are not considered “noise sensitive” as they are expected to be subject to noise levels that are typical of industrial sites and are generally higher than those experienced within residentially-developed areas. The closest residential and other noise sensitive uses are located at least a mile away and, at that distance, will not be subject to noise levels that exceed the standards of Policy 2.16.2-1.

Based on the above information, the proposed project will be consistent with this policy.

**13. Land Use Policy 3.4.2-3:** *Commercial and industrial developments shall be designed to be generally compact, grouped and consolidated into functional units providing for sufficient off-street parking and loading facilities, maximizing pedestrian and vehicle safety and minimizing the impacts on traffic congestion.*

The proposed project is subject to the requirement of a planned development permit and has been reviewed for parking and traffic impacts. The project will be conditioned to ensure that the applicant provides and maintains adequate on-site parking and loading areas, pursuant to the requirements of the Ventura County Non-Coastal Zoning Ordinance (Article 8), and in order to reduce impacts on traffic congestion (Exhibit 7 – Condition No. 25).

Based on the above information, the proposed project will be consistent with this policy.

**14. Land Use Policy 3.4.2-4:** *Commercial and industrial developments shall be designed to provide adequate buffering (e.g., walls, landscaping, setbacks), and on-site activities (e.g., hours of operation, scheduling of deliveries) shall be regulated to minimize adverse impacts (e.g., noise, glare, odors) on adjoining residential areas.*

The proposed project is subject to the requirement of a Planned Development permit and has been reviewed for compliance with the landscaping, signage, access, and parking regulations of the Ventura County Non-Coastal Zoning Ordinance. The project will be conditioned to maintain all outside open storage within a fenced area for security and public safety, conduct business hours consistent with typical commercial/industrial uses, and provide a minimum of 5% landscaping of the total permit area. Furthermore, the proposed project is not located adjacent to a residential zoned area.

Based on the above information, the proposed project will be consistent with this policy.

- 15. Hazards Policy 2.10.2-4:** *The design of any structures which are constructed in floodplain areas as depicted on the Hazards Protection Maps (Figure 2), shall be governed by Federal regulations, specifically Title 44 Code of Federal Regulations Sections 59 through 70, as well as the County Floodplain Management Ordinance and shall incorporate measures to reduce flood damage to the structure and to eliminate any increased potential flood hazard in the general area due to such construction.*

The WPD, Floodplain Management Division reviewed the proposed project (Memorandum from Brian Trushinski to Franca Rosengren, dated February 15, 2012) and determined that the subject property is located outside of the 1% annual chance floodplain as evidenced on the latest effective Digital Flood Insurance Rate Map (DFIRM) issued by FEMA (January 20, 2010), but within an "X Unshaded" area on the DFIRM, within the 500-year floodplain. A floodplain development permit is not required. However, a Floodplain Clearance will be required as a condition of approval to ensure that any proposed development will be in compliance with the requirements of the Watershed Protection District, Floodplain Management Section (Exhibit 7 – Condition No. 46).

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

- 16. Public Facilities and Services Policy 4.2.2-1:** *Development that would generate additional traffic shall pay its pro rata share of the costs of necessary improvements to the Regional Road Network per the County's Traffic Impact Mitigation Fee Ordinance as amended time to time.*

**Public Facilities and Services Policy 4.1.2-1:** *Discretionary development shall be conditioned to contribute land, improvements or funds toward the cost of needed public improvements and services related to the proposed development.*

**Public Facilities and Services Policy 4.2.2-8:** *Discretionary development shall be conditioned, 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.*

The PWA, Transportation Department reviewed the proposed project (Memorandum from Ben Emami to Franca Rosengren, dated February 23, 2012) and has recommended a condition of approval to address the cumulative impacts of traffic on the Regional Road Network (Exhibit 7- Condition No.35). With this condition, the Permittee will be required to pay a Traffic Impact Mitigation Fee which will be used towards the cost of needed public improvements to the Regional Road Network.

Because the project access is a private road and the project does not have the potential to generate significant pedestrian or bicycle traffic, no conditions of approval have been recommended that require the installation of pedestrian and bicycle facilities.

Based on the above information, the proposed project will be consistent with these policies.

**17. Public Facilities and Services Policy 4.1.2-2:** *Development shall only be permitted in those locations where adequate public services are available (functional), under physical construction or will be available in the near future.*

The proposed project has existing adequate public services. The project site is currently served water by the City of Santa Paula Waterworks and utilizes an existing on-site septic system. As mentioned above (Section C.9.), the proximity of a full-time, paid fire station ensures adequate fire response time.

Based on the above information, the proposed project will be consistent with this policy.

**18. Public Facilities and Services Policy 4.3.2-1:** *Development that requires potable water shall be provided a permanent potable water supply of adequate quantity and quality that complies with applicable County and State water regulations.*

**Public Facilities and Services Policy 4.3.2-2:** *Discretionary development as defined in section 10912 of the Water Code shall comply with the water supply and demand assessment requirements of Part 2.10 of Division 6 of the Water Code.*

Water service to the project site would be provided by the City of Santa Paula Water Works. This utility is regulated by the State Department of Public Health. The quality of domestic water must be in compliance with applicable State drinking water standards. The WPD, Groundwater Section reviewed the proposed project (Memorandum from Rick Viergutz to Franca Rosengren, dated February 21, 2012) and determined that the City of Santa Paula Water Works will be able to provide a long-term supply of water to the proposed project. Daily

water use by the employees working on-site will be negligible. Groundwater extractions by the City of Santa Paula are not expected to increase in order to supply the proposed project. Therefore, the City of Santa Paula will provide adequate potable water quantity and quality for this proposed project.

Based on the above information, the proposed project will be consistent with these policies.

**19. Public Facilities and Services Policy 4.4.2-6:** *Applicants for discretionary development shall be encouraged to employ practices that reduce the quantities of wastes generated and shall be requested to engage in recycling activities to further reduce the volume of waste disposed of in landfills.*

The PWA, Integrated Waste Management Division reviewed the proposed project and recommended conditions of approval to ensure the operation of the project in compliance with County Ordinance for the diversion of recyclable materials (Exhibit 7 – Condition Nos. 36-40). The Permittee will also be required to include an area on the property for refuse and recycling bins in accordance with the e County's Space Allocation Guidelines (Exhibit 7 – Condition No. 26).

Based on the above information, the proposed project will be consistent with this policy.

**20. Public Facilities and Services Policy 4.5.2-3:** *Discretionary development shall be conditioned to place utility service lines underground wherever feasible.*

As a recommended condition of approval for the project, the Permittee shall place utility service lines underground, wherever feasible (Exhibit 7 – Condition No.2(c)).

Based on the above information, the proposed projects will be consistent with this policy.

**21. Public Facilities and Services Policy 4.6.2-2:** *Discretionary development shall be conditioned to provide flood control and drainage facilities deemed by the Public Works Agency and Flood Control District as necessary for the development, and shall be required to contribute toward flood control facilities necessitated by cumulative development.*

The Watershed Protection District, Planning and Regulatory Division (collectively, WPD), reviewed the project (Memorandum from Tom Wolfington to Franca Rosengren, dated March 7, 2012). The project site is located adjacent to and easterly of Mission Rock Road, approximately 500 feet northerly of Shell Road, and 50 feet southeasterly of Cummings Road. WPD determined that the proposed project does not include a request for an increase in existing impervious surface area and there are no direct drainage connections to Cummings Road Drain. Thus, since the proposed physical changes are internal to the subject property and there are no drainage impacts to the Cummings Road Drain, WPD has determined that the project design mitigates the direct and

indirect project-specific and cumulative impacts to flood control facilities and watercourses.

Based on the above information, the proposed project will be consistent with this policy.

- 22. Public Facilities and Services Policy 4.7.2-2:** *Discretionary development shall be conditioned to provide adequate site security during the construction phase (e.g., licensed security guard and/or fencing around the construction site, and all construction equipment, tools, and appliances to be properly secured and serial numbers recorded for identification purposes).*

**Public Facilities and Services Policy 4.7.2-3:** *Discretionary development shall be conditioned to provide adequate security lighting (e.g., parking lots to be well lighted with a minimum 1 foot candle of light at ground level, lighting devices to be protected from the elements and constructed of vandal resistant materials and located high enough to discourage anyone on the ground from tampering with them).*

**Public Facilities and Services Policy 4.7.2-4:** *Discretionary development shall be conditioned to avoid landscaping which interferes with police surveillance (e.g., landscaping must not cover any exterior door or window, landscaping at entrances and exits or at any parking lot intersection must not block or screen the view of a seated driver from another moving vehicle or pedestrian, trees must not be placed underneath any overhead light fixture which would cause a loss of light at ground level).*

The Ventura County Sheriff's Department reviewed the proposed project (Email from Dave Wareham to Franca Rosengren, dated March 22, 2010) and determined that the current conditions of approval remain adequate to ensure the safety and protection of lives and property. The conditions of approval involve the avoidance of landscaping which interferes with police surveillance, adequate security lighting for parking areas, and adequate site security during construction of the site (Exhibit 7 –Condition Nos. 65-67).

Based on the above information, the proposed project will be consistent with this policy.

#### **D. ZONING ORDINANCE COMPLIANCE**

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

Pursuant to the Ventura County NCZO (§8105-5), the proposed use is allowed in the M3 zone district with the granting of a PD. Upon the granting of the PD, the proposed project will comply with this requirement.

The proposed project includes the continued operation of the contractor's service and storage yard and the construction of a warehouse that are subject to the development standards of the Ventura County NCZO (§8106-1.2). Table 1 lists the applicable development standards and a description of whether the proposed project complies with the development standards.

**Table 1 – Development Standards Consistency Analysis**

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	10,000 sq. ft.	Yes – The lot size is 2.00 acres.
Maximum Percentage of Building Coverage	40%	Yes – The total building coverage is 1%.
Front Setback	10 feet	Yes
Side Setback	As specified by site plan dated July 23, 2012, and Conditions of Approval.	Yes
Rear Setback	As specified by site plan dated July 23, 2012, and Conditions of Approval.	Yes
Maximum Building Height	As specified by elevation plans dated May 8, 2012, and Conditions of Approval.	Yes
Off-street Parking	Industrial Land Uses Not Otherwise Listed - 1 space per 500 sq. ft. of GFA	Yes – there will be 15 on-site vehicle parking spaces

The proposed project includes the request for the continuation of the use of the property for a contractor's service and storage yard. Therefore, the project is subject to the industrial zone standards of the Ventura County Non-Coastal Zoning Ordinance (§8109-0.6.4, §8109-3.1-.3, and §8109-3.4.1-2). Table 2 lists the applicable industrial zone standards and a description of whether the proposed project complies with the industrial zone standards.

**Table 2 – Industrial Zone Standards Consistency Analysis**

Special Use Standard	Complies?
<b>Sec. 8109-3.1.1 - Undergrounding of Utilities</b> Utility lines, including electric, communications, street lighting and cable television, shall be placed underground by the applicant, who shall make the necessary	Yes – This is a recommended condition of approval.

**Table 2 – Industrial Zone Standards Consistency Analysis**

Special Use Standard	Complies?
arrangements with the utility companies for the installation of such facilities.	
<b>Sec. 8109-3.1.3 et seq. - Industrial Performance Standards</b> (e.g., objectionable factors, hazardous materials, liquid and solid wastes)	Yes – This is a recommended condition of approval.
<b>Sec. 8109-3.4.1</b> Metal buildings, including accessory buildings, either shall have exterior surfaces constructed or faced with a stainless steel, aluminum, painted, baked enamel, or similarly finished surface; or shall be reasonably screened from view from any street by other buildings or by appropriate walls, fencing, earth mounds or landscaping; or shall be located not less than 100 feet from the street centerline.	Yes – The existing buildings on the site are either metal or have a baked enamel finish.
<b>Sec. 8109-3.4.2</b> Outside storage and operations yards shall be fenced for security and public safety at the property line.	Yes – The proposed project is fenced at the property line.
<b>Sec. 8109-0.6.4 (a)</b> Required yards adjacent to streets, not used for other purposes, shall be improved with appropriate permanently maintained evergreen plant material or groundcover. Such landscaping shall extend to the street curb line, where appropriate. (b) Trees, approved as to type, number and location by the Planning Director, shall be planted along the street line of each site. Such street trees may also be located on private property and grouped or clustered as appropriate. (d) At least 5 percent of any permit area in the M2 and M3 zone shall be landscaped.	Yes – The proposed project includes 5% landscaping of the permit area.

**E. PD FINDINGS AND SUPPORTING EVIDENCE**

The Planning Director must make certain findings in order to determine that the proposed project is consistent with the permit approval standards of the Ventura County NCZO (§8111-1.2.1.1 et seq.). The proposed findings and supporting evidence are as follows:

- 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 [§8111-1.2.1.1.a].**

Based on the information and analysis presented in Sections C and 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 [§8111-1.2.1.1.b].**

The existing surrounding development consists of crop production to the east and industrial uses to the north, west and south. The existing industrial uses consist of contractor's service and storage yards, waste water treatment plant, and auto dismantling and salvage yards. With the implementation of conditions of approval to help reduce fugitive dust from impacting the crop production to the east and to ensure the safe handling, storage and use of hazardous materials, the development will be compatible with the surrounding uses.

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

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

The proposed use is also compatible with other similar uses that exist along Mission Rock Road. The storage and use of any hazardous materials on the project site would be in compliance with applicable State and local regulations. Thus, the project would not involve a use that would be harmful or obnoxious. No adverse effect on neighboring properties or uses has been identified.

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

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

The proposed project will be conditioned to ensure compliance with all applicable Local and State regulations for the storage, handling and disposal of hazardous waste. The project will be conditioned to ensure compliance with industrial performance standards pursuant to the NCZO §8109-3.1.3. The industrial performance standards regulate potential objective factors such as smoke, odors, noise, and glare. With the implementation of these standards as conditions of approval, the proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare. No substantial effects on the public interest, health, safety and welfare have been identified.

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

**5. The proposed development will occur on a legal lot [§8111-1.2.1.1f].**

Assessor Parcel No. 099-0-060-405 is comprised of a lot shown as Parcel 1 on a map recorded in Book 4, Page 100 of Parcel Maps in the office of the County

Recorder of Ventura County, in compliance with the Subdivision Map Act and Ventura County Subdivision Ordinance.

#### **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 (§65091), and the Ventura County NCZO (§8111-3.1). The Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located and placed a legal ad in the Ventura County Star. As of the date of this document, only the Valley Advisory Committee (VAC) has commented on the Mission Rock Road time extension requests (Exhibit 8 – letter from VAC dated March 2010). The Valley Advisory Committee stated that there needs to be a requirement for mitigation of flood control management of structures and road grades in order to alleviate the current conditions and provide adequate access during the event of a flood. The VAC believes that the existing industrial uses in the Mission Rock Road area could present significant environmental damage if properties are flooded.

The development of the Mission Rock Road existing community was contingent upon the creation of the Mission Rock Road Property Owners Association, which was responsible for the development and the on-going maintenance of drainage facilities to avoid adverse impacts from flooding and runoff. The County is not aware of any significant drainage issues since the construction and implementation of the drainage plan in 1993. Moreover, the County of Ventura received a letter from the MRRPOA, dated November 29, 2010, addressing the continued maintenance of the Mission Rock Road Community by confirming that the MRRPOA: removes weeds and debris from the drainage ditch every four months; dredges the drainage ditch as needed to assure that it functions in a satisfactory and compliant manner; and, collects regular assessments from the members in order to maintain the facilities that are the subject of the CC&R's that the MRRPOA enforces. Furthermore, the proposed project will be subject to a condition of approval, which will require the applicant to demonstrate that the applicant is an active, paying member of the MRRPOA, in order to facilitate the continued maintenance of the drainage features within the Mission Rock Road community.

#### **G. RECOMMENDED ACTIONS**

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

1. **CERTIFY** that the Director has reviewed and considered this staff report and all exhibits thereto, including the proposed Addendum to the MND (Exhibit 6), and has considered all comments received during the public comment process;
2. **FIND**, based on the whole of the record before the Planning Director, including any comments received, that there is no substantial evidence that the project will have a


significant effect on the environment and that the MND, as augmented by the Addendum, reflects the Planning Director's independent judgment and analysis;

3. **MAKE** the required findings for granting a Minor Modification of a Planned Development permit pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** Minor Modification of PD No. 573-2 (PD Case No. LU10-0023), 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 10<sup>th</sup> 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 Franca Rosengren at (805) 654-2045 or [franca.rosengren@ventura.org](mailto:franca.rosengren@ventura.org).

Prepared by:

  
\_\_\_\_\_  
Franca A. Rosengren, Case Planner  
Commercial/Industrial Permits Section  
Ventura County Planning Division

Reviewed by:

  
\_\_\_\_\_  
Brian R. Baca, Manager  
Commercial/Industrial Permits Section  
Ventura County Planning Division

#### EXHIBITS

- Exhibit 2 – Aerial Location, General Plan and Zoning Designations, and Land Use Maps
- Exhibit 3 – Site Plans, Floor Plans, Elevations
- Exhibit 4 – 1990 Mitigated Negative Declaration
- Exhibit 5 – 2001 Conditions of Approval (Umbrella and Specific Conditions)
- Exhibit 6 – Mitigated Negative Declaration Addendum
- Exhibit 7 – Conditions of Approval
- Exhibit 8 – Valley Advisory Committee Letter March 2010





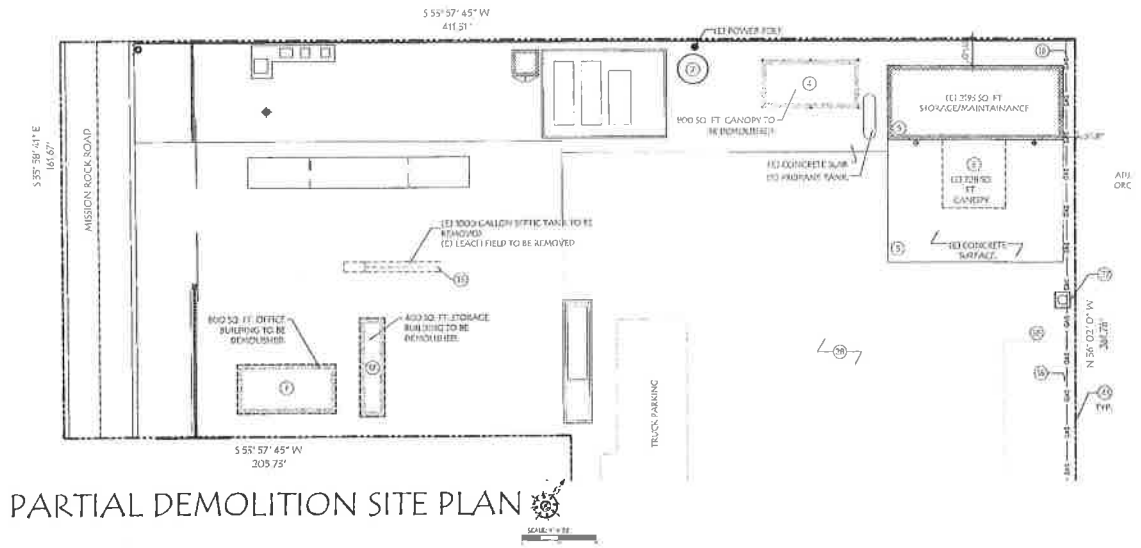
Ventura County  
 Resource Management Agency  
 Information Systems  
 Date Printed: 05/03/2011

County of Ventura  
 Planning Director Hearing  
 LU10-0023  
**Exhibit 2 - Zoning / General Plan Map**

0 175 350 Feet

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 therein

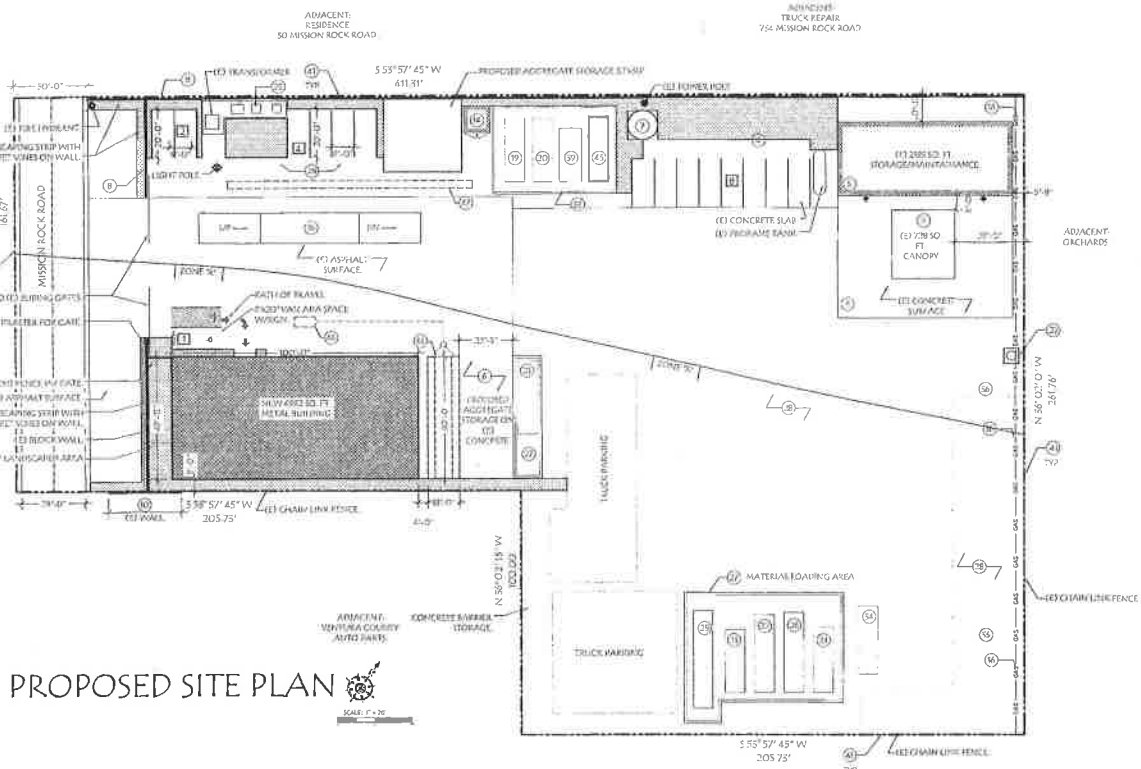




PARTIAL DEMOLITION SITE PLAN

KEYNOTES

1. 20' x 40' WOOD FRAME OFFICE BUILDING 800 SQUARE FEET TO BE REMOVED
2. NOT USED
3. 26' x 38' METAL FRAMED CANOPY WITH THREE OPEN SIDES - 720 SQUARE FEET TO BE REMOVED (RECONSTRUCT)
4. REMOVE 20' x 40' METAL FRAMED CANOPY WITH FOUR OPEN SIDES 1000 SQUARE FEET TRUCK PARKING
5. 30'-5" x 72'-5" WOOD FRAME SHOP BUILDING 2195 SQ. FT. WITH 7'-6" x 50'-0" CONCRETE APRON
6. 22' x 15' CONCRETE SLAB - AGGREGATE STORAGE
7. 12" DIA. 15,000 GALLON TANK (HOT WATER)
8. 5" HIGH CONCRETE BLOCK WALL
9. 7" HIGH CONCRETE BLOCK WALL
10. 7" HIGH CONCRETE BLOCK WALL
11. 6" HIGH CHAIN LINK FENCE
12. PARKING SPACES - ASPHALT
13. 1000 GALLON TANK & 1000 GALLON TANK TO BE REMOVED
14. 10'-8" x 10'-8" RASH ENCLOSURE W/COVER
15. WALKER METER
16. 12" HIGH PRESSURE STEEL LINE APPROX. 42' HIGH CEILING. TANK WITH 1/2" & 1/4" STATE APPROVED METALLIC STORAGE TRAILER. 100 SQ. FT. UNDESIGNATED STATE APPROVED CENTRAL REAR SYSTEM TO BE REMOVED
17. 10' x 40' TRUCK SCALE AT GRADE LEVEL
18. 10' x 26' 5.5" TANK - SLOW SETTING EMULSION, EMULSIFIED ASPHALT 9.750 GALLON
19. 8" DIA. COAT TANK - OVER KOTE ASPHALT PAVEMENT COATING. ASPHALT BEHIND 2" HIGH WALL
20. 8" x 30" DIESEL TANK 11,250 GALLON WITH CONTAINMENT
21. 8" x 32" AIR 4,000 TANK - ASPHALT 12,000 GALLON
22. 8" x 26' 5.5" TANK - ASPHALT 9,750 GALLON
23. 8" x 27" TANK - SPARE 10,100 GALLON
24. 8" x 40' EMULSIFIED ASPHALT CAS-2 15,000 GALLON
25. 8" x 35" TANK - AC-10 - ASPHALT 13,400 GALLON
26. CONCRETE SLAB WITH CONTAINMENT
27. CONCRETE SLAB WITH CONTAINMENT
28. GRAVEL
29. ELECTRICAL SWITCH COAR. AND TRANSFORMER
30. NOT USED
31. NOT USED
32. NOT USED
33. NEW SIGN
34. 8" x 38" TANK 7,500 GALLON - EMPTY NOT USED
35. VEHICLE PARKING
36. HIGH EQUIPMENT STORAGE
37. CONCRETE BLOCK WALL (2" HIGH) CONTAINMENT AREA
38. HIGH USED
39. 8" x 23" (6,200 GALLON) TANK - SEAL COAT STORAGE, WATER BASED - NOT FOR FURNACE
40. NEW SIGN
41. PROPERTY LINE
42. BRUSH AND PLEAN TREE EXISTING PARKING. 10' x 10' SIGN. THE EXISTING BRUSH AND PLEAN TREE BLOCK AT SALLI FENCE. MAINTAIN THE PARKING AREA ONCE COMPLETED
43. REMOVE THE HANGAR WALL OVER THE EXISTING 1" HIGH FENCE. REPLACE WITH COMPACTED GRAVEL
44. NEW LANDSCAPE AREAS
45. PROPOSED 8" x 38" SEAL COAT TANK - OVER KOTE ASPHALT PAVEMENT COATING. ASPHALT EMULSION 9,750 GALLON 2" HIGH WALL
46. 1500 GALLON SEPTIC TANKS AND TWO 50' LONG 18" WIDE FIBER GLASS FIBER WITH 7' FEET OF SEPARATION BETWEEN - NO PAVING OR TRAFFIC OVER LEACH LINE
47. NEW 500G EXPANSION 100 FOOT LEACH FIELD - NO PAVING OR TRAFFIC OVER LEACH LINE



PROPOSED SITE PLAN

NEW LANDSCAPING  
 REQUIRED:  
 87,000 SQ FT AS - 4556 SQ FT  
 PROPOSED:  
 LANDSCAPE AREA - 4556 SQ FT

USE:  
 CONTRACTOR'S SERVICE & STORAGE YARD  
 AND BUILDING.  
 GENERAL PLAN -  
 EXISTING COMMUNITY  
 LU10-0025  
 APN: 099-0-060-405

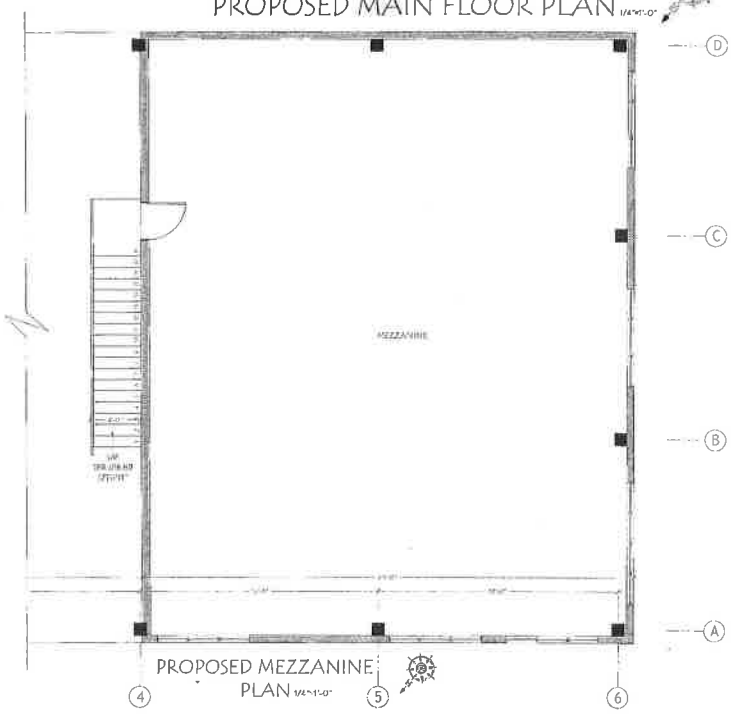
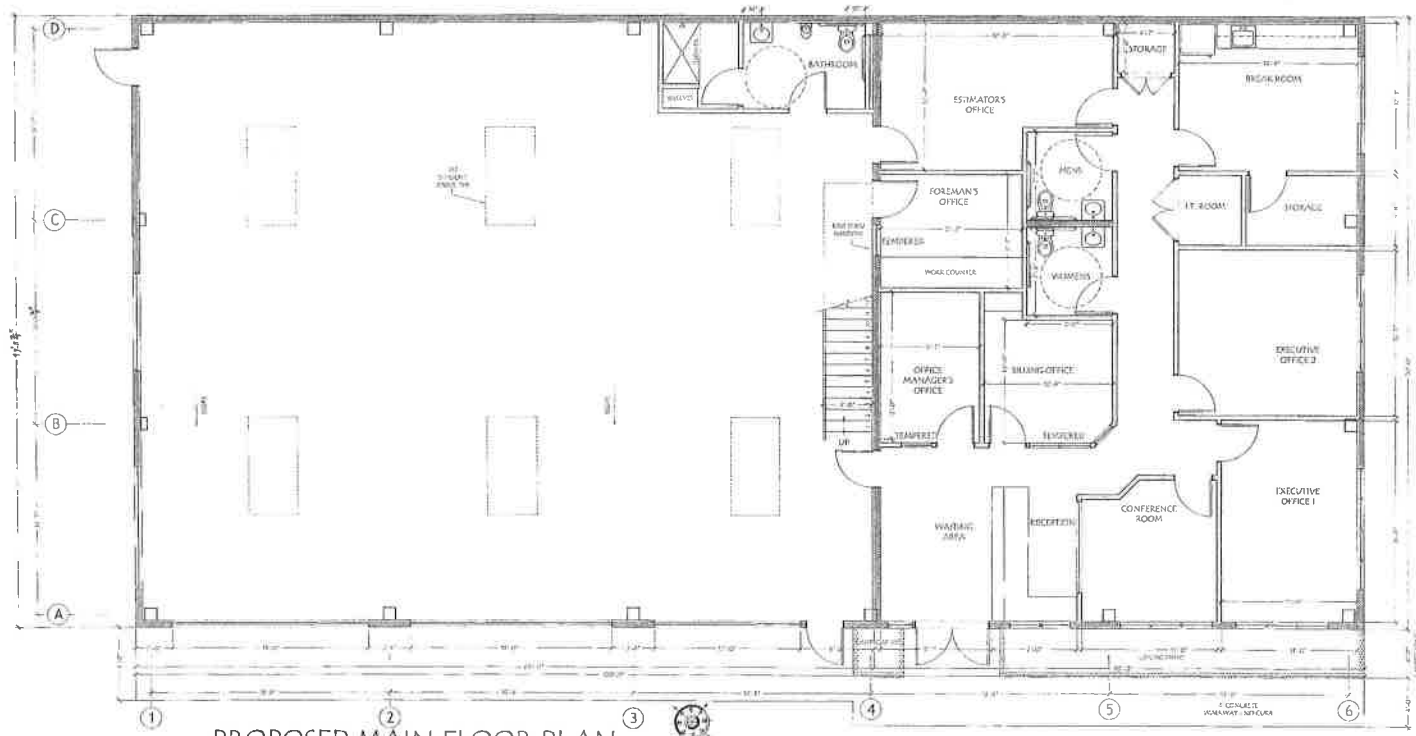
APC  
 PROJECT NAME AND LOCATION

Exhibit 3 - Plans  
 Planning Director Hearing  
 LU10-0025

SITE PLANS

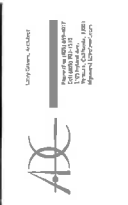
DATE	
BY	
SCALE	
REVISION	
REVISION	
REVISION	
REVISION	
REVISION	

A1



WALL LEGEND

	NEW 2x4 @ 16" O.C. STUD WALL
	NEW 2x6 @ 16" O.C. STUD WALL



REVISIONS


PROJECT NAME AND LOCATION

WESTERN OIL SPREADING  
 NEW INDUSTRIAL BUILDING  
 736 MISSION ROCK ROAD  
 SANTA PAULA, CA 93060

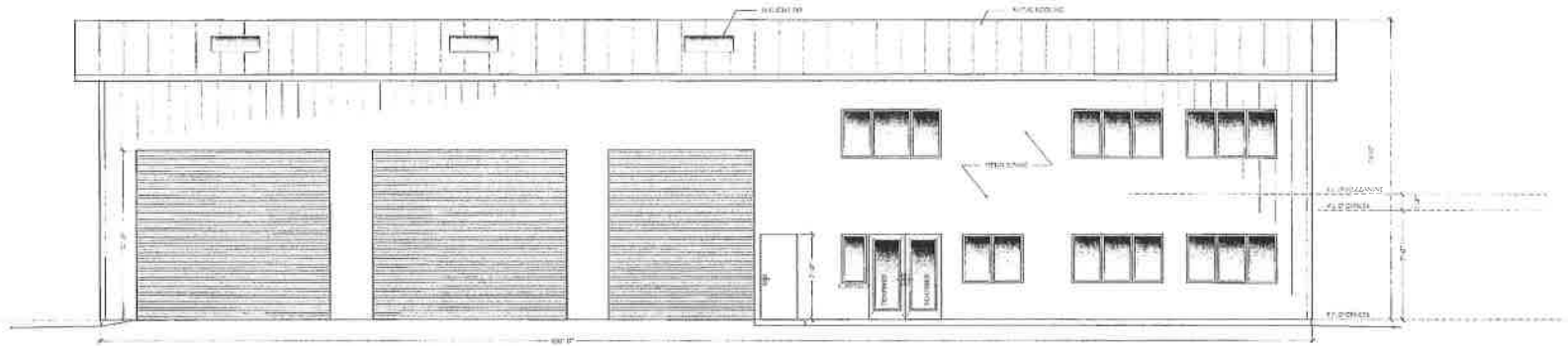
SHEET TITLE

PROPOSED FLOOR PLANS

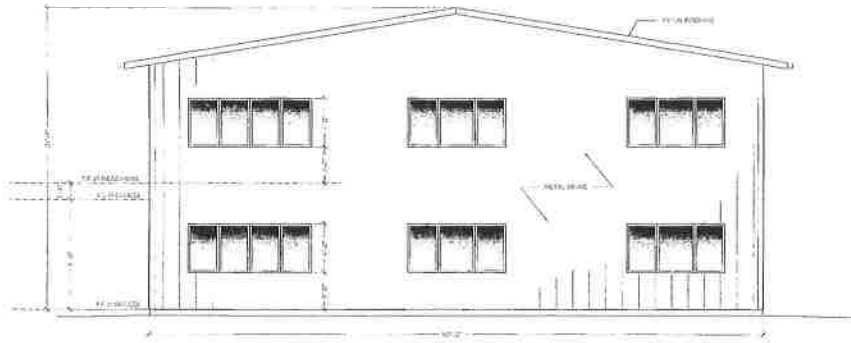
DATE

JANUARY 24, 2013
SCALE
AS NOTED
DESIGNED BY
ABBY GRAVES
DRAWN BY
REYI THANONG

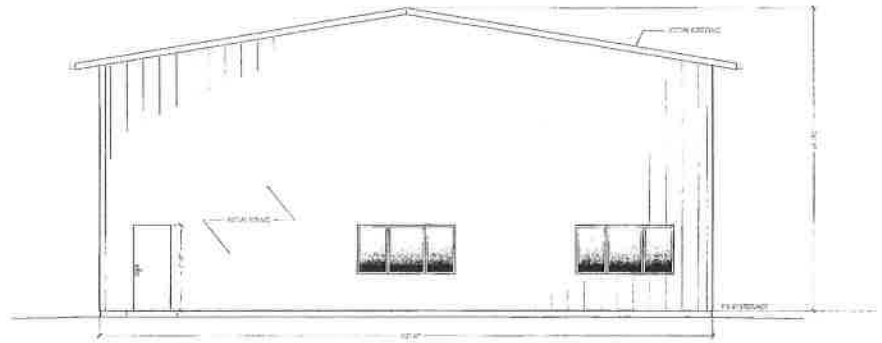
A2



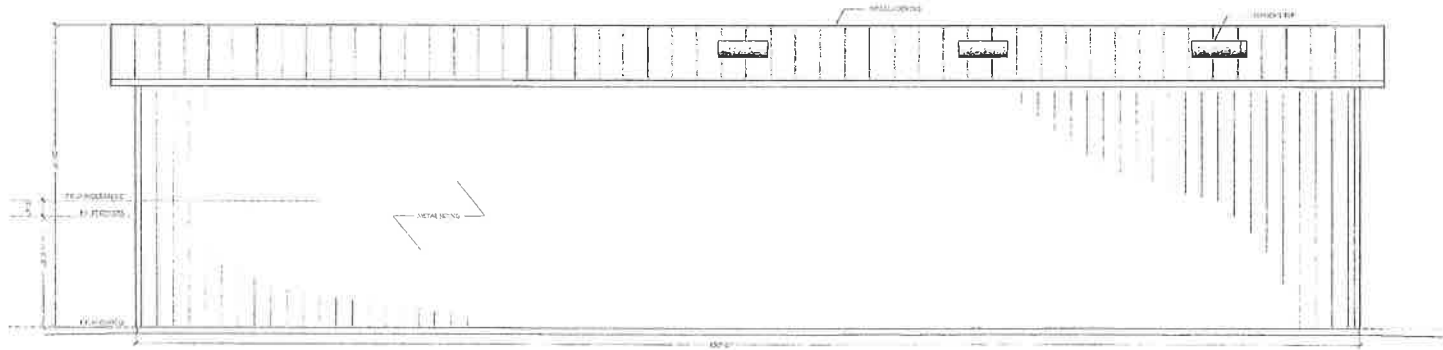
NORTH ELEVATION 1/4"=1'-0"



WEST ELEVATION 1/4"=1'-0"



EAST ELEVATION 1/4"=1'-0"



SOUTH ELEVATION 1/4"=1'-0"



PROJECT NAME AND LOCATION

WESTERN OIL SPREADING  
 NEW INDUSTRIAL BUILDING  
 736 MISSION ROCK ROAD  
 SANTA PAULA, CA 95060

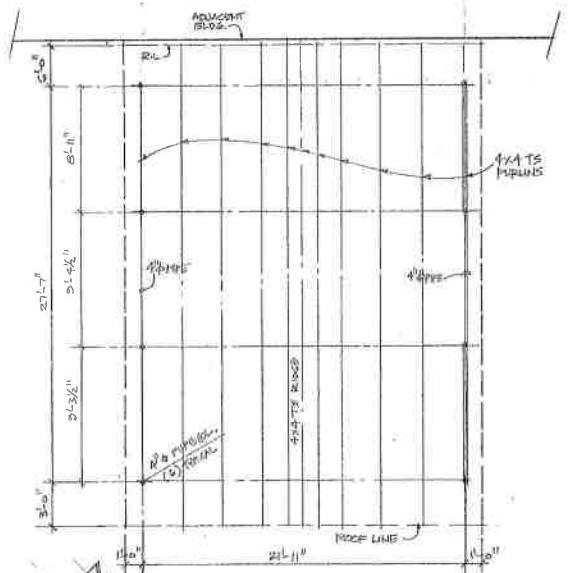
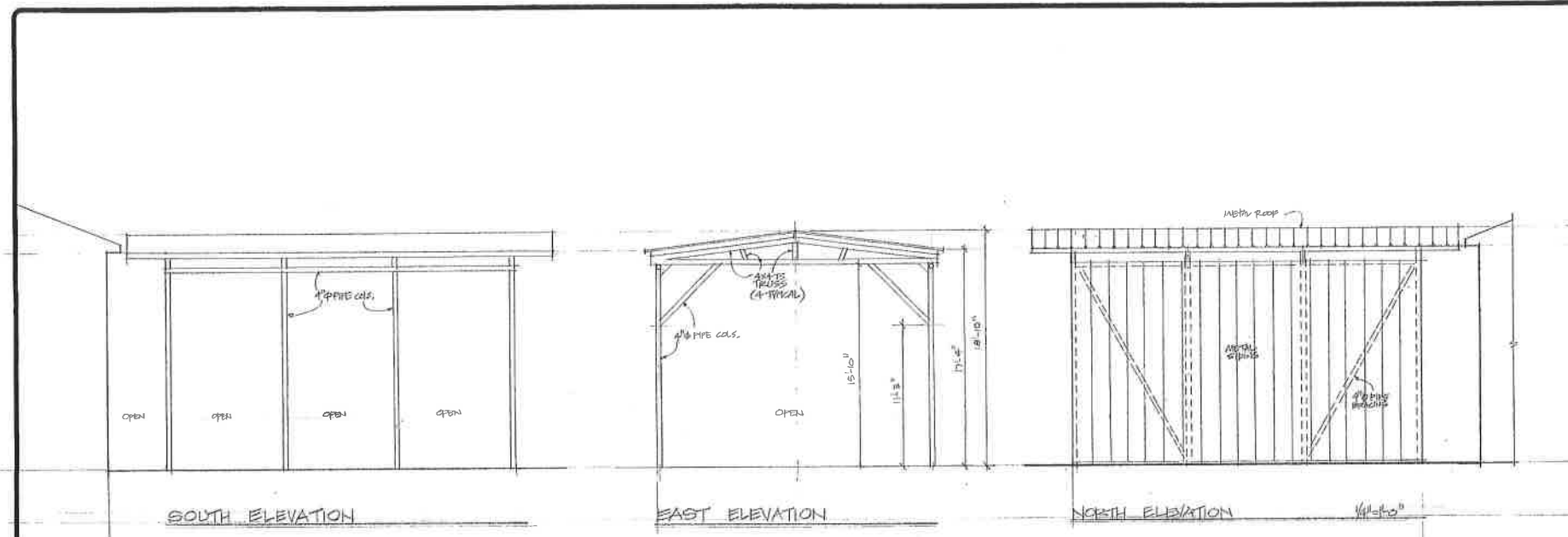
SHEET TITLE

PROPOSED ELEVATIONS

DATE: 2/10/2014  
 TIME: 10:00 AM  
 DRAWN BY: LARRY CASHEN  
 CHECKED BY: BEN CASHEN

A3

REVISIONS	BY
1/22/11	LG



PLAN  
KEYNOTE ③

APN 099-0-060-405

  
 ARCHITECTS ENGINEERS CONTRACTORS  
 1000 S. GATEWAY BLVD. SUITE 100  
 SAN ANTONIO, TX 78204  
 TEL: 214-520-0000 FAX: 214-520-0001

TEN YEAR TIME EXTENSION  
 MOSS PROPERTIES  
 736 MISSION ROCK ROAD  
 SANTA PALA CA 93040  
 (951) 925-5733 APN 099-0-060-405

DRAWN	
CHECKED	
DATE	11-16-2010
SCALE	1/4" = 1'-0"
JOB NO.	
SHEET	A-4
OF	SHEETS

VENTURA COUNTY  
RESOURCE MANAGEMENT AGENCY

MITIGATED NEGATIVE DECLARATION  
FOR  
LAND USE ENTITLEMENTS  
IN  
MISSION ROCK ROAD  
EXISTING COMMUNITY

(STATE CLEARINGHOUSE NUMBER 87122302)

FINAL

The ERRC Committee recommends that the decision-making body of the proposed project find that this document has been completed in compliance with the California Environmental Quality Act.

  
\_\_\_\_\_  
Chair, Environmental Report  
Review Committee

8/26/88  
\_\_\_\_\_  
Date

Exhibit 4 - 1990 MND  
Planning Director Hearing  
LU10-0023

## TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
I. INTRODUCTION AND BACKGROUND INFORMATION.....	1
A. Purpose.....	1
B. Entitlements.....	1
C. Location.....	1
D. Area History.....	1
E. General Plan.....	1
F. Zoning.....	1
G. Land Use.....	1
H. Responsible and Trustee Agencies.....	1
I. Public Review of Environmental Document.....	1
II. PROJECT DESCRIPTION INFORMATION FOR EACH ENTITLEMENT.....	3
A. PD-573 - Ventura Petroleum Services.....	3
B. PD-520 - Gold Coast Steel and Supply.....	4
C. PD-542 - Kinkade Korporation.....	5
D. CUP-960 - Santa Clara Waste Water Co.....	6
E. CUP-308 - Sage Energy Co.....	7
F. DP-115 - Associated Concrete Products.....	8
G. PD-393 - No Current Use or Operator.....	9
H. CUP-4204 - Pavich Wrecking Yard.....	10
I. CUP-3471 - Tri-County Auto Dismantlers.....	11
J. CUP-3922 - Cal Met Truck Parts.....	12
K. CUP-4352 - Oxnard Oil Spreading.....	13
L. CUP-4400 - Madeline's Kennel.....	14
M. CUP-3257 - Santa Paula Auto Salvage.....	15
N. CUP-4356 - Western Auto Wrecking.....	16
III. ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES	
A. Introduction.....	17
B. Implementation and Enforcement.....	17
C. Fire Protection.....	18
D. Flooding.....	19
E. Access and Circulation.....	20
F. Agricultural Resources.....	20
IV. EXHIBITS	
"A" Location Map.....	22
"B" General Plan.....	23
"C" Zoning.....	24
"D" Sheet Flooding and Flood Plain Map.....	25
"E" Access Map.....	26
V. INITIAL STUDY FORM.....	27
VI. PROPERTY OWNER/PERMITTEE CONSENT TO AGREEMENT TO IMPLEMENT PROPOSED MITIGATION MEASURES..... (To be attached)	28

I. INTRODUCTION AND BACKGROUND  
INFORMATION

- A. Purpose: This MND is a multi-project environmental document that addresses impacts associated with fourteen (14) land use entitlements that are located within the Mission Rock Road Existing Community. The initial study, its findings, and mitigations address all 14 of these projects on both a site-specific and cumulative level. Seven of these permits have either expired and new applications are pending, or a modification request has been filed. The remaining seven permits have no expiration date. On July 7, 1987, the Ventura County Planning Commission initiated modification/revocation proceedings on these latter permits. Therefore, Ventura County is the "applicant" with respect to those permits. The purpose of the modification proceedings will be to address serious health and safety issues associated with the entire Existing Community.
- B. Entitlements: Planned Developments Permits 393, 520, 542, and 573; Conditional Use Permits 308, 960, 3257, 3471, 3922, 4204, 4352, 4356, and 4400; and Development Plan 115 (see Section II for more project detail).
- C. Location: The subject properties are located within the Mission Rock Road Existing Community, an industrial area located within the Santa Paula Sphere of Influence, approximately 1/4 mile south of the Santa Paula Freeway, 1/4 mile north of the Santa Clara River, and 2-3/4 miles west of the city limits of Santa Paula (see Exhibit A).
- D. Area History: Industrial uses have been established in this area over the past 30 years on land that was previously in agricultural use, primarily pasture. Oil development began in the mid-1950's with the first producing oil well secured in 1955. Also in that time period, production of sand and gravel in the Santa Clara riverbed commenced, and in 1959, an asphalt batch plant was approved in the area directly south of the current Existing Community. Within the Existing Community itself, the first permit for a vehicle wrecking yard was issued in 1962. Subsequently, more industrial uses were permitted in the 1960's and early 1970's, and currently there are 14 land use permits (4 vehicle wrecking yards, 5 contractors yards, an oilfield wastewater treatment facility, an oil lease, a concrete products manufacturing plant, a kennel and one vacant parcel, whose permittee has not initiated use as a vehicle wrecking yard due to the lack of services).
- The Existing Community, created in 1983, encompasses approximately 95 acres, and is comprised of 21 separate Assessor's Parcels. One parcel is vacant, and 3 parcels have no Land Use Permits.
- E. General Plan: The Ventura County General Plan designates all of the subject properties as within the "Existing Community." The Mission Rock Road Existing Community recognizes the predominant industrial uses in the Mission Rock Road area. The land to the north and west of the Existing Community is designated "Agriculture", and the area to the south and east is designated "Open Space" (see Exhibit B).
- F. Zoning: The subject properties are zoned "M-3" (General Industrial) (see Exhibit C, Zoning Map).
- G. Land Use: The land use within the "Existing Community" is industrial in nature. The Community contains several auto wrecking yards, oil production equipment and an oil waste water treatment plant, a plant for the manufacture of precast concrete products, several storage operations yards and a boarding kennel (see Section II for more detail).
- H. Responsible or Trustee Agencies: State of California, Department of Fish and Game.
- I. Public Review of Environmental Document:
1. Legal Notice Method: Direct mailing to all property owners and permittees within the Existing Community and all property owners within 300 feet of the exterior boundary of the Existing Community. If a parcel boundary extended beyond the Community boundary, the boundary of that parcel was used to determine the 300 foot limit.



2. Document Posting Period: May 14, 1988 - June 14, 1988.

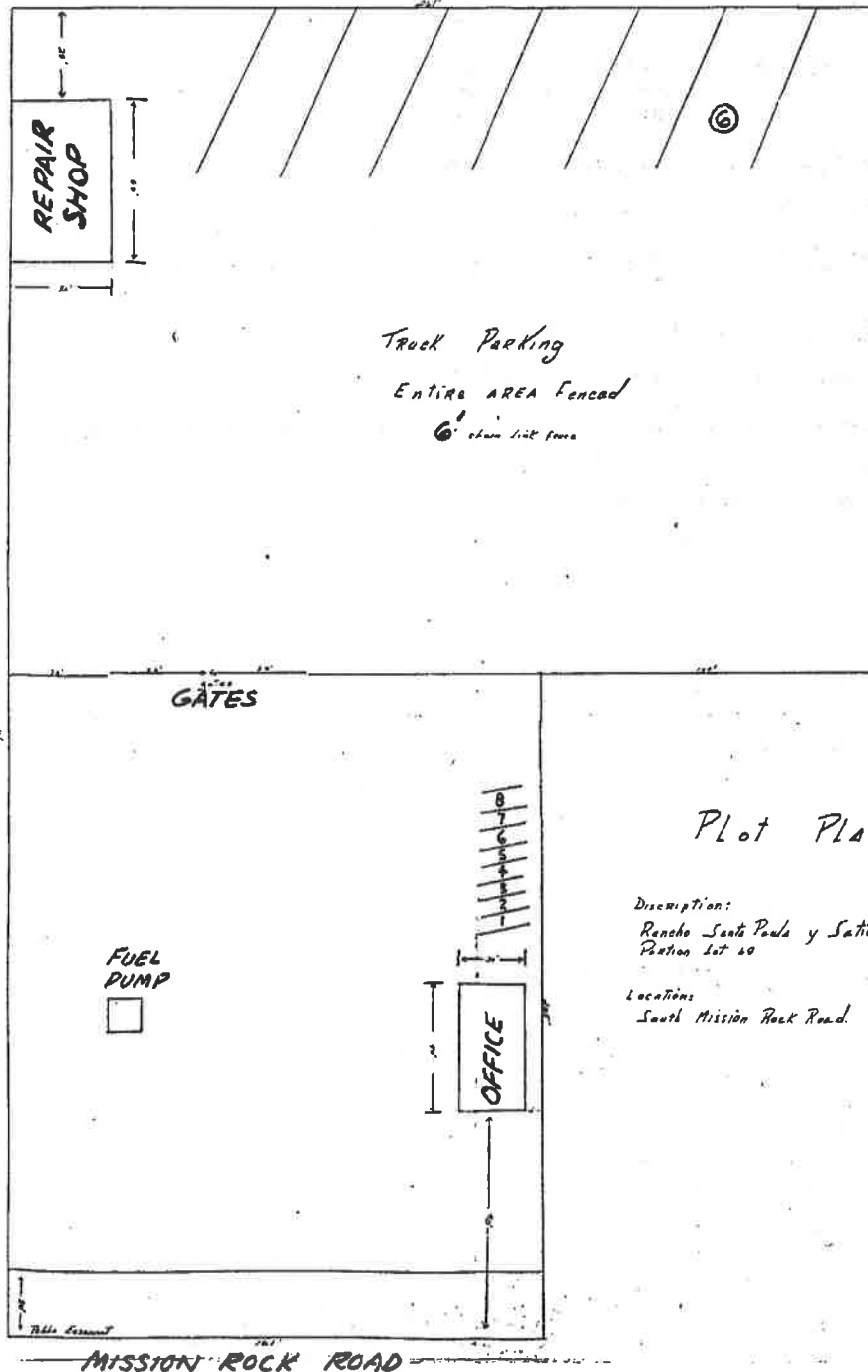
3. Environmental Report Review Committee Hearings:  
February 10, June 29, and July 27, 1988.

January 20,

II. PROJECT INFORMATION FOR EACH ENTITLEMENT

A. Permit Number: PD-573

1. Applicant/Permittee: Ventura Petroleum Services  
736 Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: Joseph A. Cagianut  
800 Spring Street  
Oak View, CA 93023
3. Assessor's Parcel Number: 99-06-40
4. Parcel Size: 2.001 acres
5. Existing Use: Trucking (Hazardous waste hauling) with repair/storage facilities
6. Zoning: "M-3" (General Industry)
7. General Plan: "Existing Community"
8. Permit Status: Ventura County has initiated modification/revocation action.
9. Site Plan: See reverse side.



Scale  
1" = 20'

Plot Plan

Description:  
Rancho Santa Paula y Saticoy  
Partion Lot 60

Location:  
South Mission Rock Road.

Ventura County  
Resource  
Management  
Agency

**PD-573**

**VENTURA PETROLEUM**

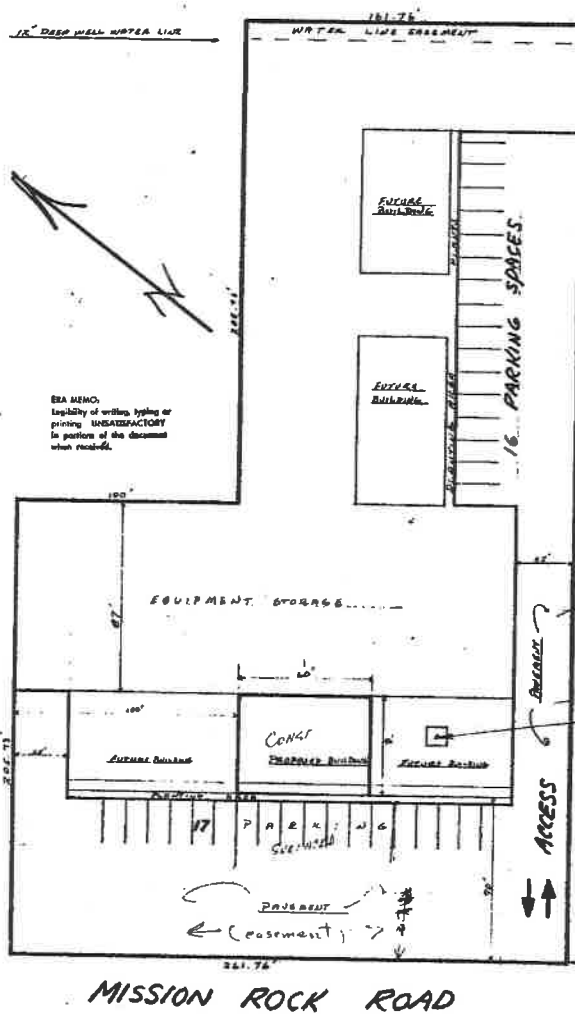
II. PROJECT INFORMATION FOR EACH ENTITLEMENT

B. Permit Number: PD-520

1. Applicant/Permittee: Gold Coast Steel and Supply Co., and  
Rudy's Oilfield Welding (sub-lessee)  
788 Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: Raymond E. Frazier  
P.O. Box 4126  
Saticoy, CA 93004
3. Assessor's Parcel Number: 99-06-34
4. Parcel Size: 2.0 acres
5. Existing Use: Steel supply and storage; and fabrication of oilfield  
equipment/structures
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Ventura County has initiated modification/revocation  
action.
9. Site Plan: See reverse side.

Ventura County  
Resource  
Management  
Agency

# PD-520 GOLD COAST STEEL & SUPPLY



EPA MEMO:  
Legibility of writing, typing or  
printing UNSATISFACTORY  
in portions of the document  
when received.

EPA MEMO:  
Legibility of writing, typing or  
printing UNSATISFACTORY  
in portions of the document  
when received.

DATE: 11/17/85
BY: RAYMOND L. MILLER
PROJECT: PD-520
PROJECT: GOLD COAST STEEL & SUPPLY

FOR: RAYMOND L. MILLER
677 COATE DE GRASSO
VENTURA COUNTY, CALIF. 93417

PROJECT: PD-520
PROJECT: GOLD COAST STEEL & SUPPLY

SCALE: 1" = 20'

BID#  
11/13/85

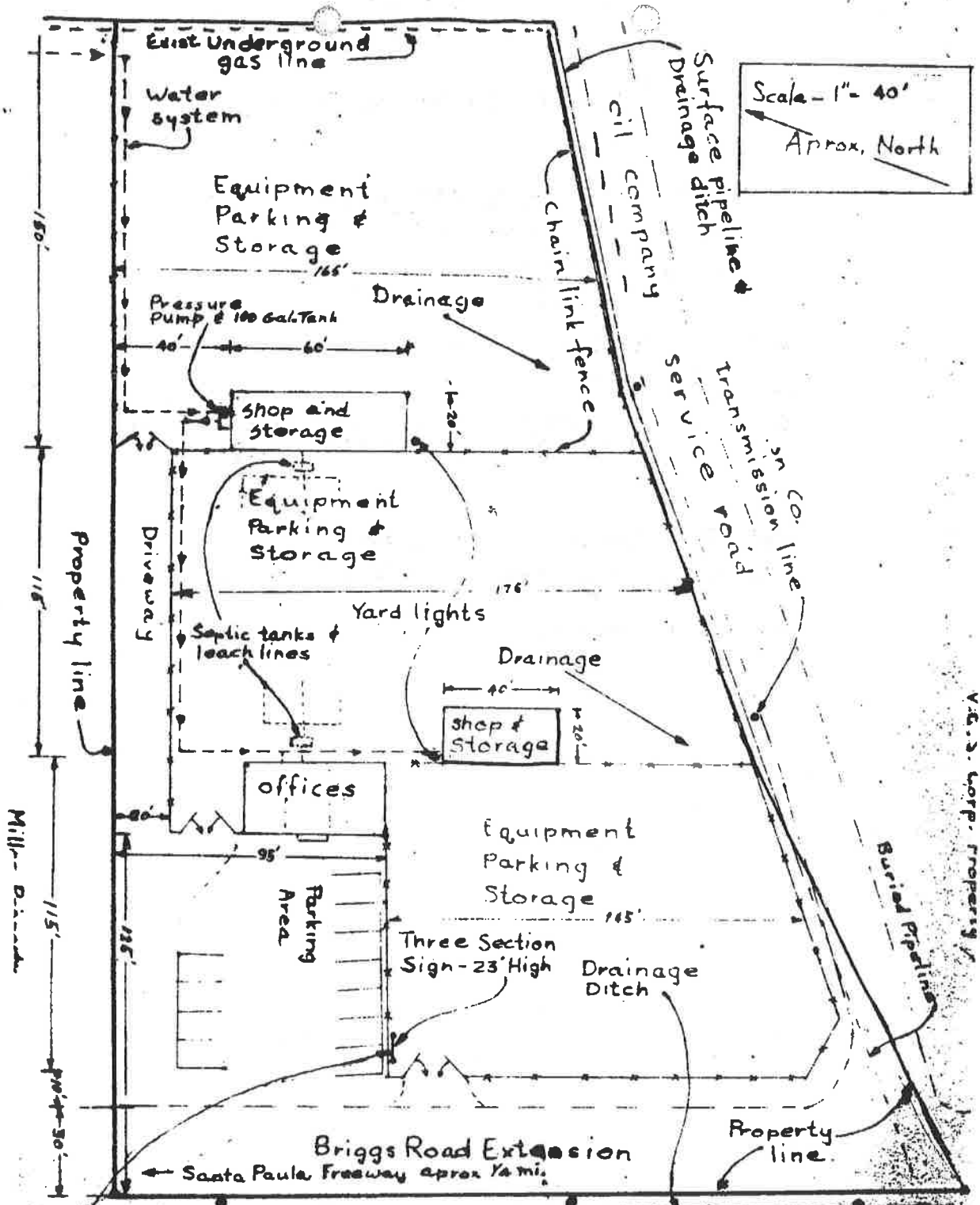
60'  
10'

0'-0"  
4'

II. PROJECT INFORMATION FOR EACH ENTITLEMENT

C. Permit Number: PD-542

1. Applicant/Permittee: Kinkade Korporation  
1752 Lirio Avenue  
Ventura, CA 93003
2. Property Owner: Robert N. Smith  
191 Wayview Ct.  
Ventura, CA 93003
3. Assessor's Parcel Number: 99-06-33
4. Parcel Size: 2.0 acres
5. Existing Use: Vacant for in excess of 1 year; recently re-activated as a contractor's equipment and storage yard. Permit is still valid.
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Ventura County has initiated modification/revocation action.
9. Site Plan: See reverse side.



V.G.S. Corp. Property

Zoning map S-9, part of Parcel 3 of Backwith subdivision of subdivision 69

Plot plan for P.D. Formis Briggs Road property of T.D. and M.M. Stone



Detail of three-section double faced illuminated sign - not drawn to scale.

II. PROJECT INFORMATION FOR EACH ENTITLEMENT

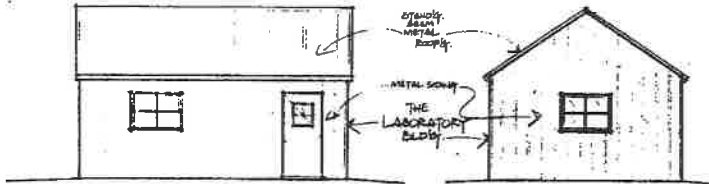
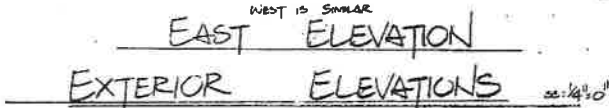
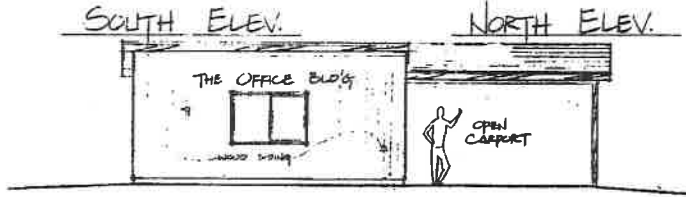
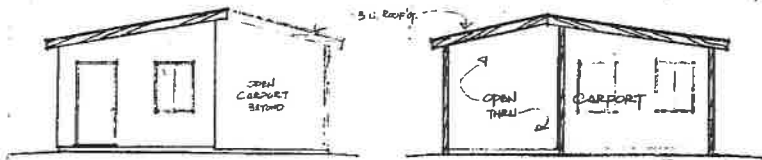
D. Permit Number: CUP-960

1. Applicant/Permittee: Santa Clara Waste Water Co.  
815 Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: Santa Clara Waste Water Co.  
P.O. Box 4156  
Ventura, CA 93004
3. Assessor's Parcel Number: 99-06-16
4. Parcel Size: 4.89 acres
5. Existing Use: Primary treatment of oilfield waste water
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Ventura County has initiated modification/revocation  
action.
9. Site Plan: See reverse side.



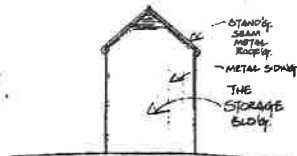
**SANTA CLARA WASTE WATER CO.**

**CUP-960**



EAST IS PARTIALLY SIMILAR  
**WEST ELEV.**

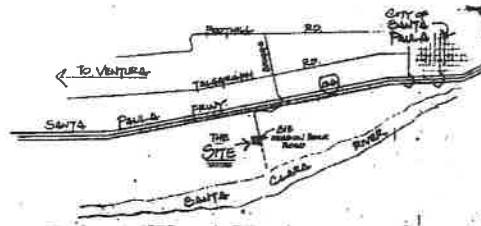
SOUTH - PARTIALLY SIM.  
**NORTH EL.**



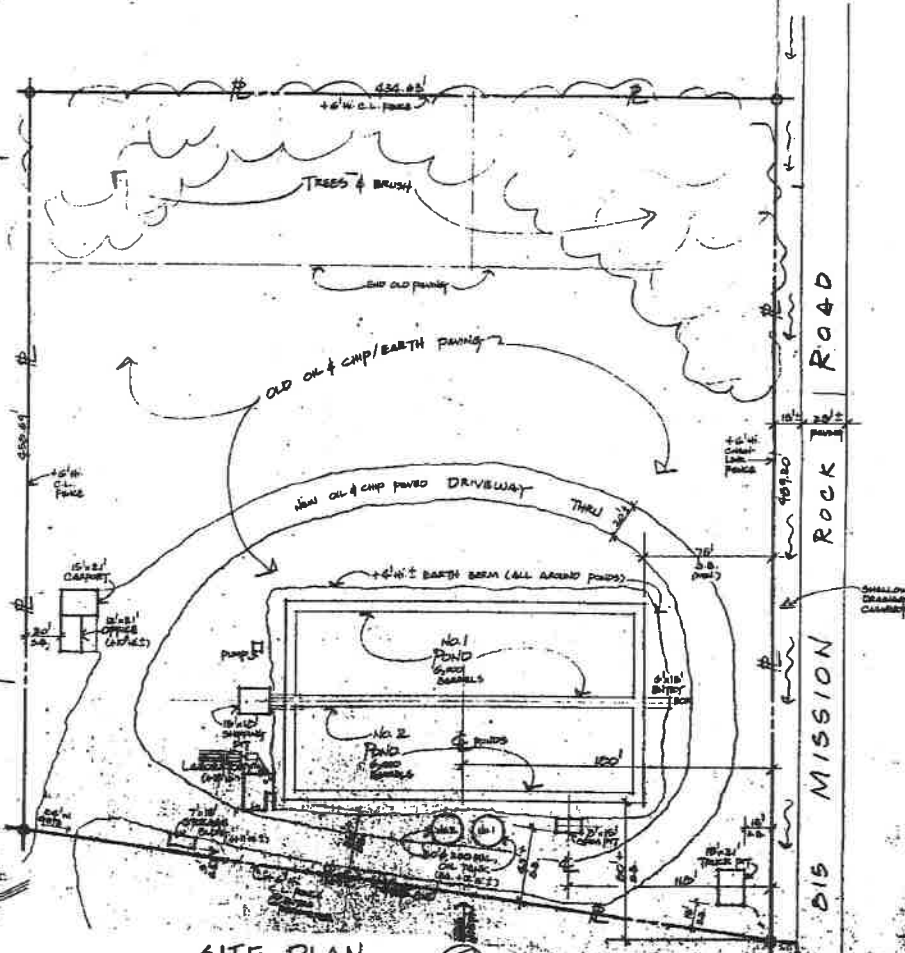
**WEST EL.**



**SOUTH EL.**



**VICINITY MAP**  
NO SCALE



**SITE PLAN**  
FOR THE  
**SANTA CLARA WASTE WATER CO.**  
815 MISSION ROCK RD. SANTA PAULA  
(805) 525-8315 93060

**MISSION ROCK ROAD**  
**1515 MISSION ROCK ROAD**

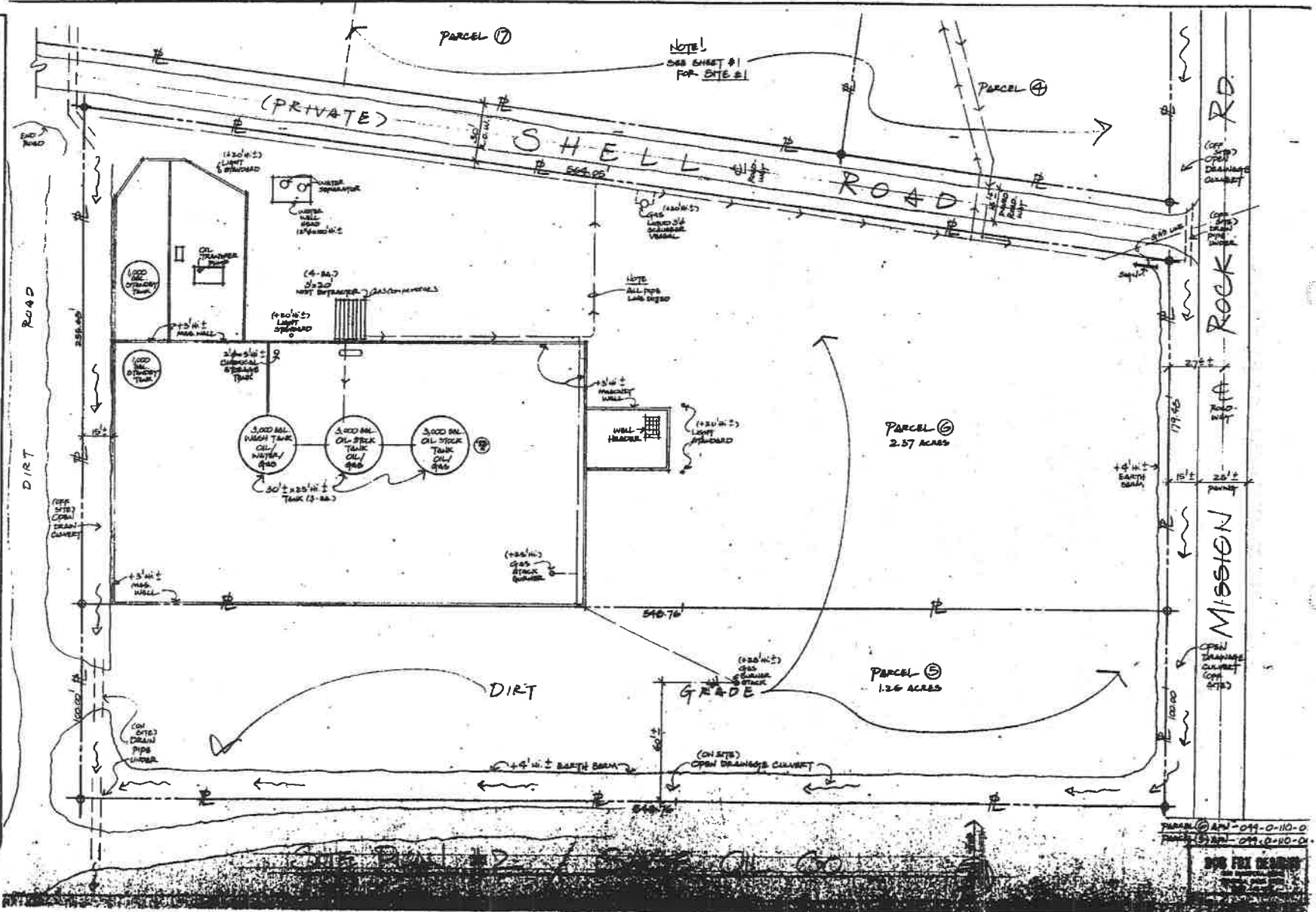
II. PROJECT INFORMATION FOR EACH ENTITLEMENT

- E. Permit Number: CUP-308
1. Applicant/Permittee: Sage Energy Co.  
890 Mission Rock Road  
Santa Paula, CA 93060
  2. Property Owner: Sage Energy Co.  
600 17th St., #2005 S  
Denver, CO 80202
  3. Assessor's Parcel Number: 99-06-04, 17; 99-11-05,06
  4. Parcel Size:

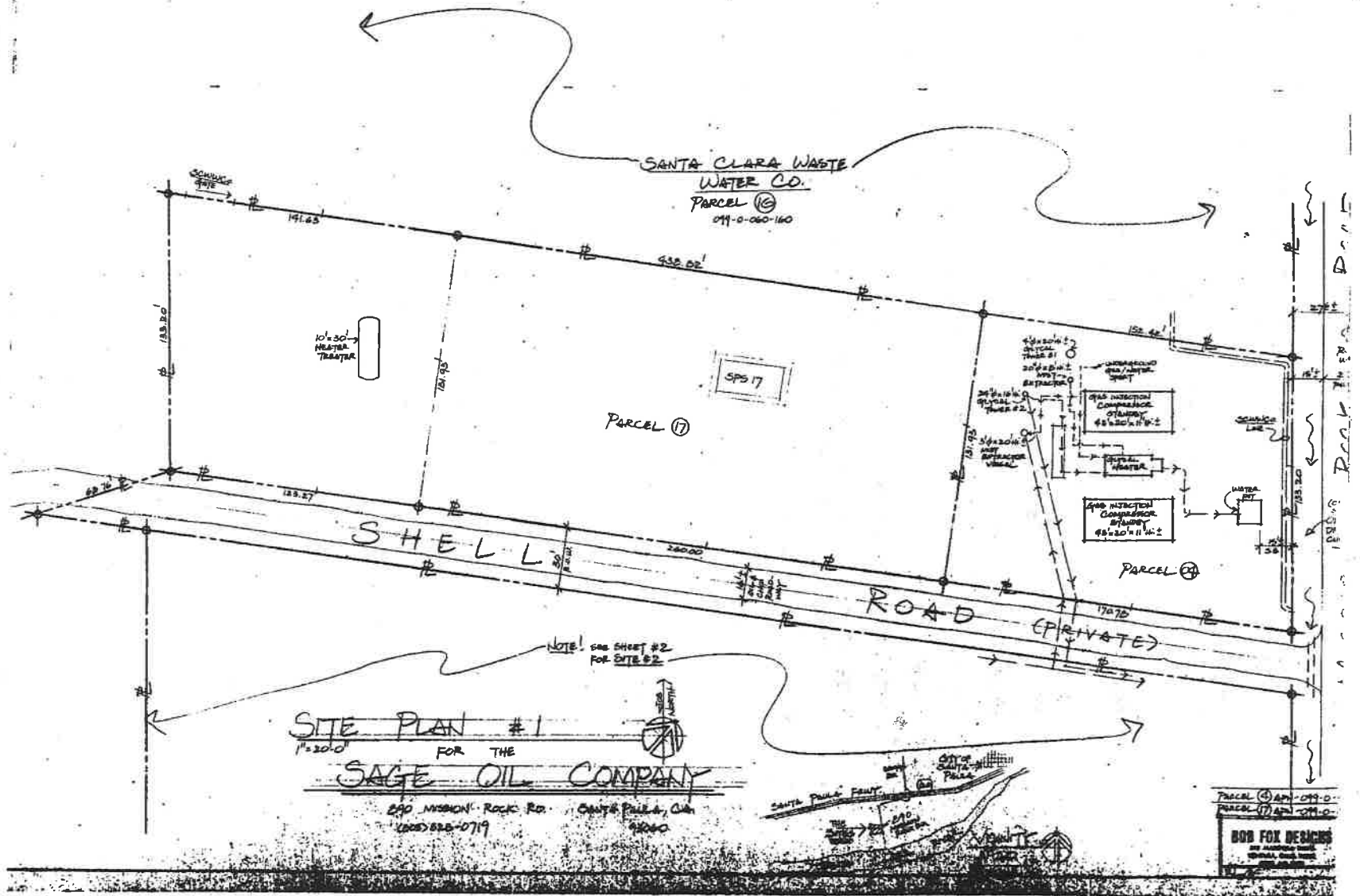
99-06-04	0.48 acres
-17	1.59 acres
99-11-05	1.26 acres
-06	2.37 acres
  5. Existing Use: Oil production and storage
  6. Zoning: "M-3"
  7. General Plan Designation: "Existing Community"
  8. Permit Status: Ventura County has initiated modification/revocation action.
  9. Site Plan: See reverse side.

Ventura County  
Resource  
Management  
Agency

CUP-308  
SAGE ENERGY



CUP-308  
SAGE ENERGY



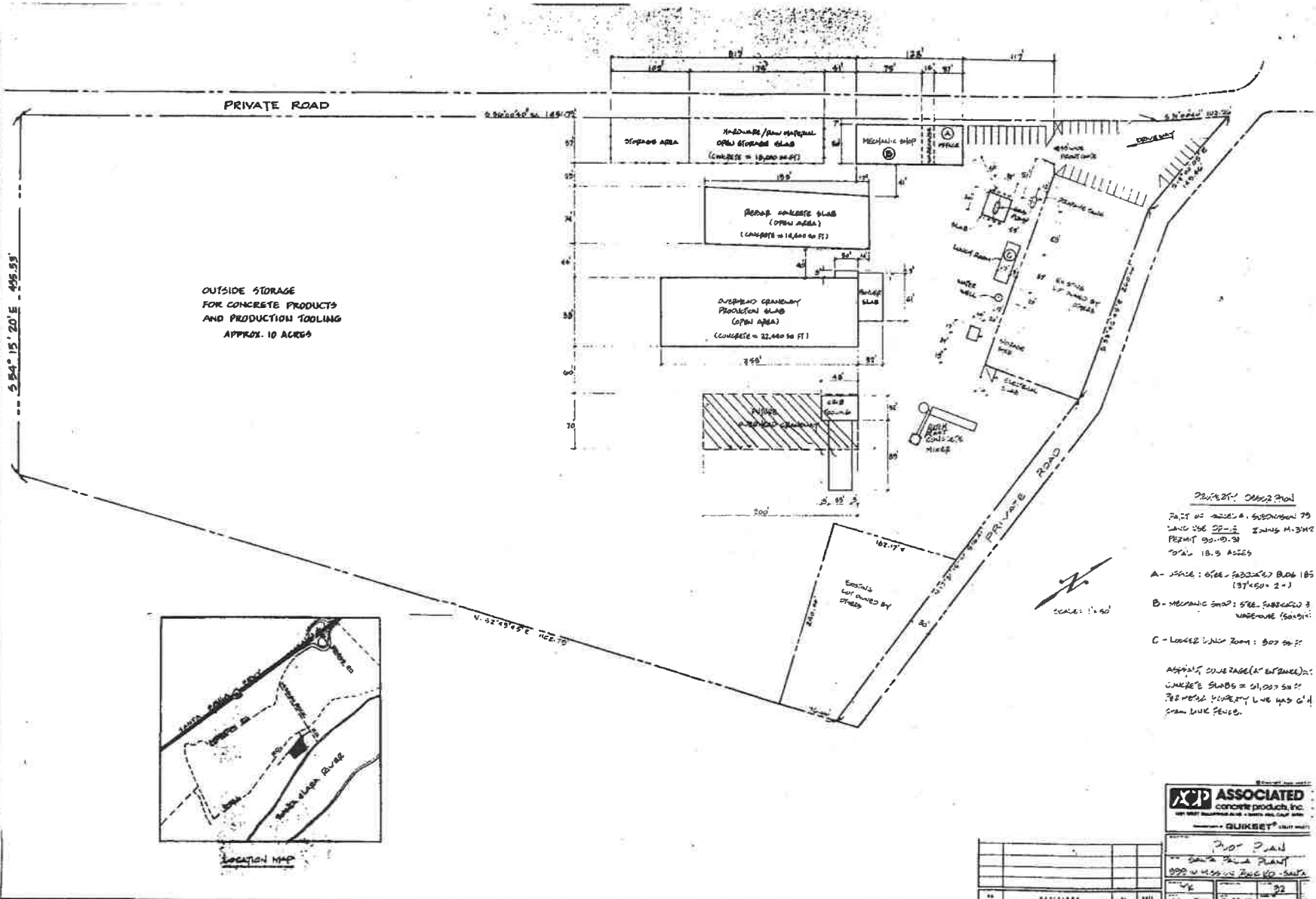
II. Project Information for Each Entitlement

F. Permit Number: DP-115

1. Applicant/Permittee: Associated Concrete Products  
999 Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: Santa Paula Development Co., Inc.  
P.O. Box 1557  
Costa Mesa, CA 92626
3. Assessor's Parcel Number: 90-19-31
4. Parcel Size: 18.34 acres
5. Existing Use: Manufacture of reinforced concrete products
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Ventura County has initiated modification/revocation action.
9. Site Plan: See reverse side.

# ASSOCIATED CONCRETE

DP-115



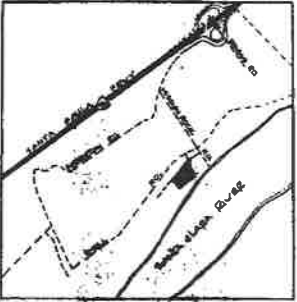
**EXISTING OTHER PLANT**  
 PART OF AREA A, SUBDIVISION 79  
 LAND USE ZONING M-SM2  
 PERMIT 09-19-03  
 TOTAL 18.9 ACRES

A - SLAB: 6766 x 2022' (7) SLAB 185  
 (37' x 50' x 2')

B - MECHANIC SHOP: 6766 x 2022' (7)  
 WAREHOUSE (50x50')

C - LOADER LIFT ZONE: 607' x 94'

ADDITIONAL CONCRETE (AFTER PERMIT):  
 CONCRETE SLABS = 51,000 SQ FT  
 PERMIT NUMBER L-16 HAS 6'4"  
 FROM LINK FENCE.



**ASSOCIATED**  
 concrete products, inc.  
 999 N. MOUNTAIN DR. SUITE 100, SANTA CLARA, CA 95050  
 TEL: (408) 298-2200 FAX: (408) 298-2201

**PROJ PLAN**  
 SANTA CLARA PLANT  
 999 N. MOUNTAIN DR. SUITE 100, SANTA CLARA, CA 95050

DATE	12/23/03
SCALE	AS SHOWN

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	12/23/03

II. PROJECT INFORMATION FOR EACH ENTITLEMENT

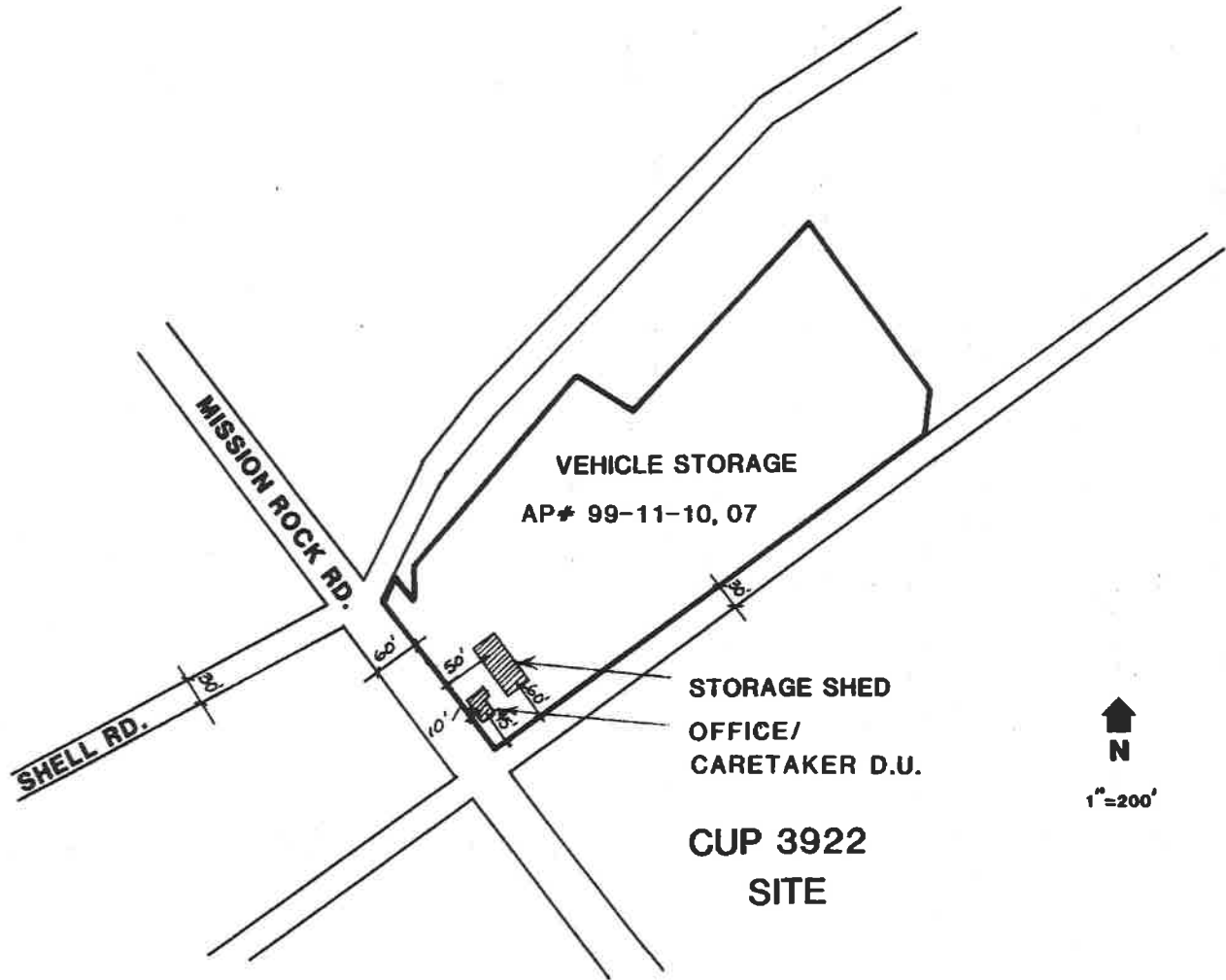
G. Permit Number: PD-393

1. Applicant/Permittee: C. L. and Jennifer Taylor  
910 Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: C. L. and Jennifer Taylor  
936 Mission Rock Road  
Santa Paula, CA 93060
3. Assessor's Parcel Number: 99-11-01, 07
4. Parcel Size: 99-11-01 5.70 acres  
99-11-07 0.014 acres (well site)
5. Existing Use: Vacant (permit issued for contractor equipment yard).  
Wrecked vehicles illegally stored on property.
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Ventura County has initiated modification/revocation action on PD-393. Concurrently, property owner has filed application to include this parcel under CUP-3922 for expansion of wrecking yard.
9. Site Plan: See reverse side.

Ventura County  
Resource  
Management  
Agency

**PD - 393**  
**TAYLOR**

1"=200'





II. PROJECT INFORMATION FOR EACH ENTITLEMENT

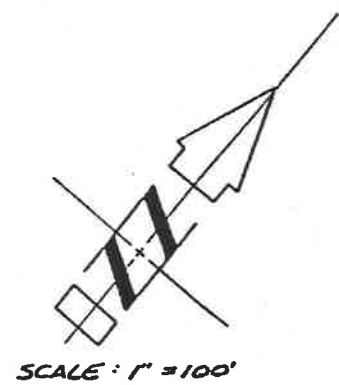
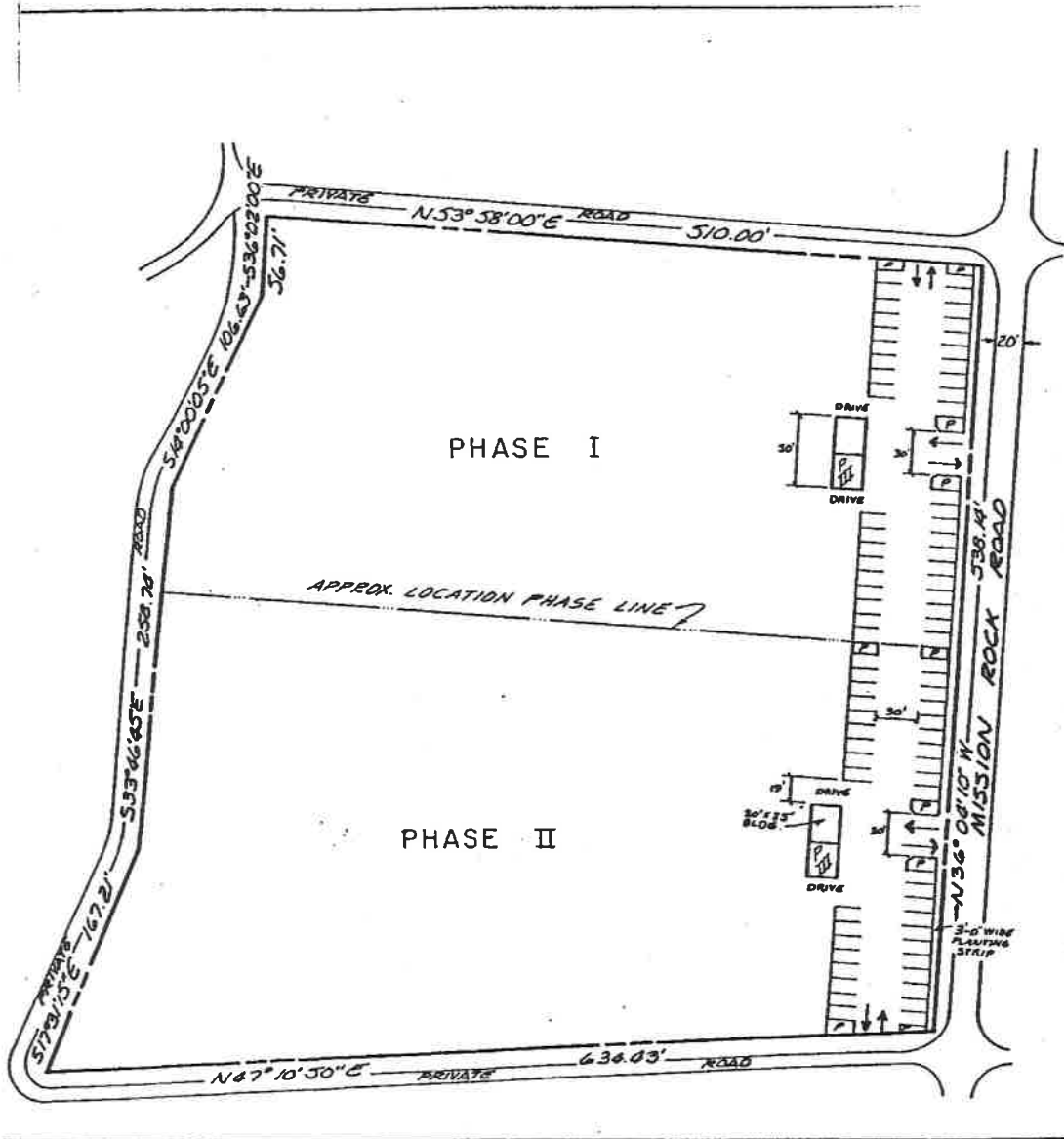
H. Permit Number: CUP-4204

1. Applicant/Permittee: Nick Pavich  
Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: Nick Pavich  
Mission Rock Road  
Santa Paula, CA 93060
3. Assessor's Parcel Number: 99-11-04
4. Parcel Size: 7.43 acres
5. Existing Use: Vacant (Applicant has requested extension of use  
inauguration for a vehicle salvage yard.)
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Applicant unable to use inaugurate until major  
community-wide environmental problems are  
mitigated.
9. Site Plan: See reverse side.

Ventura County  
Resource  
Management  
Agency

CUP-4204-2  
N. PAVICH

1"=200'

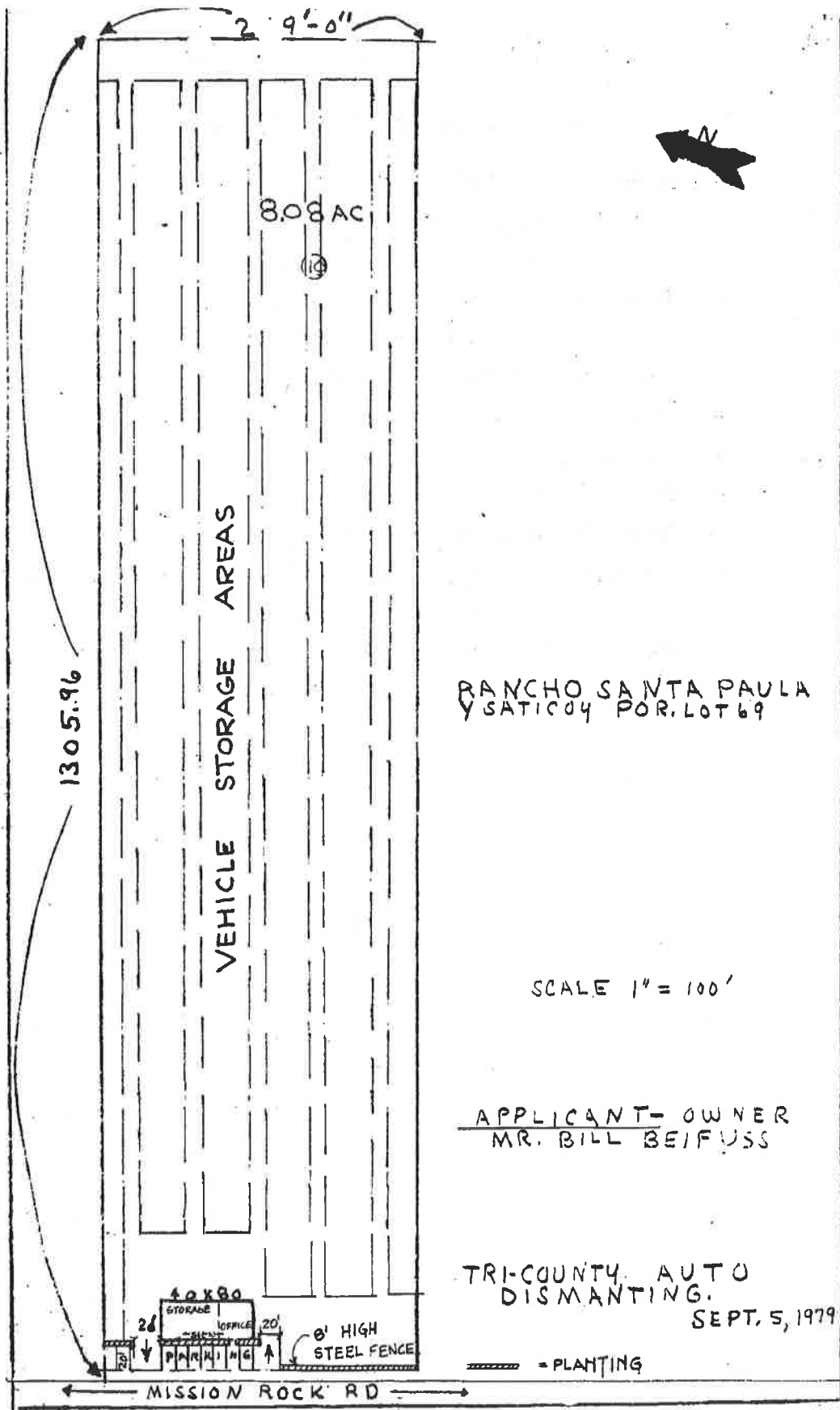


PARCEL NUMBER: 99-110-06  
OWNER/APPLICANT  
THE RECYCLING CENTER  
NICK PAVICH, Sr. & NICK PAVICH, Jr.  
5556 VINELAND AVENUE  
NORTH HOLLYWOOD, CA. 91601

II. PROJECT INFORMATION FOR EACH ENTITLEMENT

I. Permit Number: CUP-3471

1. Applicant/Permittee: Tri-County Auto Dismantler  
950 Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: Bill Biefuss  
950 Mission Rock Road  
Santa Paula, CA 93060
3. Assessor's Parcel Number: 99-11-10
4. Parcel Size: 8.08 acres
5. Existing Use: Motor vehicle salvage and wrecking yard
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Modification application filed for extension of use.
9. Site Plan: See reverse side.

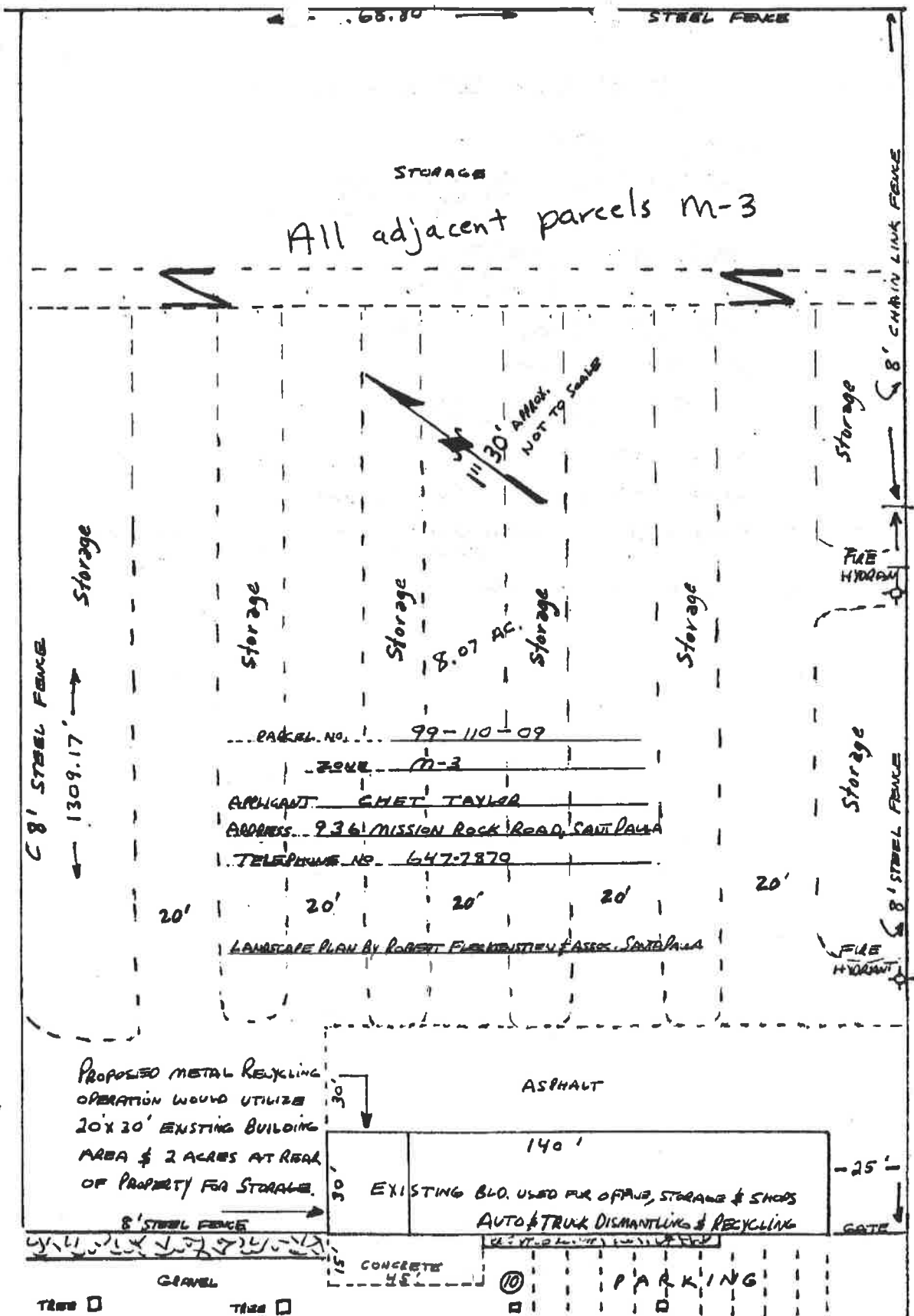


<p>Ventura County Resource Management Agency</p>	<p>CUP-3471-2</p>	
<p>B. BEFUSS</p>		

II. PROJECT INFORMATION FOR EACH ENTITLEMENT

J. Permit Number: CUP-3922

1. Applicant/Permittee: C. L. and Jennifer Taylor  
936 Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: C. L. and Jennifer Taylor  
936 Mission Rock Road  
Santa Paula, CA 93060
3. Assessor's Parcel Number: 99-11-09
4. Parcel Size: 8.07 acres
5. Existing Use: Motor vehicle salvage and wrecking yard
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Modification application filed for extension of  
time limits and expansion of use to adjacent  
property (see PD-393).
9. Site Plan: See reverse side.



Ventura County  
Resource  
Management  
Agency

CUP-3922

C. TAYLOR

1" = 2000'

II. PROJECT INFORMATION FOR EACH ENTITLEMENT

K. Permit Number: CUP-4352

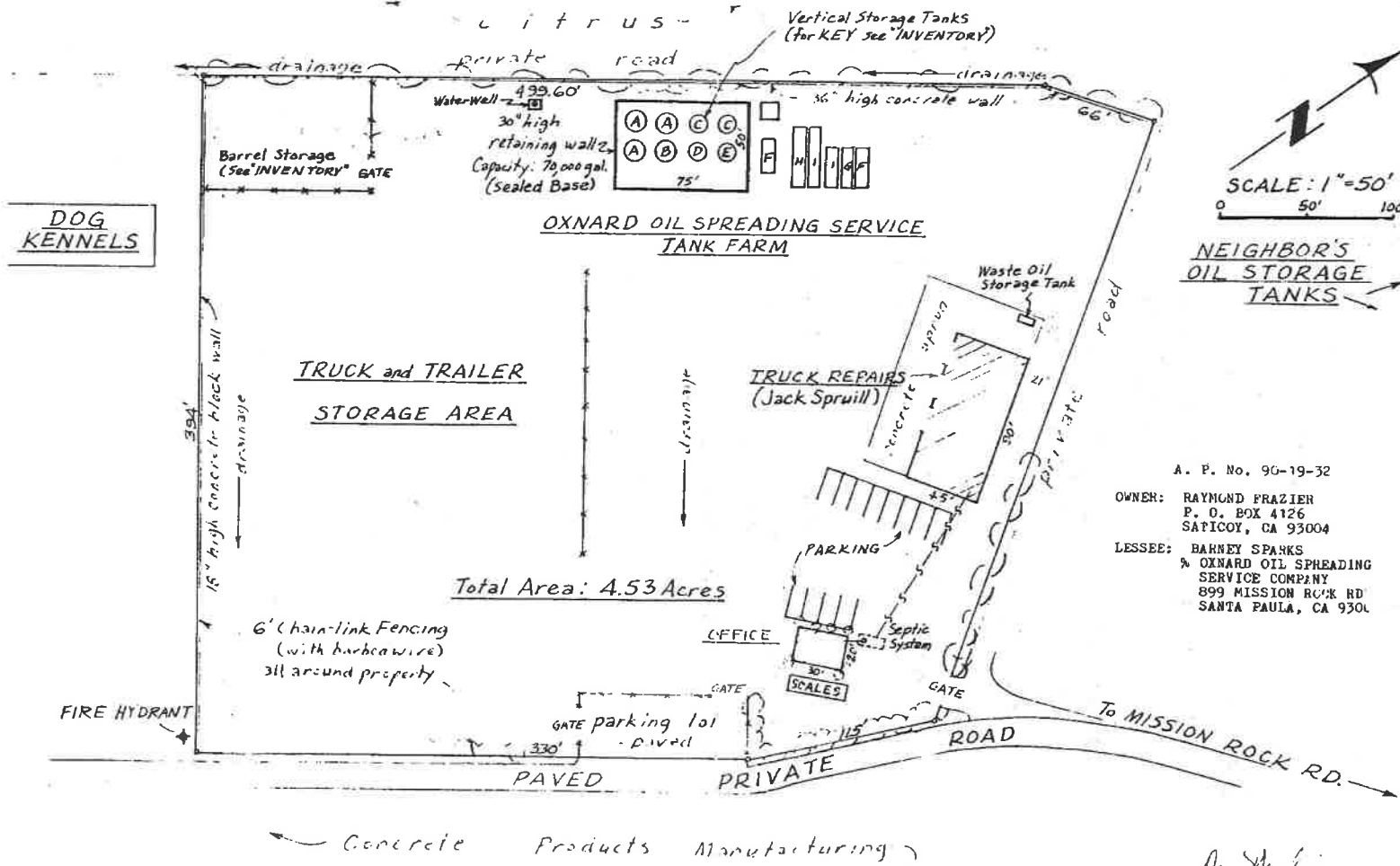
1. Applicant/Permittee: Oxnard Oil Spreading  
899 Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: Raymond Frazier  
P.O. Box 4126  
Saticoy, CA 93004
3. Assessor's Parcel Number: 90-19-32
4. Parcel Size: 4.43 acres
5. Existing Use: Production, storage and maintenance yard for road  
surfacing company.
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Previous permit expired (CUP-3338). Application  
for new permit filed.
9. Site Plan: See reverse side.

Ventura County  
Resource  
Management  
Agency

OXNARD OIL SPREADING

CUP-4352

1" = 200'



A. P. No. 90-19-32  
 OWNER: RAYMOND FRAZIER  
 P. O. BOX 4126  
 SATECOY, CA 93004  
 LESSEE: BARNEY SPANKS  
 % OXNARD OIL SPREADING  
 SERVICE COMPANY  
 899 MISSION ROCK RD  
 SANTA PAULA, CA 9304

Dr. Sterling  
 4-7-86



II. PROJECT INFORMATION FOR EACH ENTITLEMENT

L. Permit Number: CUP-4400

1. Applicant/Permittee: Madeline's Kennel  
901 Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: Madeline's Kennel  
901 Mission Rock Road  
Santa Paula, CA 93060
3. Assessor's Parcel Number: 90-19-33
4. Parcel Size: 1.99 acres
5. Existing Use: Boarding, training and breeding facilities for dogs and cats, and single family residence.
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Modification application filed for extension of use.
9. Site Plan: See reverse side.

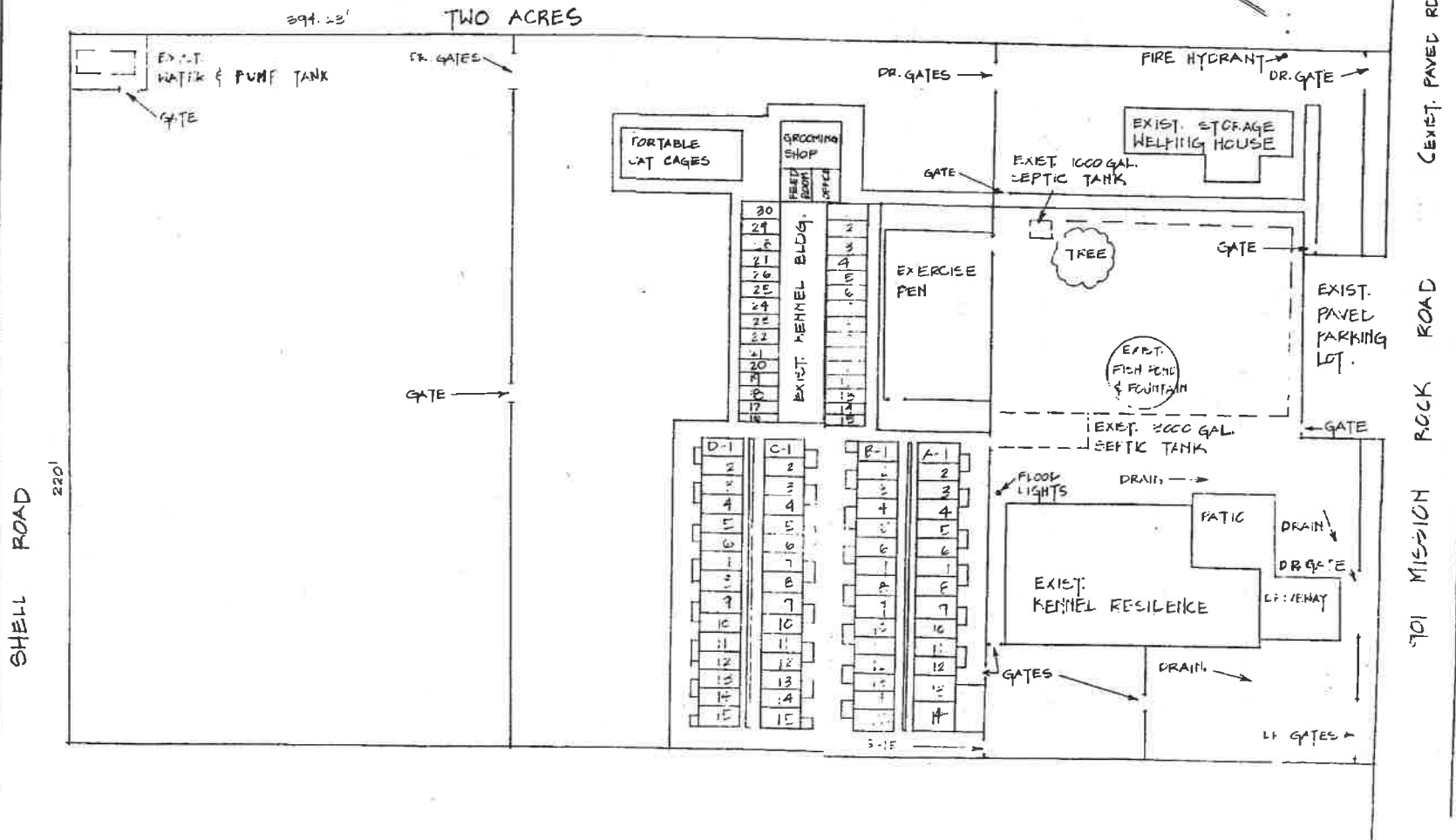
Ventura County  
Resource  
Management  
Agency

M. LASSICH  
CUP-4400

1"=200'

# MADELINE'S BOARDING KENNEL PLOT PLAN

SCALE: APPROX 1" = 25'



II. PROJECT INFORMATION FOR EACH ENTITLEMENT

M. Permit Number: CUP-3257

1. Applicant/Permittee: Santa Paula Auto Salvage  
1015 Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: Ada L. Akers  
11405 Darling Rd., Sp. 123  
Ventura, CA 93004
3. Assessor's Parcel Number: 90-19-29, 28 (portion)
4. Parcel Size: 90-19-29 2.18 acres  
-28 Approx. 2 acre portion of a 6.2 acre parcel.
5. Existing Use: Motor vehicle salvage and wrecking yard
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Modification application filed to extend permit on  
4.18 acres and expand to include the remaining 4.2  
acres of APN 90-19-28.
9. Site Plan: See reverse side.

Ventura County  
Resource  
Management  
Agency

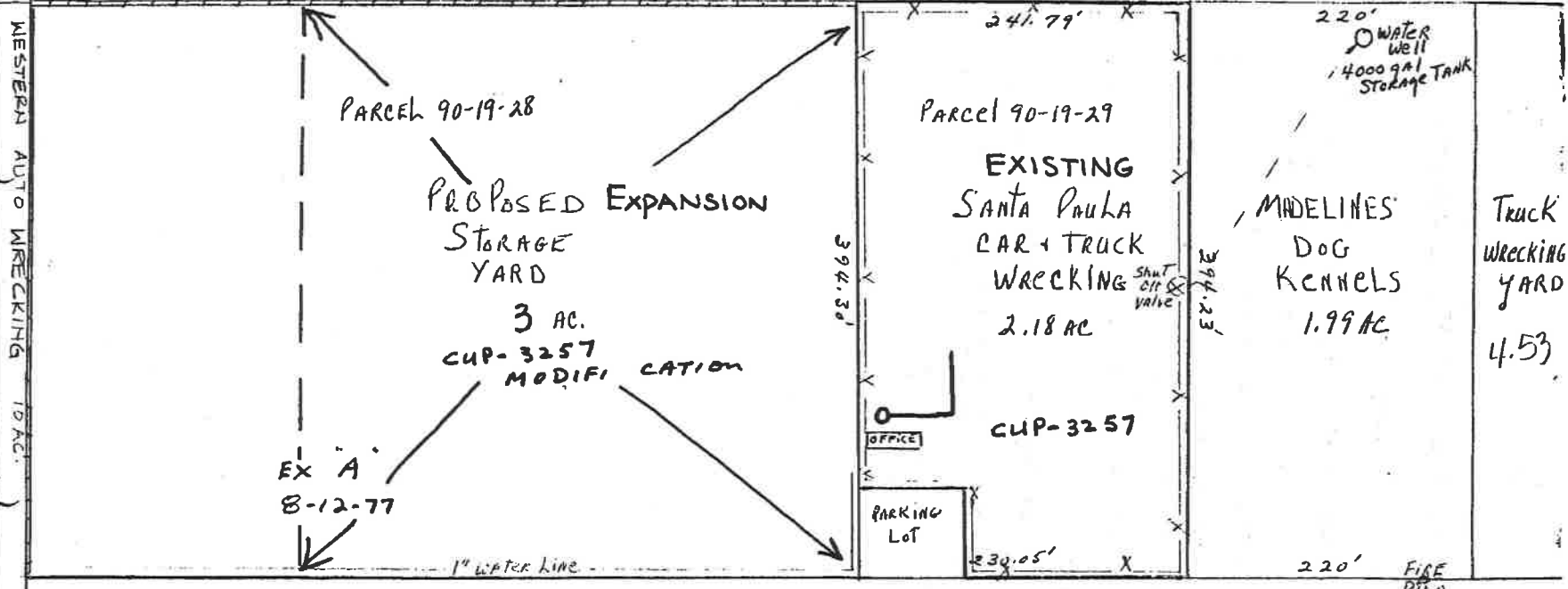
W. LINDSAY  
CUP-3257-2

# LEMON ORCHARD

MAP OF AREA BOUNDARY BY APPLICATION

Approved by Fire Dept.

## SHELL ROAD



## MISSION ROCK ROAD

0-1000 gal. septic Tank  
85 FT. Leach Line

Associated Concrete

CHAIN LINK FENCE  
CORRUGATED TIN FENCE  
WATER FAUCETS EVERY 15 FT. - - X  
1" WATER LINES ALL ALONG CHAIN FENCE

II. PROJECT INFORMATION FOR EACH ENTITLEMENT

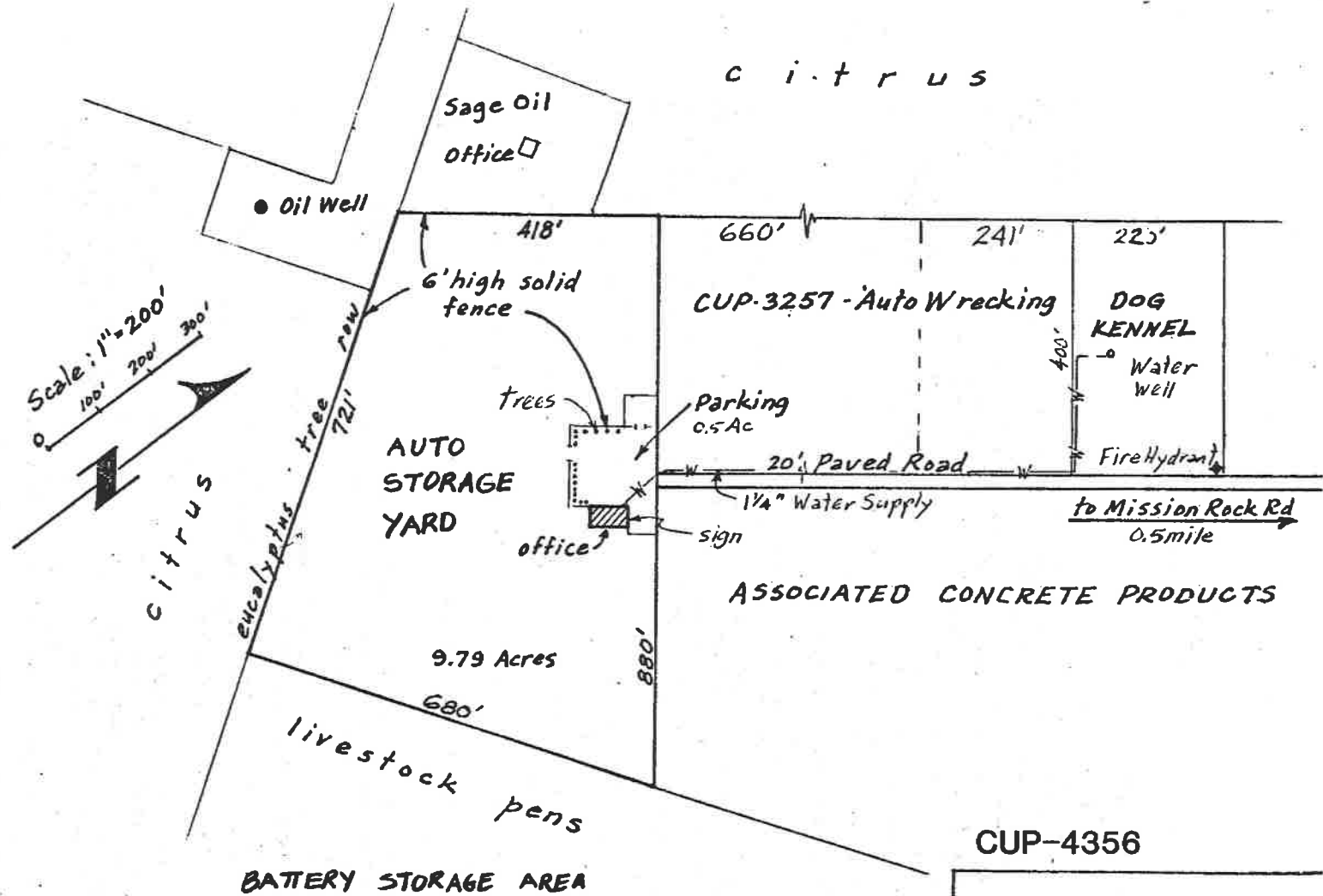
N. Permit Number: CUP-4356

1. Applicant/Permittee: Western Auto Wrecking  
1025 Mission Rock Road  
Santa Paula, CA 93060
2. Property Owner: Eddie Bernstein
3. Assessor's Parcel Number: 90-19-16
4. Parcel Size: 9.76 acres
5. Existing Use: Motor vehicle salvage and wrecking yard
6. Zoning: "M-3"
7. General Plan Designation: "Existing Community"
8. Permit Status: Previous permit expired (CUP-1556). Application  
for new permit filed.
9. Site Plan: See reverse side.

Ventura County  
Resource  
Management  
Agency

CUP-4356  
E. BERNSTEIN

1"=200'



CUP-4356

WESTERN AUTO WRECKING  
1025 Mission Rock Rd.  
Santa Paula, CA 93060  
*John Harding* 3-1-86

III. ENVIRONMENTAL IMPACTS  
AND MITIGATION MEASURES

A. Introduction

The California Environmental Quality Act (CEQA) requires that an environmental evaluation (Initial Study) be conducted to determine if a given project might significantly affect the environment. An Initial Study was prepared by the Planning Division to assess the potential impacts on the environment of the above referenced fourteen (14) permits in the Mission Rock Road Existing Community (MRREC). The results of the attached Initial Study (Section IV) indicate that these projects could have a significant cumulative impact on the environment and a Mitigated Negative Declaration has been prepared pursuant to the provisions of CEQA, Section 15073. The potentially significant effects from the above permits can be reduced to a level less than significant contingent upon the adoption of specific mitigation measures as conditions of project approval.

B. Implementation and Enforcement

The mitigation measures discussed below must be implemented in order for them to be effective at reducing the environmentally significant problems which exist within the Mission Rock Road Existing Community. Historically, there has been a problem in getting permittees in the area to implement the conditions of their individual permits. This has resulted in the creation of violations on the existing permits, and the failure of Community participants to provide services necessary for the safety of themselves and the general public. In order to guarantee the future safety and welfare of uses within the Existing Community, and citizens utilizing and frequenting the area, the following must be achieved:

1. A community-wide approach to the fire protection issue will have to be undertaken;
2. A community-wide approach to the sheet flooding problem must be undertaken; and
3. A community-wide approach to traffic access and circulation problems must be undertaken.

The specific mechanism employed to fund and implement the community-wide improvements is up to the individual members of the Community. The most feasible approaches could include:

1. A cooperative agreement between all members of the community (a community organization); or
2. The legal formation of a community-wide Mission Rock Road Property Owners Association (which must include all affected parties); or
3. The creation of a special assessment and/or community service district.

The form of the organization is not as important to the County as is the actual timely implementation of the mitigation measures. Without the mitigation measures being implemented, each permit would not be in compliance with its conditions of approval, and each permit would be determined as contributing to a significant cumulative environmental impact. With these findings, each and every land use permit in the Community would expire due to non-compliance with its conditions.

Therefore, in order to assure that the mitigation measures for the fire, flooding, and access issues will be completed in a timely manner, each and every permit issued in the Mission Rock Road Existing Community will be conditioned to include the following requirements:

1. Permittee shall participate in a community-wide organization that will provide for implementation and maintenance of an effective drainage system which will deter sheet flooding;
2. Permittee shall provide for adequate fire protection through a community-wide organization;
3. Permittee shall participate in a community-wide organization to address and eliminate the traffic related problems of the Community.

4. Permittees shall have up to one year from the time of the permit approval to accomplish these requirements unless an extension is granted by the Planning Commission or Board of Supervisors, or the land use entitlement will expire.

With these conditions placed upon existing, pending, and future permit approvals, no significant environmental impacts should occur.

C. Fire Protection

1. Setting - The project area is situated approximately 1/2 mile south of State Highway (SR) 126 via a private, paved road which terminates at about the north bank of the Santa Clara River (see Exhibit "A"). The nearest County Fire Station is located approximately three miles to the north and west of the Community. Additional fire fighting personnel and equipment are located in Santa Paula approximately 5 miles to the north and east. Individual water storage tanks for fire protection have proved inadequate, and the Fire Department has determined that there is no water available for fire protection anywhere in the Existing Community. The requirement for a community water distribution system capable of providing a minimum of 1500 gallons per minute fireflow for two hours, to be installed by December 31, 1985, has been a condition of every permit or modification since 1980. This system would require a well and pump, a reservoir, and a system of water distribution lines and hydrants. Plans for such a system were submitted by the Mission Rock Road Property Owners Association (MRRPOA) and approved by the Fire Department, but the system has not been installed.
- b. Impacts - The project area has no water system capable of sustaining adequate fire suppression flow (minimum of 1500 gpm) as shown below.

<u>Permit No.</u>	<u>Fire Flow Provided</u>	<u>Fire Hydrants On-Site</u>	<u>Other Equip-ment/Facilities Available</u>	<u>Permit Meets Current Uniform Fire Code (UFC) Standards</u>
DP-115	No	No	No	No
PD-393	No	No	No	No
PD-520	No	No	Unknown	No
PD-542	No	No	Unknown	No
PD-573	No	No	Unknown	No
CUP-308	No	No	Unknown	No
CUP-960	No	No	Unknown	No
CUP-3257	No	No	Unknown	No
CUP-3471	No	No	Water tank on site with 2" valve. Not accessible or usable.	No
CUP-3922	No	No	Supposed shared use with neighbor	No
CUP-4012	No	No	No	No
CUP-4204	No	No	No	No
CUP-4352	No	One warfhead hydrant on premises fed by on site water well	No	No



CUP-4400    No            One hydrant    No            No  
    on the site  
    fed by an on  
    site well

Existing individual systems are either inadequate or not functional at all. Therefore, a site specific and cumulatively significant impact is occurring.

- c. Mitigation - A community-wide water system shall be installed and maintained, complete with hydrants and storage capable of providing a minimum of 1500 gallons per minute fire flow for at least two hours. This system shall be installed and operational within one year of permit approval, unless an extension is granted by the Planning Commission or Board of Supervisors.

D. Flooding

1. Setting - Most of the MRRRC is located in the Santa Clara River 100-year flood plain (FP) and the entire Community is within the 500-year FP boundary (see Exhibit "D"). The Community is situated about 1/4 of a mile north of the river channel. Also, the area lies in the path of sheet flow from agricultural lands to the north (on both the north and south sides of the Santa Paula Freeway) draining to the Santa Clara River (Exhibit "D"). Two existing culverts carry water beneath the Freeway and empty into small earthen ditches which direct the water toward the river (see Exhibit "E"). The existing ditches have proved inadequate. During heavy rains, water floods Mission Rock Road, often rendering it impassible, and ponding occurs on adjacent lands for days and even weeks. Construction of a system of adequately sized earth channels from the freeway culverts to the river has been proposed as a solution to the area's drainage problems. Permits issued since 1980 have been conditioned to require drainage calculations and a drainage improvement plan to be submitted by the MRRPOA, with the required improvements to be installed by the Association. To date, an approvable drainage plan has not been received by the Public Works Agency.
2. Impacts - Flooding of the area from the Santa Clara River and sheet flooding from agricultural lands to the north represents a significant impact upon existing uses and access roads in the area.

Additionally, there is concern on the part of the California Department of Fish and Game that the redirected and channelized water required by the drainage plan will result in an increased concentration of pollutants reaching the outfall into the Santa Clara River.

3. Mitigation
  - a. The Public Works Agency (PWA) requires that all new and renewal projects and structures shall be subject to the provisions of the Ventura County Flood Plain Management Ordinance. Proposed projects and structures situated within the 100-year FP Boundary must obtain a flood-plain development permit via the land use entitlement process.
  - b. The permittees, through a community-wide organization, shall be responsible for retaining a Registered Civil Engineer to conduct a hydrology study of the area. The study shall conclude with the preparation of a drainage plan recommending the construction of drainage improvements capable of mitigating the existing flooding problems and protecting Mission Rock Road and Shell Road from a 10-year design storm. The study and ensuing drain plan shall be subject to approval by PWA. The drainage improvements shall be constructed and operational within one year of permit approval, unless an extension is granted by the Planning Commission or Board of Supervisors.
  - c. In order to reduce the impacts of concentrations of pollutants from affecting the river, each and every permittee shall develop and implement a hazardous materials waste recovery and elimination

plan that is acceptable to the Ventura County Health Division. Storage, handling, and disposal of potentially hazardous materials shall be in compliance with all State, Federal, and local regulations.

E. Access and Circulation

1. Setting - The project area is accessed by four paved roads (Pinkerton/Mission Rock Road, Shell Road, and an unmarked road). Pinkerton/Mission Rock Road is public for approximately 1/4 of a mile from its intersection with Briggs Road, and private thereafter (see Exhibit "F"). Neither the public nor private sections of these access arterials meet PWA standards. All permittees and the public use these roads to access their businesses and uses. In addition to the MRRRC permits, this road services private properties surrounding the Community, which include such uses as agriculture, oil exploration and production, and a surface mining operation. All four private roads are narrow, and Pinkerton Road is poorly aligned with sharp turns and poor visibility. Mission Rock Road has a straight alignment and is fairly well maintained, although it is subject to flooding during storms. All roads are considered marginally adequate by the Fire Department.
2. Impacts - Over the years, as industrial uses increased and existing uses expanded, vehicular traffic over the primary access route (Mission Rock Road) expanded dramatically. However, during the review process on earlier permits, no road maintenance provisions were stipulated as conditions of approval. This created a potentially significant impact on access because of the potential of the increased vehicular movement to undermine the road's physical structure. Also, the expansion of uses in the permit area has rendered the road inadequate and unsafe for the increasing volume of traffic.
3. Mitigation - PWA considers the the Mission Rock Road residents and permittees to be the primary parties responsible for repair and maintenance of the private portion of Pinkerton/Mission Rock Road, including upgrading the thoroughfare in response to increased vehicular demand. Therefore, PWA requires that the permittees shall retain a Registered Civil Engineer to conduct a Traffic Analysis/Road Improvement Study. The study shall address the issue of implementing the appropriate road improvements in response to rising vehicular movement pursuant to PWA standards for the public portion of the road, and Fire Department standards for the private segment of the road. The study's analysis shall include, and be limited to:
  - a. The intersection of Briggs and Pinkerton Roads to the southerly terminus of Mission Rock Road;
  - b. An analysis of the structural section of the roads; and
  - c. An analysis of the width of the roads.
  - d. An analysis of the off-ramp to the satisfaction of CALTRANS.

The Traffic Analysis/Road Improvement Study shall be subject to the review and approval of PWA and the County Fire Department in sufficient time prior to public hearings for discretionary action on these fourteen (14) permits in order to develop conditions for the permits.

Following approval of the Study by the responsible County agencies, the permittees shall construct the recommended road improvements within one year of permit approval, unless an extension is granted by the Planning Commission or Board of Supervisors.

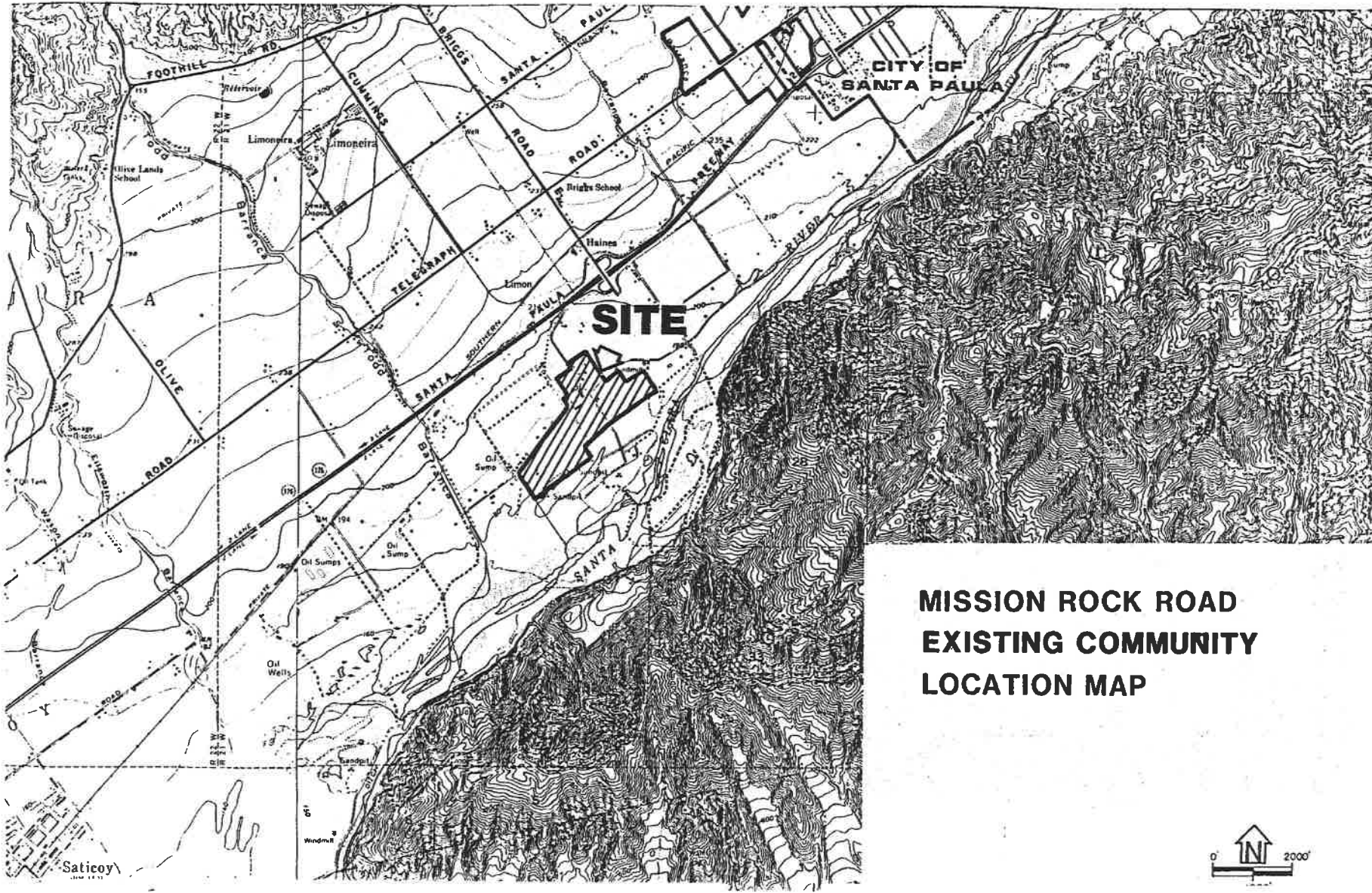
F. Agricultural Resources

1. Setting - The project area is surrounded by existing agricultural uses on all but its southernmost exposure to the Santa Clara River. These areas are also designated "Agriculture" on the County General Plan (see Exhibit "B"). Few of the properties within the MRR area have been improved with asphalt or other impervious surfaces. Agricultural operators to the immediate east of the project area have complained about dust released into the air by vehicular activities on the three

northeastern parcels (Assessor's Parcel Numbers 99-06-33, 34 and 40. See Exhibit "C").

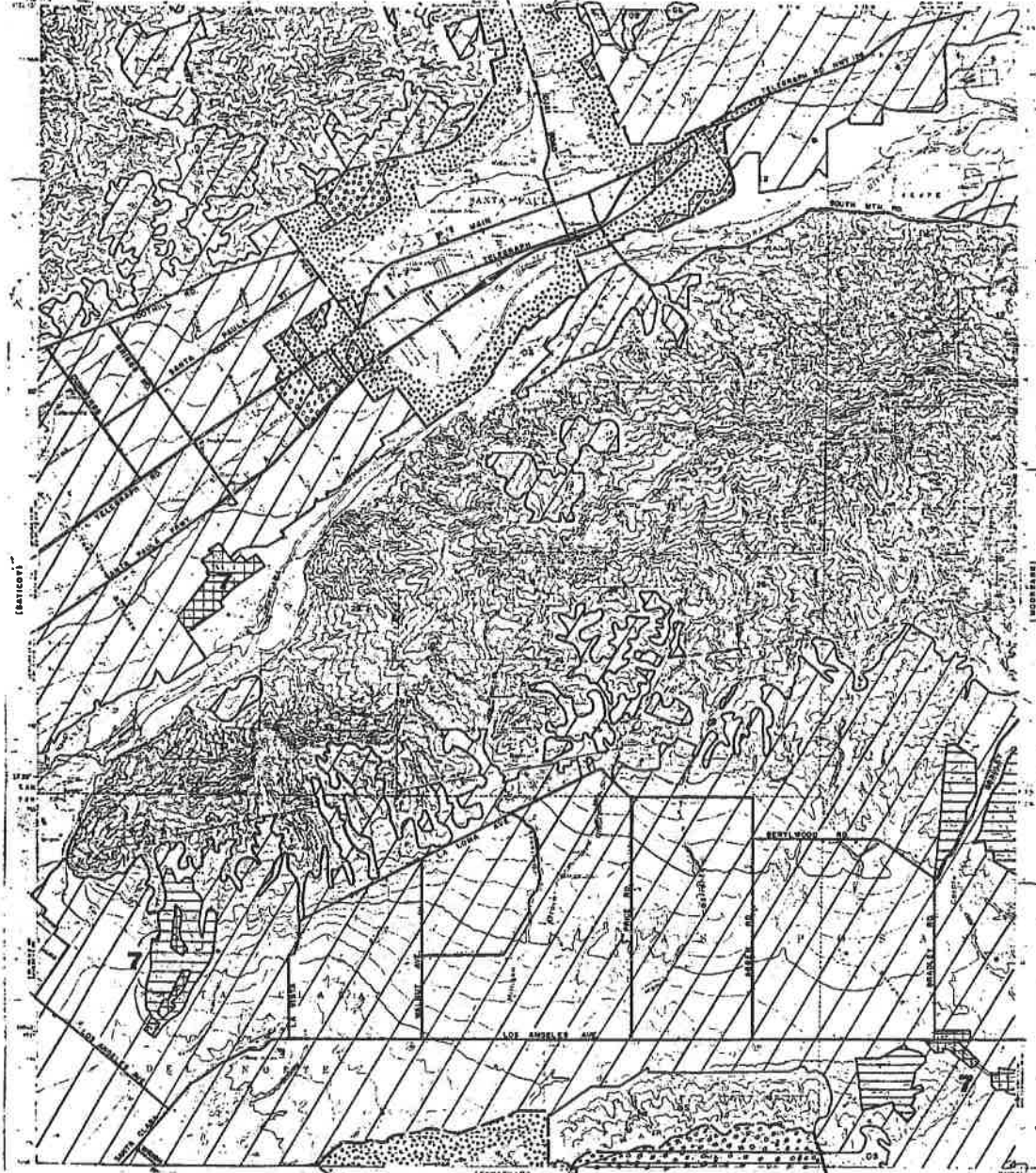
2. Impacts - Fugitive dust released by vehicular activities on the parcels occupied by Ventura Petroleum Services (APN 99-06-40) and Gold Coast Steel and Supply (APN 99-06-34) is carried onto a citrus orchard adjacent to the east by the prevailing westerly offshore breezes indigenous to Southern California. Dust does not appear to be a factor on APN 99-06-33 because it is currently vacant and overgrown with native vegetation. The dust emanating from the two subject properties settles on the trees in the orchard and apparently disrupts natural biological control (wasps) that attack damaging citrus pests (red scale, red spider).
3. Mitigation - Permittees on the eastern perimeter of the project area that have lots with unpaved surfaces shall effect the installation of solid fences to a height of at least 8 feet in order to interrupt the migration of windblown dust.

Furthermore, all permittees in the project area occupying lots with unpaved surfaces shall implement an effective program of watering or other treatment approved by the APCD in order to control the emission of fugitive dust particulate.



**MISSION ROCK ROAD  
EXISTING COMMUNITY  
LOCATION MAP**

**EXHIBIT "A"**



Santa Paula

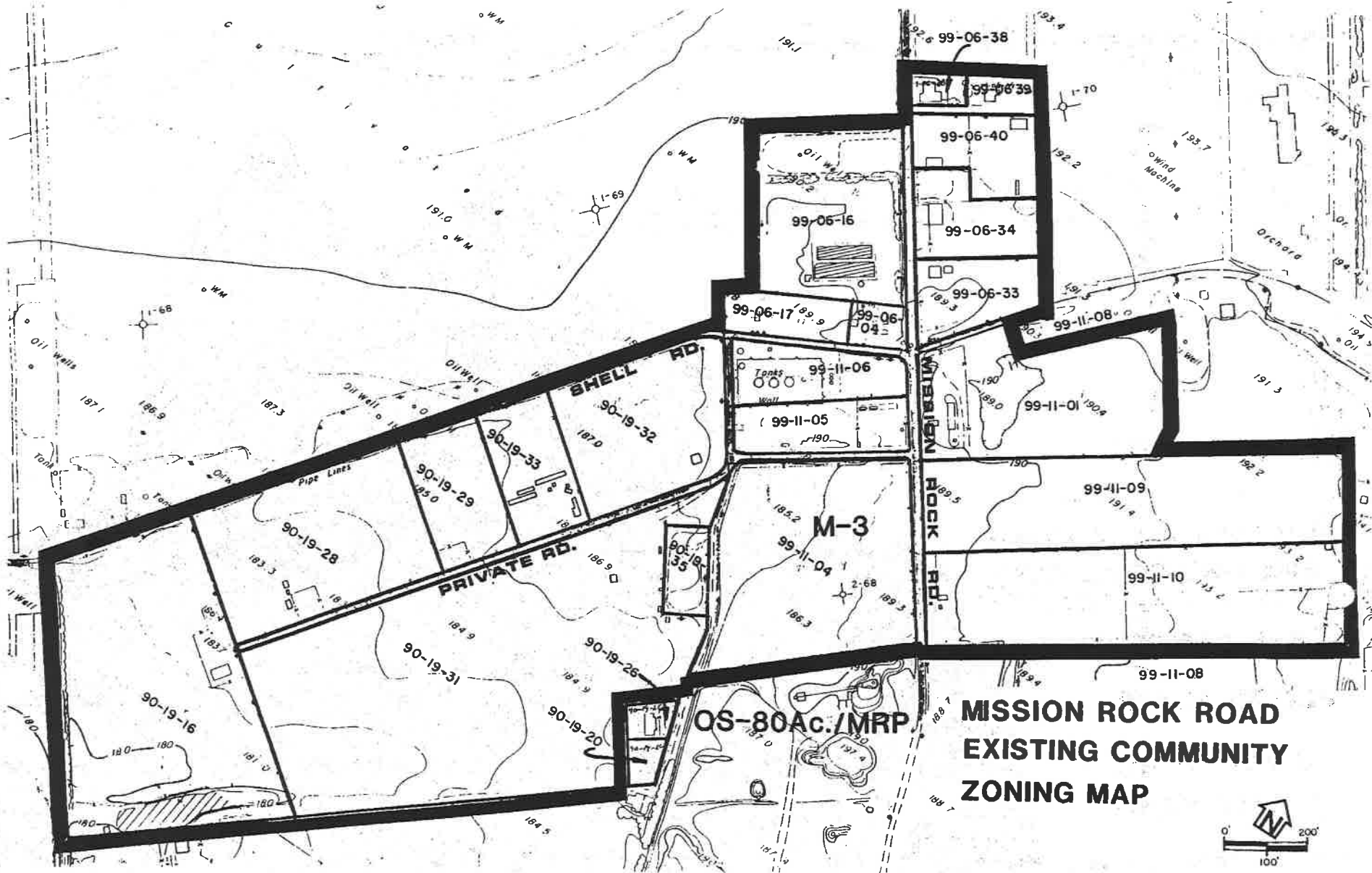
- |  |  |  |                              |
|--|--|--|------------------------------|
|  | URBAN<br>(PER CITY GENERAL PLAN OR AREA PLAN)          |  | AGRICULTURAL<br>(40 ACRES ±) |
|  | EXISTING COMMUNITY<br>(PER AREA PLAN OR COMMUNITY MAP) |  | OPEN SPACE<br>(10 ACRES ±)   |
|  | RURAL<br>(1 ACRES ±)                                   |  | STATE/FEDERAL FACILITY       |
|  | SPHERES OF INFLUENCE                                   |  | URBAN RESERVE (OVERLAY)      |

THIS IS AN OFFICIAL MAP OF THE VENTURA COUNTY GENERAL PLAN ADOPTED PURSUANT TO THE PLANNING LAWS OF THE STATE OF CALIFORNIA, PASSED BY RESOLUTION OF THE BOARD OF SUPERVISORS ON 2-24-68 AS PART OF THE GENERAL PLAN HIGHLIGHT NO. 20-1.

*John L. Hillman*  
BOARD OF SUPERVISORS CHAIRMAN

VENTURA COUNTY GENERAL PLAN  
LAND USE MAP - FIGURE 3.1

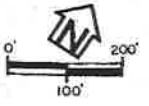
EXHIBIT "B"



OS-80Ac./MRP

M-3

**MISSION ROCK ROAD  
EXISTING COMMUNITY  
ZONING MAP**



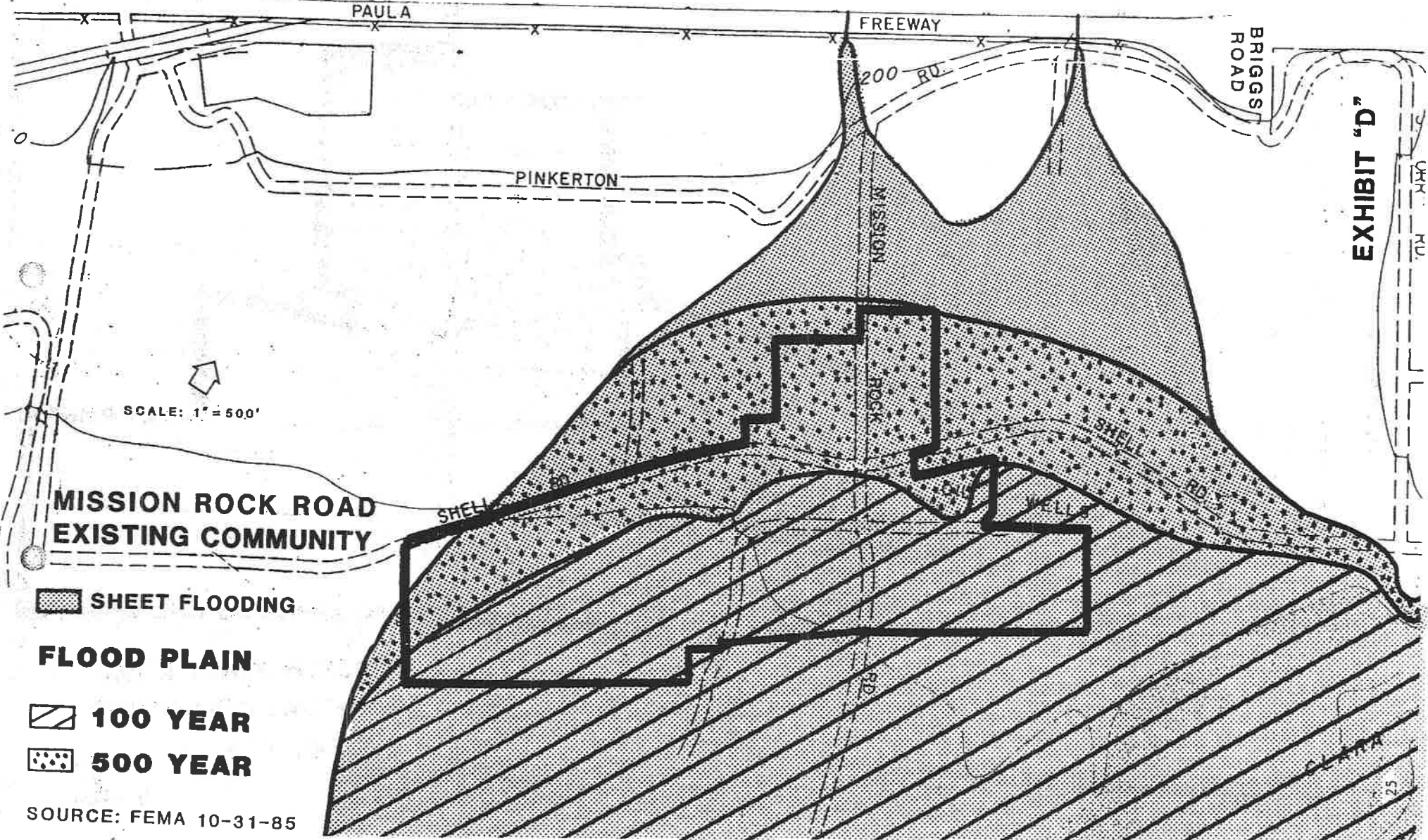





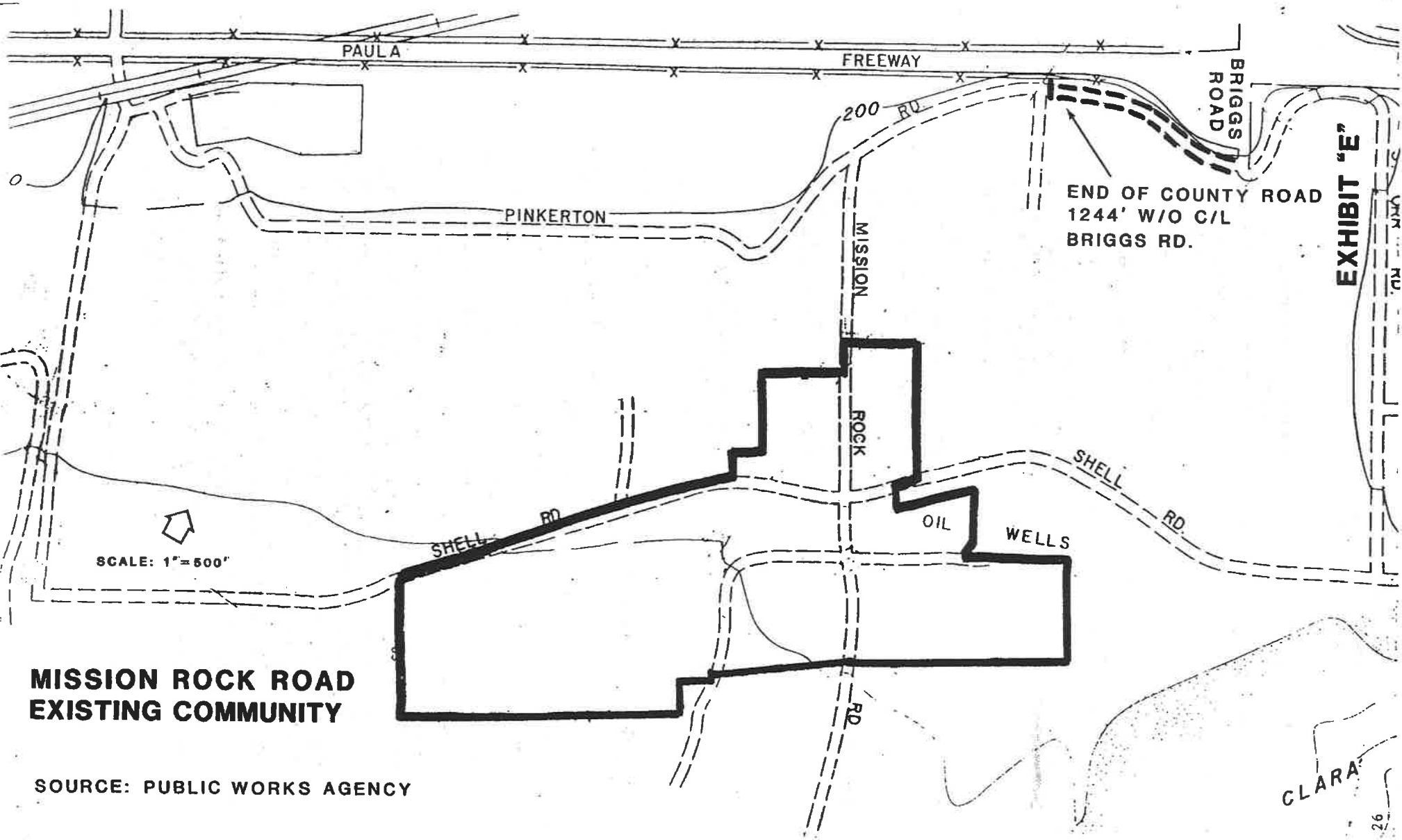
EXHIBIT "D"

SCALE: 1" = 500'

MISSION ROCK ROAD  
EXISTING COMMUNITY

-  SHEET FLOODING
- FLOOD PLAIN**
-  100 YEAR
-  500 YEAR

SOURCE: FEMA 10-31-85



**MISSION ROCK ROAD  
EXISTING COMMUNITY**

SOURCE: PUBLIC WORKS AGENCY

CLARA



V. INITIAL STUDY

A. PROJECT INFORMATION

1. Project No.: MISSION ROCK ROAD ENTITLEMENTS
2. Name of Applicant: COUNTY OF VENTURA
3. Project Location: MISSION ROCK ROAD EXISTING COMMUNITY
4. Project Description: THIS INITIAL STUDY ADDRESSES ALL FOURTEEN LAND USE PERMITS DESCRIBED IN SECTION II OF THIS DOCUMENT ON BOTH A SITE SPECIFIC AND CUMULATIVE LEVEL

B. ENVIRONMENTAL IMPACT CHECKLIST

<u>PLANNING DIVISION</u>	<u>Impact?</u>			<u>Significant?</u>		
	<u>Yes</u>	<u>Maybe</u>	<u>No</u>	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
1. <u>Land Use</u> Will the project, individually or cumulatively, alter the planned land use of an area?	---	---	X	---	---	---
2. <u>Growth Inducement</u> Will the project, individually or cumulatively, induce growth in an area?	---	---	X	---	---	---
3. <u>Housing</u> Will the project, individually or cumulatively, affect existing housing, or create a demand for additional housing?	---	---	X	---	---	---
4. <u>General Plan Consistency</u> Will the project, individually or cumulatively, conflict with any environmental goal, objective, policy or program of the General Plan?	---	---	X	---	---	---
5. <u>Mineral and Oil Resources</u> Will the project, individually or cumulatively, result in:						
a. The depletion of mineral or oil resources?	---	---	X	---	---	---
b. Hampering or precluding access to or the extraction of, mineral or oil resources?	---	---	X	---	---	---

	Impact?			Significant?		
	Yes	Maybe	No	Yes	Maybe	No
6. <u>Solid Waste Facilities</u>						
Will the project, individually or cumulatively, have an effect upon solid waste disposal facilities?	—	—	X	—	—	—
<u>AIR POLLUTION CONTROL DISTRICT</u>						
7. <u>Air</u>						
a. Will the project, individually or cumulatively, result in:						
(1) Deterioration of regional ambient air quality?	—	—	X	—	—	—
(2) Localized air quality impacts?	—	—	X	—	—	—
(3) Objectionable odors?	—	—	X	—	—	—
b. Will the project be impacted by:						
(1) Air pollutants from a nearby emission source?	—	—	X	—	—	—
(2) Objectionable odors?	—	—	X	—	—	—
<u>PUBLIC WORKS AGENCY</u>						
8. <u>Earth</u>						
Will the project, individually or cumulatively, result in or be impacted by:						
a. Unstable earth conditions or changes in geologic substructures?	—	—	X	—	—	—
b. Disruptions, displacements, compaction or overcovering of the soil?	—	—	X	—	—	—
c. Change in topography or ground surface relief features?	—	—	X	—	—	—
d. The destruction, covering or modification of any unique geological or physical features?	—	—	X	—	—	—
e. An increase in wind or water erosion of soils, either on or off the site?	—	—	X	—	—	—
f. Changes to the deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	—	—	X	—	—	—
g. Geologic hazards such as earthquakes, landslides, mudslides, ground failure, liquefaction, or similar hazards?	X	—	—	—	—	X
9. <u>Transportation/Circulation</u>						
Will the project, individually or cumulatively, result in:						
a. The generation of additional vehicular movement?	X	—	—	X	—	—

	Impact?			Significant?		
	Yes	Maybe	No	Yes	Maybe	No
b. An effect on existing parking facilities, or demand for new parking?	—	—	X	—	—	—
c. An impact upon existing transportation systems?	X	—	—	X	—	—
d. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	X	—	—	—
e. Alterations to rail traffic?	—	—	X	—	—	—
f. An increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	—	—	X	—	—	—
10. <u>Flood Control</u>						
Will the project, individually or cumulatively, result in or be impacted by:						
a. Changes to absorption rates, drainage patterns, or the route and/or amount of surface water runoff?	X	—	—	X	—	—
b. The alteration to the course or flow of flood waters?	X	—	—	X	—	—
c. The exposure of people, property or unique natural resources to hazards such as flooding or tsunami?	X	—	—	X	—	—
d. An effect on a channel or stream regulated by the Flood Control District?	—	—	X	—	—	—
e. Changes in currents, or the course of direction of water movements, in any body of water?	—	—	X	—	—	—
f. A flood plain indicated on the Ventura County Flood Insurance Rate Maps?	X	—	—	X	—	—
11. <u>Water Resources</u>						
Will the project, individually or cumulatively, result in or be impacted by:						
a. A decrease of surface water quantity?	—	—	X	—	—	—
b. The degradation of surface water quality?	—	—	X	—	—	—
c. A decrease of groundwater quantity?	—	—	X	—	—	—
d. The degradation of groundwater quality?	—	—	X	—	—	—
e. A high groundwater table?	X	—	—	—	—	X

	<u>Impact?</u>			<u>Significant?</u>		
	<u>Yes</u>	<u>Maybe</u>	<u>No</u>	<u>Yes</u>	<u>Maybe</u>	<u>No</u>

ENVIRONMENTAL HEALTH DIVISION

12. Sanitation

If the project will utilize an individual sewage disposal system, can the sewage generated by the project create an adverse health impact?

— — — X — — —

13. Water Supply

Will the project not be provided with a long-term water supply of adequate quantity and quality?

— — — X — — —

14. Risk of Upset

Does the project, individually or cumulatively, involve a risk of releasing hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset condition?

— — — X — — —

15. Human Health

Will the project, individually or cumulatively, result in:

a. Creation of any health hazard or potential health hazard (excluding mental health)?

— — — X — — —

b. Exposure of people to potential health hazards?

— — — X — — —

FIRE PROTECTION DISTRICT

16. Will the project, individually or cumulatively, result in impacts on fire protection due to:

a. The distance/response time from nearest fire station?

— — — X — — —

b. The availability of personnel or equipment?

— — — X — — —

c. The location in a high fire hazard area?

— — — X — — —

d. The design of roads and circulation?

X — — — X — — —

e. The water supply and distribution system?

X — — — X — — —

f. The hazardous nature of the project?

— — — X — — —

SHERIFF'S DEPARTMENT

17. Will the project, individually or cumulatively, result in impacts on law enforcement due to:

a. The design of the project?

— — — X — — —

b. The design of roads and circulation?

— — — X — — —

c. The location of the project?

— — — X — — —

Impact?  
Yes Maybe No

Significant?  
Yes Maybe No

GENERAL SERVICES AGENCY

18. Recreation

Will the project, individually or cumulatively, result in impacts on recreational opportunities or facilities?

— — — X — — — —

19. Harbors

Will the project, individually or cumulatively, result in an impact on harbors?

— — — X — — — —

AIRPORTS DEPARTMENT

20. Will the project, individually or cumulatively, result in impacts on:

a. Air traffic safety?

— — — X — — — —

b. Existing airport facilities?

— — — X — — — —

AGRICULTURAL DEPARTMENT

21. Agricultural Resources

Will the project, individually or cumulatively, result in:

a. The conversion of prime agricultural land to other uses?

— — — X — — — —

b. The loss of productive crop land or soils?

— — — X — — — —

c. An adverse effect on adjacent agricultural land?

X — — — — X — — —

AREAS TO BE COMPLETED BY THE AGENCY RESPONSIBLE FOR ADMINISTERING THE PROJECT

22. Visual Effects

Will the project, individually or cumulatively, result in the obstruction of a scenic resource or view open to the public, or will the project result in the creation of an aesthetically offensive site open to public view?

— — — X — — — —

23. Light and Glare

Will the project, individually or cumulatively, produce light or glare?

— — — X — — — —

24. Noise and Vibrations

Will the project, individually or or cumulatively, result in the exposure of people to increased noise or vibrations?

— — — X — — — —

25. Public Facilities and Utilities

Will the project, individually or cumulatively, have an effect upon, or result in a need for new or altered services in any of the following areas:

a. Sewers or sewage treatment plants?

— — — X — — — —

	Impact?			Significant?		
	Yes	Maybe	No	Yes	Maybe	No
b. Water mains or storage facilities?	—	—	X	—	—	—
c. Electrical transmission facilities?	—	—	X	—	—	—
d. Natural gas facilities?	—	—	X	—	—	—
e. Communication facilities?	—	—	X	—	—	—
f. Educational facilities?	—	—	X	—	—	—
<b>26. Energy</b>						
Will the project:						
a. Result in an increase in demand upon existing sources of fuel or energy?	—	—	X	—	—	—
b. Use fuel or energy in a wasteful manner?	—	—	X	—	—	—
<b>27. Cultural/Ethnic Resources</b>						
Will the project, individually or cumulatively, result in:						
a. Disruption, alteration, destruction, or adverse effect on a prehistoric or historic archaeological site or paleontological site?	—	—	X	—	—	—
b. Disruption or removal of burials or cemetery?	—	—	X	—	—	—
c. Inducement to trespass, vandalism, or desecration of cultural resources?	—	—	X	—	—	—
d. The potential to cause a physical change which would affect unique values of an ethnic or social group?	—	—	X	—	—	—
e. The potential to conflict with or restrict existing religious, scientific, or educational uses of the area?	—	—	X	—	—	—
f. Adverse physical or aesthetic effects to any historic structure or feature, or to any structure or feature eligible for designation as a county landmark?	—	—	X	—	—	—
<b>28. Biological Resources</b>						
Will the project, individually or cumulatively, result in:						
a. Change in the diversity of species, or numbers of any locally sensitive or unique plant species.	—	—	X	—	—	—
b. Disturbance or reduction in the numbers of any State or Federally listed rare, threatened or endangered plant species or their habitats?	—	—	X	—	—	—

	Impact?			Significant?		
	Yes	Maybe	No	Yes	Maybe	No
c. Introduction of new plant species into an area, or the introduction of a barrier to the normal replenishment of existing species?	—	—	X	—	—	—
d. Change in the diversity of species, numbers or habitat of any animal species which are locally sensitive or unique?	—	—	X	—	—	—
e. Disturbance or reduction in the numbers of any State or Federally listed rare, threatened or endangered animal species or their habitats?	—	—	X	—	—	—
f. Introduction of new animal species into an area?	—	—	X	—	—	—
g. Introduction of barriers to movement of any resident or migratory fish or wildlife species?	—	—	X	—	—	—
h. Introduction of factors adverse to the existing ecological balance?	—	X	—	—	—	X
i. Introduction of substances, human activity, structures or other factors that would damage, change or hamper an existing locally sensitive or unique ecosystem?	—	—	X	—	—	—

C. DISCUSSION OF RESPONSES TO CHECKLIST  
 (Agency responses are attached here.)

D. MANDATORY FINDINGS OF SIGNIFICANCE

- 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:

- [ ] I find the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** should be prepared.
- [X] 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.
- [ ] I find the proposed project, individually and/or cumulatively, **MAY** have a significant effect on the environment and an **ENVIRONMENTAL IMPACT REPORT** is required.\*

*Cheryl M. Anderson*  
 Signature of Person Responsible  
 for Administering the Project

12/8/87  
 Date

\*EIR Issues of Focus: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



INITIAL STUDY FORM

B. DISCUSSION OF RESPONSES

1. Land Use - The proposed project involves continuing the existing fourteen land uses at current levels, and will, therefore, not affect surrounding uses.
2. Growth Inducement - No further industrial development is proposed as part of the fourteen permits. Fire, drainage and access improvements required in conjunction with these permits are needed to bring these services up to current standards.
3. Housing - Continuation of the existing fourteen industrial permits will have no impact on the County's housing stock.
4. General Plan Consistency - The project area is designated "Existing Community" on the County General Plan. The zoning of the properties is "M-3", which is consistent with the "Existing Community" designation. The existing fourteen permits are consistent with General Plan designations.
5. Mineral and Oil Resources - Oil extraction and processing is a use which has been established in and around the permit area for 32 years. The project area facilitates rather than impedes extraction of oil and minerals on adjacent lands.
6. Solid Waste Facilities - Since the project is a continuation of fourteen existing uses, it will not generate a significant increase in solid waste. Existing solid waste is disposed of at current landfills.
7. Air Quality - Identified air quality impacts from dust have been mitigated via conditions on existing permits. No additional air quality emissions will occur as a result of continuing the existing permits.
8. Earth - The Public Works Agency (PWA) finds that, since the project does not constitute the introduction of new land uses, no significant impacts from grading will occur. PWA does note that the project site (Existing Community) is in an area of high liquefaction potential, but feels that this hazard has been mitigated through the submission of soils reports and proper foundation design during the entitlement application process.
9. Transportation/Circulation - See Mitigated Negative Declaration (MND).
10. Flood Control
  - a. See MND
  - b. See MND
  - c. See MND
  - d. The project, as conditioned, will have a positive impact on flood diversion by facilitating the transport of precipitation into the Santa Clara River.
  - e. The project, as conditioned, will not have a significant affect on the movement of water in the Santa Clara River.
  - f. See MND

11. Water Resources - PWA does not find any evidence of impacts to water resources from the project. PWA comments that the area is subject to a high groundwater table, but finds that the nature of the existing uses is not likely to significantly impact, nor be impacted by, the high levels of groundwater.
12. Sanitation - Each of the existing fourteen uses is served by onsite sanitation facilities certified by the Environmental Health Division (EHD). The project will not represent a significantly greater impact on these individual systems.
13. Water Supply - Each of the existing fourteen uses is served by onsite water wells or share a well with others in the vicinity. The project will pose no significant impact on these systems, nor on any other private, public or quasi-public water purveyors.
14. Risk of Upset - Continuation of the uses does not constitute a risk of environmental balance in the project or surrounding area.
15. Human Health - The project does not represent a significant hazard to human health or welfare.
16. Fire Protection
  - a. The nearest County Fire Station is approximately three miles from the site with a response time of 5-10 minutes.
  - b. In addition to the County Fire Station, fire fighting personnel and equipment are available from the City of Santa Paula, located about five miles north and east of the project site. No additional impacts on the availability of County and support fire departments will result from this project.
  - c. The project site is located within a flood plain and is not considered a high fire hazard area.
  - d. See MND
  - e. See MND
  - f. The industrial uses on the site are not considered particularly hazardous, and therefore would not constitute any greater impact on fire fighting potential than other general industrial types of uses.
17. Sheriff's Department - Because the project is an extension of existing uses, no additional impacts on law enforcement activities will occur.
18. Recreation - The project will have no effect on recreational facilities or harbors because there are no such facilities in the general area.
19. Harbors - The project will have no impact on local harbors because there are no such facilities in the vicinity.
20. Airports Department - The project will have no impact on air traffic or facilities because none are situated in the general vicinity.
21. Agricultural Resources - See MND.
22. Visual Effects - The project site is relatively isolated from public roads and the freeway, and does not constitute an aesthetically objectionable public view.
23. Light and Glare - The project does not generate significant levels of light or glare. Due to its isolation from urban types of uses, no impacts will result.
24. Noise and Vibration - The project will not result in an increase in noise or vibrations. Since there are no residential or urban uses adjacent or in proximity, no impact will result.

25. Public Facilities and Utilities - As the project is a continuation of existing uses, it will not create any additional demands on public facilities and utilities.
26. Energy - The project will not create additional needs or excessive consumption of energy resources.
27. Cultural Ethnic Resources - The project will have no impact on any known cultural or ethnic resource.
28. Biological Resources - See MND.

CM:j/G263

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY  
800 S. VICTORIA AVENUE  
VENTURA, CA 93009

CONSENT AGREEMENT FOR PROPOSED MITIGATION  
MEASURES WITH MITIGATED NEGATIVE DECLARATION

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY

ENTITLEMENT NO.: CUP-4352

I, Raymond Frazier, 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 the proposed Mitigation Measures are described on pages 17, 18, and 19 of the Draft MND released for public review from May 20, 1988 to June 20, 1988.

Applicant's Signature

Applicant's Address

Date

R. E. Frazier  
PO. BOX 41206  
SATICOY CA  
8-8-88

CM:bb/H4

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY  
800 S. VICTORIA AVENUE  
VENTURA, CA 93009

REC-113-2 11/15/88

CONSENT AGREEMENT FOR PROPOSED MITIGATION  
MEASURES WITH MITIGATED NEGATIVE DECLARATION

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY

ENTITLEMENT NO.: CUP-4356

I, Eddie Bernstein, 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 the proposed Mitigation Measures are described on pages 17, 18, and 19 of the Draft MND released for public review from May 20, 1988 to June 20, 1988.

Applicant's Signature

Applicant's Address

Date

Eddie H Bernstein  
1025 MISSION ROCK RD  
SANTA PAULA CALIF  
8-4-88

Home Address

CM:bb/H4

214 S 8th ST  
SANTA PAULA CALIF

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY  
800 S. VICTORIA AVENUE  
VENTURA, CA 93009

CONSENT AGREEMENT FOR PROPOSED MITIGATION  
MEASURES WITH MITIGATED NEGATIVE DECLARATION

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY

ENTITLEMENT NO.: CUP-4400

I, Madeline Lassich, 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 the proposed Mitigation Measures are described on pages 17, 18, and 19 of the Draft MND released for public review from May 20, 1988 to June 20, 1988.

---

Applicant's Signature

Applicant's Address

Date

*Madeline E Lassich*  
*901 Mission Rock Rd*  
*Santa Paula Ca 93060*  
*8/4/88*

CM:bb/H4

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY  
800 S. VICTORIA AVENUE  
VENTURA, CA 93009

CONSENT AGREEMENT FOR PROPOSED MITIGATION  
MEASURES WITH MITIGATED NEGATIVE DECLARATION

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY

ENTITLEMENT NO.: CUP-4204

We, Nick Pavich Jr. and Nick Pavich Sr., 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 the proposed Mitigation Measures are described on pages 17, 18 and 19 of the Draft MND released for public review from May 20, 1988 to June 20, 1988.

Applicant's Signature

Nick Pavich Jr.  
Nick Pavich Sr.

Applicant's Address

5556 Vineland Ave  
No Hollywood CA 91601

Date

6-29-88

CM:jl/E149

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY  
800 S. VICTORIA AVENUE  
VENTURA, CA 93009

JUN 20 1988

CONSENT AGREEMENT FOR PROPOSED MITIGATION  
MEASURES WITH MITIGATED NEGATIVE DECLARATION

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY

ENTITLEMENT NO.: CUP-3471

We, Wm. E. & Alice Beifuss, 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 the proposed Mitigation Measures are described on pages 17, 18 and 19 of the Draft MND released for public review from May 20, 1988 to June 20, 1988.

Applicant's Signature

*Wm E Beifuss*

Applicant's Address

*Alice Beifuss*

*2697 SYCAMORE CIRCLE SB 93108*

Date

*6.26 88*

CM:jl/E149



COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY  
800 S. VICTORIA AVENUE  
VENTURA, CA 93009

CONSENT AGREEMENT FOR PROPOSED MITIGATION  
MEASURES WITH MITIGATED NEGATIVE DECLARATION

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY

ENTITLEMENT NO.: CUP-3257

I, Walter C. Lindsay, 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 the proposed Mitigation Measures are described on pages 17, 18 and 19 of the Draft MND released for public review from May 20, 1988 to June 20, 1988.

Applicant's Signature

Walter C. Lindsay

Applicant's Address

Santa Paula Car & Truck Wrecking  
1015 Mission Rock Road 647-8053  
Santa Paula, California 93060

Date

5-26-88

CM:jl/E149

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY  
800 S. VICTORIA AVENUE  
VENTURA, CA 93009

CONSENT AGREEMENT FOR PROPOSED MITIGATION  
MEASURES WITH MITIGATED NEGATIVE DECLARATION

COUNTY OF VENTURA  
RESOURCE MANAGEMENT AGENCY

ENTITLEMENT NO.: CUP-3922

We, C. L. and Jennifer Taylor, the applicants, 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 the proposed Mitigation Measures are described on pages 17, 18, and 19 of the Draft MND released for public review from May 20, 1988 to June 20, 1988.

---

Applicant's Signature

Applicant's Address

Date

  
936 MISSION ROCK RD.  
SANTA PAULA, CA 95060  
8.29.88

CM:bb/H4

PART 1 of a SET of 2:

"UMBRELLA" CONDITIONS FOR: 14 Land Use Permits Described Herein

PLANNING COMMISSION HEARING DATE: February 22, 2001 (Continued to April 19, 2001))

APPROVAL DATE: April 19, 2001

Page 1 of 14

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

NOTICE TO PERMIT HOLDER: Failure to abide by and faithfully comply with any conditions for the granting of this Permit shall constitute grounds for one or more of the following actions in accordance with the County's adopted Schedule of Enforcement Responses:

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

It is the permittee's or his successors in interest, responsibility to be aware of and to comply with the Permit conditions described below and the rules and regulations of all jurisdictions having authority over the use described herein.

**A. PLANNING DIVISION CONDITIONS:**

The following conditions are "umbrella" conditions, which are applicable to all of the entitlements listed below under Condition 1.a - Permitted Uses. They are to be considered part one of a two part set of conditions of approval and shall supercede all previously approved conditions.

**1. Permitted Uses:**

The following entitlements are based upon and limited to the specific project description provided in the Permit Application and the conditions of approval described herein which are held on file at the Resource Management Agency (RMA) - Planning Division. The Variances and land use entitlements listed below were simultaneously approved at the Planning Commission Hearing on August 30, 1990. The Variances shall automatically continue for the life of the permitted land use associated with it.

- a. The following 11 Variances and 14 land use entitlements shall continue and are as follows:

NUMBER/ TYPE OF APPL.	DESCRIPTION	APN & APPLICANT	ADDRESS	ZONING & PARCEL SIZE
CUP-4356/ MOD. 4	CONTINUE AN AUTO & TRUCK SALVAGE & DISMANTLING & WRECKING YARD WITH ANCILLARY RETAIL SALES OF SALVAGED MATERIALS.	RAY FRAZIER 090-190-165 (1025 MMR) 090-190-285 (1021 MMR)	1021 & 1025 MISSION ROCK RD.	M-3/9.79 AC
VAR-4646-2	ELIMINATE THE FRONT SETBACK LANDSCAPING REQUIREMENT, ELIMINATE PAVING OF INTERIOR PARKING LOT, PERMIT PARKING WITHIN THE FRONT SETBACK, ELIMINATE THE PLANTING OF STREET TREES (EXCEPT FOR CONDITIONS #8 PLANTING OF TREE ROW), REDUCE THE OVERALL LANDSCAPING FROM 5% TO 1% OF THE TOTAL PERMIT AREA (EXCEPT REQUIREMENT FOR CONDITION #8 - PLANTING OF TREE ROW), AND REDUCE THE PARKING LOT LANDSCAPING REQUIREMENT FROM 10% TO LESS THAN 8% OF THE PARKING LOT AREA.	RAY FRAZIER 090-190-165 (1025 MMR) 090-190-285 (1021 MMR)	1021 & 1025 MISSION ROCK RD.	M-3/9.79 AC
CUP-4352/ MOD. 1	CONTINUE THE STORAGE OF PETROLEUM PRODUCTS & OIL FIELD PRODUCTION FLUIDS, & OUTSIDE STORAGE OF BULK WOOD.	MICHAEL WILSON 090-190-32	899 MISSION ROCK RD.	M-3/4.53 AC
VAR-4639	REDUCE THE OVERALL LANDSCAPING REQUIREMENT FROM 5% TO LESS THAN 3% OF THE TOTAL PERMIT AREA, ELIMINATE THE REQUIREMENT TO LANDSCAPE UP TO 10% OF THE PARKING LOT & ELIMINATE THE PLANTING OF STREET TREES REQUIREMENT.	MICHAEL WILSON 090-190-32	899 MISSION ROCK RD.	M-3/4.53 AC
PD-1402/ MOD. 1	CONTINUE HEAVY EQUIPMENT REPAIR & TRUCK STORAGE.	MICHAEL WILSON 090-190-32	899 MISSION ROCK RD.	M-3/4.53 AC
CUP-4855/ MOD. 2	CONTINUE A SALVAGE YARD FOR STORAGE & DISMANTLING, SALES OF AUTO & TRUCK & SALES OF LARGE TRUCKS, TRUCK PARTS & A CARETAKER ON-SITE DWELLING UNIT.	VARTAN NAZARYAN 099-060-345 (788 MMR) 099-060-335- (842 MMR)	788 & 842 MISSION ROCK RD.	M-3/2.0 AC (788 MMR) M-3/2.0 AC (842 MMR)
VAR-4856-1	ELIMINATE PAVED PARKING REQUIREMENT; ALLOWED PARKING STALLS IN THE FRONT 10' SETBACKS PREVIOUSLY REQUIRED FOR LANDSCAPING; ELIMINATE PLANTING OF STREET TREES; ELIMINATE LANDSCAPING OF 5% OF THE PERMIT AREA REQUIREMENT; AND ELIMINATE REQUIREMENT FOR LANDSCAPING OF UP TO 10% OF THE PARKING LOT AREA.	VARTAN NAZARYAN 099-060-345 (788 MMR) 099-060-335- (842 MMR)	788 & 842 MISSION ROCK RD.	M-3/2.0 AC (788 MMR) M-3/2.0 AC (842 MMR)
NUMBER/ TYPE OF APPL.	DESCRIPTION	APN & APPLICANT	ADDRESS	ZONING & PARCEL SIZE

PART ONE "UMBRELLA" CONDITIONS FOR: 14 Land Use Permits Described Herein  
 PLANNING COMMISSION HEARING DATE: February 22, 2001 (Continued to April 19, 2001)  
 APPROVAL DATE: April 19, 2001

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

NUMBER/ TYPE OF APPL.	DESCRIPTION	APN & APPLICANT	ADDRESS	ZONING & PARCEL SIZE
PD-573/ MOD. 2	CONTINUE A TRUCK TRANSPORTATION SERVICES & HAZARDOUS WASTE HAULING, REPAIR & STORAGE, DISPOSAL FACILITIES.	JAMES MILLER (WASS PROPERTIES) 099-060-39	736 MISSION ROCK ROAD	M-3/.69 AC
PD-1462/ MOD. 1	TIME EXTENSION FOR TRUCK TRANSPORTATION SERVICES & HAZARDOUS WASTE HAULING, REPAIR & STORAGE, DISPOSAL FACILITIES.	JAMES MILLER (WOSS PROPERTIES) 099-060-39	734 MISSION ROCK ROAD	M-3/.69 AC
VAR-4774	ELIMINATE THE PLANTING OF STREET TREES REQUIREMENT; ELIMINATE THE LANDSCAPING OF 5% OF THE TOTAL PERMIT AREA REQUIREMENT; & ELIMINATE THE REQUIREMENT FOR THE LANDSCAPE OF 10% OF THE PARKING LOT AREA	JAMES MILLER (WOSS PROPERTIES) 099-060-39	734 & 736 MISSION ROCK ROAD	M-3/.69 AC
CUP-4902/ MOD. 1	CONTINUE AN AUTO & TRUCK DISMANTLING YARD WITH SCRAP METAL RECYCLING, WHOLESALE/RETAIL SALES OF AUTO PARTS & SCRAP METALS.	CHARLES MEYER 099-0-110-09	936 MISSION ROCK ROAD	M-3/8.07 AC
VAR-4908	PERMIT PARKING WITHIN THE FRONT SETBACK AREA, ELIMINATE THE FRONT SETBACK LANDSCAPING REQUIREMENT, ELIMINATE THE PLANTING OF STREET TREES REQUIREMENT, REDUCE THE OVERALL LANDSCAPING REQUIREMENT FROM 5% TO 1% OF THE TOTAL PERMIT AREA & REDUCE THE PARKING LOT LANDSCAPING REQUIREMENT FROM 10% TO 3% OF THE TOTAL PARKING LOT AREA.	CHARLES MEYER 099-0-110-09	936 MISSION ROCK ROAD	M-3/8.07 AC
CUP-4204/ MOD. 6	CONTINUE AN AUTO DISMANTLING & RE-SALE OF AUTO PARTS.	VENTURA/ SHORELINE FINANCIAL SVCS. 099-011-04	918 MISSION ROCK ROAD	M-3/5.7 AC
CUP-3471/ MOD. 3	CONTINUE AN AUTO SALVAGE/ WRECKING YARD.	JOHN BIEFUSS 099-110-10	950 MISSION ROCK ROAD	M-3/5.7 AC
VAR-4644	ELIMINATE THE FRONT SETBACK LANDSCAPING REQUIREMENT, ELIMINATE PAVING OF INTERIOR PARKING LOT, PERMIT PARKING WITHIN THE FRONT SETBACK, ELIMINATE THE PLANTING OF STREET TREES (EXCEPT FOR CONDITIONS #6 PLANTING OF TREE ROW), REDUCE THE OVERALL LANDSCAPING FROM 5% TO 1% OF THE TOTAL PERMIT AREA (EXCEPT REQUIREMENT FOR CONDITION #6 - PLANTING OF TREE ROW), AND REDUCE THE PARKING LOT LANDSCAPING REQUIREMENT FROM 10% TO LESS THAN 8% OF THE PARKING LOT AREA.	JOHN BIEFUSS 099-110-10	950 MISSION ROCK ROAD	M-3/5.7 AC
CUP-5147	CONTINUATION OF A PRE-CAST CONCRETE PRODUCT AND ASSOCIATED ANCILLARY PRODUCTS MANUFACTURING FACILITY.	OLD CASTLE PRECAST DBA UTILITY VAULT; 090-190-31	999 MISSION ROCK ROAD	M-3/18.34 AC
V-5148	PERMIT PARKING WITHIN THE FRONT SETBACK; ELIMINATE THE FRONT SETBACK LANDSCAPING REQUIREMENT; ELIMINATE THE PLANTING OF STREET TREES REQUIREMENT; REDUCE THE OVERALL LANDSCAPING REQUIREMENT FROM 5% TO 1% OF THE TOTAL PERMIT AREA; AND REDUCE THE PARKING LOT LANDSCAPING REQUIREMENT FROM 10% TO 3% OF THE TOTAL PARKING LOT AREA.	OLD CASTLE PRECAST DBA UTILITY VAULT; 090-190-31	999 MISSION ROCK ROAD	M-3/18.34 AC
CUP-3922/ MOD. 2	CONTINUE AN AUTO WRECKING SALVAGE/SALES YARD.	DON WALKER (PICK-YOUR-PART) 099-110-015	910 MISSION ROCK ROAD	M-3/8.07 AC
PD-1693/ MOD. 1	AUTOGLASS SALES & INSTALLATION (AUTOMOTIVE GLASS SHOP).	DON WALKER (PICK-YOUR-PART) 099-110-015	910 MISSION ROCK ROAD	M-3/5.7 AC
VAR-4643	PERMIT PARKING WITHIN THE FRONT SETBACK AREA, ELIMINATE THE FRONT SETBACK LANDSCAPING REQUIREMENT, ELIMINATE THE PLANTING OF STREET TREES REQUIREMENT, REDUCE THE OVERALL LANDSCAPING REQUIREMENT FROM 5% TO 1% OF THE TOTAL PERMIT AREA & REDUCE THE PARKING LOT LANDSCAPING REQUIREMENT FROM 10% TO 3% OF THE TOTAL PARKING LOT AREA.	DON WALKER (PICK-YOUR-PART) 099-110-015	910 MISSION ROCK ROAD	M-3/8.07 AC
CUP-3257/ MOD. 3	CONTINUE AN AUTO DISMANTLING & STORAGE..	DON W. AKERS (SANTA PAULA CAR & TRUCK WRECKING) 090-190-29	1015 MISSION ROCK ROAD	M-3/2.18 AC
VAR-4645-1	ALLOW PARKING IN SETBACK AREA; ELIMINATE FRONT 10' SETBACK LANDSCAPING REQUIREMENT; ELIMINATE PLANTING OF STREET TREES REQUIREMENT; REDUCE THE OVERALL LANDSCAPING REQUIREMENT FROM 5% TO LESS THAN 1% OF THE TOTAL PERMIT AREA; AND REDUCE THE PARKING LOT LANDSCAPING REQUIREMENT FROM 10% TO LESS THAN 2% OF THE TOTAL PARKING LOT AREA.	DON W. AKERS (SANTA PAULA CAR & TRUCK WRECKING) 090-190-29	1015 MISSION ROCK ROAD	M-3/2.18 AC
CUP-4400/ MOD. 1	CONTINUE A DOG KENNEL.	MADELINE E. LASSICH (DOG KENNEL) 090-190-33	901 MISSION ROCK ROAD	M-3/1.99 AC
VAR-4642	ALLOW PARKING IN SETBACK AREAS; ELIMINATE FRONT 10' SETBACK LANDSCAPING REQUIREMENT; ELIMINATE PLANTING OF STREET TREES REQUIREMENT; REDUCE THE OVERALL LANDSCAPING REQUIREMENT FROM 10% TO LESS THAN 2% OF THE TOTAL PERMIT AREA.	MADELINE E. LASSICH (DOG KENNEL) 090-190-33	901 MISSION ROCK ROAD	M-3/1.99 AC

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

- b. These entitlements are granted for only the buildings and structures, parking areas, landscape areas, roadways, driveways, fences, and walls at the locations shown in Exhibit "3" (Site Plan). Signs and lighting require separate approvals (refer to Condition 7.g. and h. - Miscellaneous Property Regulations).

**2. Permit Expiration/Renewal/Modification:**

- a. The following entitlements are granted for a ten-(10) year period, and will expire on August 30, 2010. If the applicant desires to have the Planning Director consider an additional ten (10) year extension of this CUP, the applicant shall deposit a fee in an amount equal to a minor modification request at least six (6) months prior to August 30, 2010. At the end of this ten-year period, the Planning Director will be authorized to review and continue this conditional use permit for one additional ten- (10) year period ending August 10, 2020. Providing that full compliance with all conditions has been accomplished and the use authorized by this permit will remain compatible to the properties in the general area for the duration of the additional ten-year period.
- b. If the permittee desires an extension, at least six (6) months prior to the expiration date of August 30, 2010, the permittee must contact the Planning Division to apply for the minor modification to the CUP.
- c. Uses, activities and/or structures other than those authorized by Condition A1 (Permitted Uses) of this Permit shall require a modification of this permit. Any modification to any exhibits or conditions shall be subject to the permit modification process and any applicable standards contained in the Ventura County Ordinance Code then in effect.
- d. Upon acceptance of the appropriate renewal application as "complete" prior to the expiration date of August 30, 2010, the Permit may continue in force until action is taken on the modification, and on any appeals.
- e. The permittee is solely responsible for the timely renewal of this Permit. Failure of the County to notify the permittee of the above dates shall not constitute grounds for continuance of this Permit after expiration.
- f. This Permit shall automatically expire if any of the following circumstances occur:
  - (1) A Zoning Clearance for Use Inauguration has not been issued within six (6) months of Permit approval. The Planning Director may grant a six (6) month extension based on a written request by the applicant.
  - (2) If the use for which it was granted is discontinued for a period of 365 days or more.

**3. Responsibilities Prior to the Issuance of a Zoning Clearance for Use Inauguration of the Permits and Other Time Bound Requirements:**

As described in Condition 2.e. (Permit Expiration/Renewal/Modification), to inaugurate the uses permitted under this Permit approval, the permittee's must first obtain a Zoning Clearance for Use Inauguration.

- a. Issuance of a Zoning Clearance for Use Inauguration

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

Prior to the issuance of a Zoning Clearance for Use Inauguration, the permittee must first demonstrate, to the satisfaction of the Planning Director, compliance with the following conditions of this permit:

A4	<u>Required Community Improvements</u> (PIng.)
A.6.a., f., g., h., o, p	<u>Miscellaneous Property Regulations</u> (PIng.)
A.7.a	<u>Submittal of Tree Row Plan</u> (PIng.)
A.9.a., b.	<u>Condition Compliance/Financial Reqmts/Limitations</u> (PIng.)
A.12.	<u>Contact Person</u> (PIng.)
A.17.	<u>Acceptance of Conditions</u> (PIng.)
A.20.	<u>Recorded "Notice of Land Use Entitlement"</u> (PIng.)
A.23.	<u>Penal Bond</u> (PIng.)

**NOTE:** Each individual permit has an additional set of "Prior to" conditions which must be met prior to issuance of the Zoning clearance for Use Inauguration for that particular permit. (Also see the Part 2, Project Specific Conditions for each permit, Exhibits 6 a through n)

- b. The Zoning Clearance for Use Inauguration must be issued within 180 days months of the date of permit approval or the Permit shall expire. Upon written request by the permittee prior to expiration, the Planning Director may extend this date for an additional 180 days.

#### 4. Required Community Improvements

The Mission Rock Road area property owners legally created a Property Owners Association (POA) and recorded Codes Covenants and Restrictions (CC&Rs) requiring the implementation and maintenance of the following items:

- a. The elimination of traffic related problems, pursuant to the approved Road Improvement Plan;
- b. An effective drainage system which will deter sheet flooding, pursuant to the approved Drainage Improvement Plan; and
- c. Adequate fire protection through the installation and maintenance of fire hydrants and sufficient fire flow.

The permittee shall continue to participate, as required by the POA and its CC&Rs, in the implementation and maintenance of the items noted above. *Prior to the issuance of a Zoning Clearance for Use Inauguration*, the permittee shall submit, to the Planning Director, evidence of the permittee's participation in said POA.

#### 5. Parking Area Regulations:

- a. Public and employee parking areas shall be designed and maintained at all times for safe, convenient, and easy use by vehicles and pedestrians in accordance with Article 8 of the Zoning Ordinance.
- b. The permittee shall provide, at a minimum, one (1) parking space per 500 sq. ft. of gross floor area. (See Part 2, Project Specific Conditions, for each permit for specific parking requirements.)
- c. Handicapped parking spaces and ramps shall be provided to serve all buildings and they shall be appropriately marked.
- d. No portion of a parking space shall be located within ten (10) feet of a driveway entrance or exit.

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002

- e. One-lane curb cuts and driveways shall be a minimum of 16 feet wide, and two-lane curb cuts and driveways shall be a minimum of 25 feet wide.
- f. Customer/employee parking lots shall be surfaced and maintained with an all weather surface, and shall include striping, wheel blocks, or curbs in parking areas adjacent to landscaped areas.
- g. Loading ramps, docks, etc., if provided, shall be clearly marked.

**6. Miscellaneous Property Regulations:**

- a. All uses and facilities not explicitly permitted in Condition 1 (Permitted Uses), shall be removed from the site *prior to the issuance of a Zoning Clearance for Use Inauguration*. The property area covered by this permit shall be maintained in a neat and orderly manner at all times during the life of the permit. Only those buildings and facilities which comply with Condition 1 (Permitted Uses), or are authorized by any subsequent amendments to this Permit shall be stored on the property during the life of this permit.
- b. Pursuant to the requirements of Section 8109-3.4.1 of the Ventura County Zoning Ordinance Code, metal buildings, including accessory buildings, shall either: (1) have exterior surfaces constructed of or faced with a stainless steel, aluminum, painted or baked enamel; or (2) be reasonably screened from view from any street by other buildings, or by appropriate walls, fencing, earth mounds or landscaping; or shall be located not less than 100 feet from the street centerline. In addition, all storage and accessory buildings shall be painted or surfaced in the same color or texture as the parent building. Said color or surfacing is subject to the approval of the Planning Director prior to installation/application.
- c. Pursuant to the requirements of Section 8109-3.4.2 of the Ventura County Zoning Ordinance Code, outside storage and operation yards shall be fenced for security and public safety at the property line.
- d. Perimeter masonry fences over three feet in height, and fences of similar height constructed of composite materials having masonry is the principal structural element, shall be designed in accordance with Building and Safety Division standards. *Permits shall be obtained prior to construction*, and all work shall be inspected and approved by Building and Safety.
- e. Only materials and equipment ancillary to the permitted uses may be stored on this site. No materials within the permit area may be piled or stored to a height greater than that of the boundary fence, unless such materials are enclosed within a permitted building.

*(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)*

- f. *Prior to the issuance of a Zoning Clearance for Use Inauguration, the Planning Director shall approve the design of the trash enclosure. Trash disposal container area(s) shall be screened from view with an eight (8) foot high solid wall or fence designed in accordance with the County's Guidelines - Space Allocation for Recycling and Refuse Collection. The location of the trash disposal container area(s) shall not interfere with traffic circulation, parking, or access to buildings. (Also see Part 2, Project Specific Conditions, Section C, SWM trash enclosure requirements)*
- g. *Prior to the issuance of a Zoning Clearance for Use Inauguration, all exterior light fixtures and locations shall be shown on the Site Plans (Exhibit "4 a through n"). Light standards shall not be located within setback areas and shall have a maximum height of 20 feet. Light standards in the parking lot shall be shielded and directed downward to prevent light and glare on neighboring properties.*
- h. *Prior to the issuance of a Zoning Clearance for Use Inauguration, all signs not currently in conformance with Article 10 shall be removed. All signs on the property over the life of this Permit shall be in accordance with the Planning Director approved Comprehensive Sign Plan and Article 10 of the Ventura County Zoning Ordinance Code.*
- i. *The entrance to the project site shall be posted with a sign providing information regarding hours of operation, including the telephone numbers for the Contact Person (refer to Condition 11 - Contact Person).*
- j. *Restrooms shall be open and available for those employed at the approved uses (refer to Condition 1 - Permitted Uses).*
- k. *All new electrical transformers and cross-connection devices shall be shown on the plot plan.*
- l. *All new utility connections on the site shall be placed underground from the property line.*
- m. *Upon expiration of this permit, or abandonment of the use, the premises shall be restored by the permittee, within 60 calendar days, to a safe, clean vacant condition, as nearly as practicable.*
- n. *Any violation of the requirements of any condition associated with this Permit shall be remedied by the permittee within two (2) weeks of having been notified in writing of such violation by the Planning Director or his/her designee. (Also see Part 1, Condition 9, Condition Compliance)*

*\*\*The following condition is in addition to the above conditions pursuant to Permit Adjustment No.6 approved May 23, 2002.*

- o. *The days and hours of normal operation allowed by this Permit are:  
  
Monday through Friday: 7:00 a.m. to 5:00 p.m.*
- p. *Maximum number of employees allowed on the site during operations shall be three (3).*



(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

**7. Planting of Tree Row:**

- a. *Prior to a Zoning Clearance for Use Inauguration*, the permittee shall submit a planting and irrigation plan for approval for installation of a tree row along the common property line adjacent to the orchard.
- b. Within 180 days of the date of the Zoning Clearance for Use Inauguration, the permittee shall install approved irrigation and tree row. The type of trees planted cannot act as "hosts" for pests that may be detrimental to the adjacent orchards.
- c. The purpose of the tree row is to reduce dust migration and provide a visual screen for motorists traveling State Route 126.

**8. Landscaping and Irrigation Plan:**

- a. If the Planning Director deems it necessary in the future, the site shall be landscaped in a manner consistent with the natural character of the area. Three sets of Landscaping and Irrigation Plans, together with a maintenance program, shall be prepared by a State licensed Landscape Architect, in accordance with the Ventura County Guide to Landscape Plans, and submitted to the Planning Division for approval. The Landscaping and Irrigation Plans shall be accompanied by a fee specified by the Board of Supervisors. The applicant shall bear the full cost of plan review and final inspection.
- b. If the Planning Director deems it necessary in the future, all landscaping and irrigation system installation shall be completed, and approved by the Planning Director or the Planning Director's designee.
- c. If the Planning Director deems it necessary in the future, the landscape architect shall certify, in writing, that the landscaping and irrigation system was installed in accordance with the approved Landscape and Irrigation Plans.
- d. Continued landscape maintenance shall be subject to periodic inspection by County Planning Staff. The permittee shall be required to remedy any defects within two weeks after notification by County Planning staff.

**9. Condition Compliance/Financial Requirements/Limitations:**

- a. Within ten (10) days of permit approval, the permittee, or successors in interest, shall submit to the Planning Division a \$240.00 fee as a deposit to cover costs incurred by the County for Condition Compliance review and for enforcement costs and penalties assessed pursuant to the provisions of Article 14 of the Ventura County Non-Coastal Zoning Ordinance Code, as it may be amended. (Refer to sub-paragraph "d" below.)
- b. *Prior to the issuance of a Zoning Clearance for Use Inauguration*, the permittee must pay all permit processing fees billed to that date and all required fees, charges, fines, penalties and other costs owed to the County by the permittee, unless the Planning Director and the permittee have signed a written agreement for an alternative payment schedule.

*(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)*

- c. Unless the Planning Director specifies otherwise, any violation of the requirements of any condition associated with this permit shall be immediately remedied by the permittee once the permittee has received written notification of such violation from the Planning Director or his/her designee.
- d. Section 8114-3.4 of the Ventura County Non-Coastal Zoning Ordinance Code, currently requires that the permittee, or the permittee's successors-in-interest, shall bear the full costs incurred by the County or its contractors for inspection and monitoring, and for enforcement activities related to the resolution of confirmed violations. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections, public reports, penalty hearings, and forfeiture of securities and suspension of permits. Costs will be billed at the contract rates in effect at the time enforcement actions are required. The permittee shall be billed for said fees and penalties pursuant to Section 8114-3.4 of the Ventura County Non-Coastal Zoning Ordinance Code.

The \$240.00 deposit required herein (i.e., as described above in subparagraph "a") is being imposed to ensure that funds are available for legitimate and anticipated costs incurred for inspections, monitoring, enforcement and penalties. Said funds shall cover costs for any necessary inspections or the resolution of confirmed violations of the conditions of this permit and/or the Zoning Ordinance that may occur. The approved hourly charge rate for staff time that is in force at the time the violation occurs and is being investigated will be used.

- e. The permittee shall reimburse the County within 30 days of invoicing by the County. Said invoice shall be accompanied by an accounting of how the deposited funds have been spent. Failure to pay the required bill or maintain the required deposit fee balance shall be grounds for suspension, modification, or revocation of this Permit.
- f. As a condition of issuance and use of this Permit, including adjustment, modification, or renewal of the Permit, the permittee agrees to:
  - 1) Defend, at the permittee's sole expense, any action brought against the County by a third party challenging either its decision to issue this permit or the manner in which the County is interpreting or enforcing the conditions of the permit; and
  - 2) Indemnify the County against any settlements, awards, or judgements, including attorney's fees, arising out of or resulting from any such action.

Upon demand from the County, the permittee shall reimburse the County may be required by a court to pay as a result of any such action the permittee defended or had control of the defense of the suit. The County may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the permittee of its obligations under this condition.

*(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)*

- g. If any of the conditions or limitations of this Permit are held to be invalid, that holding shall not invalidate any of the remaining conditions or limitations set forth.

In the event that any condition contained herein is determined to be in conflict with any other condition, then where principles of law do not provide to the contrary, the conditions most protective of public health and safety and natural environmental resources shall prevail to the extent feasible, as determined by the Planning Director.

In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors, in an action filed in a court of law, or threatened to be filed therein, which action is brought in the time period provided for by Code of Civil Procedures Section 1094.6 or other applicable law, this Permit shall be allowed to continue in force until the expiration of the limitation period applicable to such action, or until final resolution of such action, provided the permittee has, in the interim, fully complied with the fee, exaction, dedication or other mitigation measure being challenged.

If any condition is invalidated by a court of law, and said invalidation would change the findings and/or the mitigation measures associated with the approval of this permit, the project may be reviewed, at the discretion of the Planning Director, by the Planning Commission and substitute feasible conditions/mitigation measures may be imposed to adequately address the subject matter of the invalidated condition. The determination of adequacy shall be made by the Planning Commission. 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 the Permit may be revoked.

- h. Neither the issuance of a permit hereunder, nor compliance with the conditions thereof, shall relieve the permittee from any responsibility otherwise imposed by law for damage to persons or property, nor shall the issuance of any use permit hereunder serve to impose any liability upon the County of Ventura, its officers or employees for injury or damage to persons or property.

Except with respect to the County's sole negligence or intentional misconduct, the permittee shall indemnify, defend and hold harmless the County, its officers, agents, and employees, from any and all claims, demands, costs, expenses, including attorney's fees, judgements or liabilities arising out of the construction, maintenance, or operations described herein under Condition 1 (Permitted Use), as it may be subsequently modified pursuant to the conditions of this permit.

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

**10. Consultant Review of Information:**

The County and all other permitting agencies shall have the option of referring any and all special studies required by these conditions to an independent and qualified consultant for review and evaluation of issues beyond the expertise or manpower of County staff. The scope of work and consultants to be used shall be determined in accordance with Part 1, Condition 11 (Consultant Work). The costs for all such consultant work shall be borne by the permittee and are independent of the fees paid for staff processing of a permit application.

**11. Consultant Work:**

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this permit, the County shall confer with the permittee regarding the necessary work to be contracted for, as well as the costs of such work. Whenever, feasible, the lowest bidder will be used. Any decisions made by staff may be appealed to the Planning Commission or the Board of Supervisors per the appeal procedures contained in the Ventura County Zoning Ordinance then in effect.

The permittee may hire private consultants to conduct work required by the County, provided the consultant and the proposed scope-of-work are acceptable to the County. However, the County retains the right to hire its own consultants to evaluate any work undertaken by the operator or consultants under the contract to the operator.

**12. Contact Person:**

*Prior to the issuance of a Zoning Clearance for Use Inauguration, the permittee shall provide the Planning Director with the name and/or position title, address, FAX number, and phone number of the permittee's field agent and other representatives who receive all orders and notices as well as all communications regarding matters of condition and code compliance at the Permit site.*

There shall always be such a contact person(s) designated by the permittee. If deemed necessary by the Planning Director, one contact person(s) shall be available 24 hours a day during some or all phases of the project to respond to complaints by citizens and the County. If the address or phone number of the permittee's agents should change, or the responsibility be assigned to another person or position, the permittee shall provide the Planning Director with the new information *at least 10 calendar days prior to making the change effective.*

**13. Resolution of Complaints:**

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

- a. All complaints received by the County shall be directed to the permittee's contact person established pursuant to Condition 11 (Contact Person).
- b. As soon as possible, but no later than one day after receiving a complaint from the County or a citizen, the permittee shall investigate the complaint.
- c. The permittee shall report his/her findings to the complainant and the Planning Director as soon as possible, but no later than one day after receiving a complaint, unless otherwise agreed to by the parties in question.
- d. If the investigation of a complaint by the permittee indicates a possible violation, the permittee shall take prompt action to correct the potential problem.

*(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)*

- e. If the problem persists, the County Planning Division shall initiate action(s) pursuant to Condition 9.c. - Condition Compliance/Financial Requirements/Limitations.

**14. Notice of Permit Requirement:**

Unless otherwise required by the Planning Director, the owner(s) of record, the contractors, and all other parties and vendors regularly dealing with the daily operation of the project shall be informed in writing by the permittee of the pertinent conditions of the use permit. A current set of Permit conditions and exhibits shall be retained on-site in the office of the approved business. Furthermore, the permittee shall provide the property owner(s) with a copy of the conditions and exhibits. The distribution of the materials shall be documented to the Planning Director.

**15. Correspondence from other Agencies/Jurisdiction:**

Copies of all correspondence, reports, or information related to issues or conditions covered by this Permit which are received by the permittee from, or sent by the permittee to, other State or local jurisdictions or agencies shall be provided to the Planning Division within 30 days of their receipt/issuance.

**16. Requirements of Other Agencies:**

This Permit shall not relieve the permittee of the responsibility of securing and complying with any other permit which may be required by other County Ordinances, or State or Federal laws. The design, maintenance, and operation of the Permit area and facilities thereon shall comply with all applicable requirements and enactment's of Federal, State, and County authorities, as amended, and all such requirements and enactment's shall by reference become conditions of this permit.

No condition of this Permit for uses allowed by County Ordinance shall be interpreted as permitting or requiring any violation of law, or any lawful rules, regulations, or orders of an authorized governmental agency. In the event of conflicts between various requirements, the more restrictive requirements shall apply. Facility design and operations shall comply with all applicable requirements of Federal, State, and Local authorities, and all such requirements shall, by reference, become conditions of this Permit.

**17. Acceptance of Conditions:**

*Prior to the issuance of a Zoning Clearance for Use Inauguration, the permittee shall sign a written "Acceptance of Conditions" for this Permit acceptable to the Planning Director. Said acceptance shall be in the standard form prescribed by the County.*

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

**18. Change of Ownership:**

*At least 10 calendar days prior to the effective date of a change of property ownership, or of lessee(s), or operator(s) of the permitted use, there shall be filed, as an initial notice with the Planning Director, the name(s), address(es) and telephone/FAX number(s) of the new owner(s), lessee(s) or operator(s), and company officer(s). A final statement that a transfer of ownership has occurred shall be provided to the Planning Director within 15 calendar days of said transfer. Said statement shall include any changes in name(s), address(es) and telephone/FAX number(s) of the new owner(s), lessee(s) or operator(s), and company officer(s) from the initial notice. Said statement shall be accompanied by a letter from the new property owner(s), lessee(s) and/or operator(s) acknowledging and agreeing to comply with all conditions of this Permit. Said statement shall specify the effective date and time of the transfer.*

**19. Annual Condition Compliance and Public Review:**

*Annually, by the date specified by the Planning Director, the RMA-Planning Division shall, at permittee expense, as per condition #9, conduct a condition compliance review. Said review shall determine how the Conditions of this Permit are being implemented, assess overall condition compliance, and evaluate any problems with implementation and the resolution of such problems. Said review shall take place during each of the first three (3) years following the issuance of a Zoning Clearance for Use Inauguration. If the Planning Director determines the need, he/she may forward recommendations to the Planning Commission who shall determine the appropriate action(s) to be taken.*

A major failure of the permittee to implement the terms of the Conditions contained herein may result in the preparation of a special report to the Planning Commission by the Planning Director. Said report shall contain the Planning Director's recommendations and the Planning Commission shall determine the appropriate action(s) to be taken. Violations determined, by the Planning Director, to be minor shall not require the preparation of a special report to the Planning Commission.

**20. Recorded "Notice of Land Use Entitlement":**

*Prior to the issuance of a Zoning Clearance for Use Inauguration, the permittee shall record the following information and/or documentation with the Office of the County Recorder:*

a. Notice of Land Use Entitlement

The permittee and property owner of record shall sign, have notarized, and record, for the benefit of future purchasers of the permit site, a notice form, furnished by the Planning Division. The notice form shall state that the affected real property has been granted a land use permit, which contains certain conditions for operation and restoration of the property, and said purchaser of this real property should be aware of those conditions. A copy of such recorded form shall be returned to the Planning Division to be filed with, and made part of the case file.

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

**21. Outside Storage:**

- a. Only materials and equipment ancillary to the permitted use may be stored on this site.
- b. Location of outside storage shall be in accordance with Section 8109-3.4.2 (M-3) of the Ventura County Ordinance Code.
- c. No materials within 100 feet of the perimeter fence shall be piled or stored to a height greater than that of the fence unless such materials are within an enclosed building.
- d. Yards, parking areas, storage areas and other open uses on the site shall be maintained in a neat and orderly manner at all times.
- e. Outside storage areas shall be maintained in good order. Any violations of this condition shall be remedied within two (2) weeks after notice of such violation by the Planning Director or the Planning Director's designee.

**22. Biological Concerns:**

These conditions are environmental mitigation measures designed to reduce the impacts of concentrations of pollutants from discharge into the Santa Clara River outfall as a result of flood channelization, as discussed in Section III of the Mitigated Negative Declaration prepared for all pending projects within the Mission Rock Road Existing Community. As such, any Modification to these conditions can only be made if: (1) it does not reduce the effectiveness of the condition's environmental mitigation measures; or (2) a new environmental document is prepared to reflect the changed project and/or conditions.

[The monitoring program for these conditions shall be implemented through the standard enforcement/review processes of the Ventura County Environmental Health Division and Public Works Agency in the issuance of the required permits for which each of these agencies has responsibility. The Ventura County Planning Division will retain in the case files memos from those Divisions indicating that those required permits have been issued.]

- a. The permittee, if germane to that use, shall comply with all requirements of the Ventura County Environmental Health Division relating to Hazardous Wastes/Materials.
- b. The permittee shall comply with all requirements of the Ventura County Public Works Agency as necessary.

**23. Penal Bond:**

*Prior to the issuance of a Zoning Clearance for Use Inauguration*, the permittee shall post a bond, other surety or show proof of an existing bond with the Planning Division in the amount of \$10,000 to guarantee compliance with the conditions of the Permit. The subject surety shall not be exonerated until the expiration or abandonment of said use.

*(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)*

In case of failure to conform or comply with any term or provision of this Permit, the Planning Commission may, after notice to the permittee and a public hearing, by resolution, declare all or part of said surety forfeited. No surety shall be exonerated until all terms and provisions of this Permit have been completed to the satisfaction of the Planning Director. The amount of the penal surety posted on behalf of this Permit shall be adjusted periodically by the Planning Director in accordance with the regional Consumer Price Index so as to reflect changing dollar values over the life of the Permit and the anticipated costs of corrective measures.

**24. Site Restoration:**

Upon expiration of this Permit, or abandonment of the use, the premises shall be restored by the permittee, within 60 calendar days, to a safe and clean vacant condition, as nearly as practicable.

- END OF CONDITIONS -

I:\My Documents\working files\CUP\Mission Rock\GenConditions.doc



PLANNING COMMISSION

HEARING DATE: February 22, 2001 (Continued to April 19, 2001)

APPROVAL DATE: April 19, 2001

Page 1 of 8

*(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)*

History:

In September 1963, Assessor's Parcel Number APN 099-0-060-365 was zoned "M-3" (Heavy Industrial). On October 19, 1966, PD-0573 was granted by the Board of Zoning Adjustment (Resolution No. 66-261) to the Leal Corporation for construction of an office building and maintenance of a truck storage yard upon APN 099-0-060-365 with no expiration date.

On October 10, 1966, the Planning Director approved a "minor change" to the permit adjustment to allow the addition of a 1500 square foot repair shop.

In May of 1970, two new Assessor's Parcel Numbers (A.P.N. 090-0-060-395 & 090-0-060-405) were assigned to the property.

The "Mission Rock Road Community" designation was assigned to this area by the Board of Supervisor's in 1983. The boundaries of the area encompass approximately 95 acres, comprised of 21 separate Assessor's Parcels.

On February 16, 1984, Ventura Petroleum Services purchased the property continuing the permit (PD-0573) and use as previously approved.

On August 30, 1990, the Planning Commission granted PD-0573-Major Modification No. 1) and accompanying Variance 4774. The PD was granted for the continuation and use a trucking operation (hazardous waste hauling) with repair and storage facilities on Assessor's Parcel: A.P. 090-0-060-405. Variance 4774 provided for the following:

- Eliminated the planting of street trees requirement;
- Eliminated the landscaping of 5% of the total permit area requirement; and
- Eliminated the requirement for the landscape of 10% of the parking lot area

At that time, the Planning Commission granted approval to a total of 14 entitlement permits including PD-0573-1 in the Mission Rock Road area to continue or establish their uses subject to the following two (2) requirements:

1. That an association be formed to fund the development of three major improvements in the entire Mission Rock Road area including road improvements and installation of an adequate water supply system for fire protection; and
2. That each of the 14 permits is required to comply with all of their respective conditions.

Both of the above requirements were to have been completed by August 30, 1991, pursuant to Condition 6.a., or each of the permits were to expire. Difficulties were encountered and a one year time extension (i.e., until August 30, 1992) was granted by the Planning Commission on August 29, 1991. The Association was formed in May 1992, and commenced the Community-wide improvements.

On August 5, 1992, the Association requested that the Planning Director grant a Permit Adjustment to all the permits extending the expiration date by 90 days, to November 5, 1992. The Association stated the time was needed to complete the road and drainage improvements, to obtain off-site easements, to survey the property, and to gain approval of another CUP for the off-site water line from Santa Paula Water Works. The Permit Adjustment was approved on August 29, 1992. Subsequently, the Association requested and received seven (7) more Permit Adjustments for short-term time extensions due to various complications related to the above tasks. The last extension expired on October

PLANNING COMMISSION

HEARING DATE: February 22, 2001 (Continued to April 19, 2001)

APPROVAL DATE: April 19, 2001

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

18, 1993. By that time the 3 major improvements were completed to the satisfaction of County Agencies.

NOTICE TO PERMIT HOLDER: Failure to abide by and faithfully comply with any conditions for the granting of this Permit shall constitute grounds for one or more of the following actions in accordance with the County's adopted Schedule of Enforcement Responses:

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

It is the permittee's or his successors in interest, responsibility to be aware of and to comply with the Permit conditions described below and the rules and regulations of all jurisdictions having authority over the use described herein.

A. PLANNING DIVISION CONDITIONS:

The following conditions are specific conditions, which are applicable to all of the entitlements listed below under Condition 1.a - Permitted Uses. They are to be considered part two of a two part set of conditions of approval and shall supercede all previously approved conditions.

1. Permitted Uses:

- a. The Planned Development Permit (PD-0573-2) is based upon and limited to the project description provided in the Permit Application and the conditions of approval described herein which are held on file at the Resource Management Agency (RMA) - Planning Division. The project description is as follows:

This permit is granted for the continuation of a hazardous waste hauling facility including repair, storage, and maintenance services with the following structures:

<u>Quantity</u>	<u>Type</u>	<u>Size (sq. ft.)</u>
(1)	Office	800.
(1)	Office	320
(1)	Office	176
(2)	Commercial coach	720 (each)
(2)	Storage bldg.	320 (each)
(1)	Canopy storage	900
(1)	Shop bldg.	3800
(1)	shed	96

- b. Variance 4774 (Var-4774) shall continue to apply to the entire permit area [APN: 099-0-060-395], and is coterminous with the life of this permit, as specified in Condition A.2- Permit Expiration/Renewal/Modification. Variance 4774 shall continue in force to provide the following relief.

- Eliminate the planting of street trees requirement;
- Eliminate the landscaping of 5% of the total permit area requirement; and

PLANNING COMMISSION

HEARING DATE: February 22, 2001 (Continued to April 19, 2001)

APPROVAL DATE: April 19, 2001

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

- Eliminate the requirement for the landscape of 10% of the parking lot area
- c. These entitlements are granted for only the buildings and structures, parking areas, landscape areas, roadways, driveways, fences, and walls at the locations shown in Exhibit "4.e" (Site Plan). Signs and lighting require separate approvals (refer Part 1, Umbrella Conditions 6.h, i, j - Miscellaneous Property Regulations).

2. Permit Expiration/Renewal/Modification:

Failure by the applicant to comply within 180 days following the approval of this Modification No. 1 with the requirements of Condition No. C. 13-(Water Resources Division Condition) shall cause this permit to automatically expire.

Unless subsequently modified, the expiration/renewal/modification shall be governed by the language specified in Condition No. 2 of the "umbrella" conditions for the entire Mission Rock Road community (Exhibit "5") (Part One of the "Umbrella" Conditions pertaining to PD-0573, Major Modification No. 2).

The permittee is solely responsible for the timely renewal of this Permit. Failure of the County to notify the permittee of the Permit's imminent expiration shall not be grounds for the continuation of the Permit beyond the expiration date.

3. Responsibilities Prior to Use Inauguration:

Prior to the issuance Zoning Clearance for Use Inauguration, the permittee must first comply with the following conditions:

**Part 1, "Umbrella" Conditions:**

- A.4. Required Community Improvements (PIng.)
- A.6.a. f., g., h., i Miscellaneous Property Regulations (PIng.)
- A.7.a. Submittal of Tree Row Plan (PIng.)
- A.9.a., b. Condition Compliance/Financial Reqmts/Limitations (PIng.)
- A.12. Contact Person (PIng.)
- A.17. Acceptance of Conditions (PIng.)
- A.20. Recorded "Notice of Land Use Entitlement"/Permit Summary (PIng.)
- A.23. Penal Bond (PIng.)

**Part 2, "Specific" Conditions:**

- B.7 Repair of septic system for office (EHD)
- B.7.a Hazardous Materials Permits (EHD)
- C.12, 13 Soil Tests (PWA, WRD)
- C.14 Grading Plan Determination (PWA)
- C.13.a Asphalt Product Tank Requirements (PWA, WRD)
- C.13.b.. Magnesium Chloride /Brine Tank Requirements (PWA, WRD)
- C.13.c. Diesel Tank Requirements (PWA, WRD)
- C.20 Refuse/Recyclables enclosure design (SWMD)

PLANNING COMMISSION

HEARING DATE: February 22, 2001 (Continued to April 19, 2001)

APPROVAL DATE: April 19, 2001

Page 4 of 8

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

- b. The Zoning Clearance for Use Inauguration must be issued within six-(6) months of the date of permit approval or the Permit shall expire. Upon written request by the permittee prior to expiration, the Planning Director may extend this date for an additional six - (6) months.

4. Parking Requirements:

A minimum of eight (8) off-street parking spaces shall be provided.

B. Environmental Health Division Conditions:

5. The storage, handling, and disposal of any potentially hazardous material shall be in compliance with applicable state regulations.
6. Only domestic waste as defined in the County Building Code Ordinance shall be discharged into the on-site sewage disposal system.
7. *Prior to the issuance of a Zoning Clearance for Use Inauguration*, repair of the septic system for the office shall be completed.

*\*\*The following condition is in addition to the above conditions pursuant to Permit Adjustment No.6 approved May 23, 2002.*

- a. Prior to the issuance of a Zoning Clearance for Use Inauguration, the applicant shall contact the Hazardous Materials section of the Environmental Health Division to obtain all necessary permits.

C. Public Works Department Conditions:

Water Resources Division:

8. The permittee shall destroy State Well No. 03N21W29F03s located near the north end of Lot B. Said work shall be performed by a licensed water well contractor registered with the Public Works Department under a permit issued by the Water Resources Division.
9. The applicant shall submit the results of soil tests requested by the Water Resources Division's memo of 11/13/00. Soils tests are required at one location near the drain at 4, 6 and 8 feet depths. Samples shall be tested for total petroleum hydrocarbons and BTEX. Provide results of tests to the Planning Division with a copy to the Water Resources Division.
10. Applicant shall perform additional soil tests and/or water quality tests as directed by the Planning Division/Water Resources Division to determine the full vertical and lateral extent of any suspected contamination plume. Provide results of tests to the Planning Division with a copy to the Water Resources Division.
11. Applicant shall perform all work to remove and/or remediate all contamination, to include contamination of impacted water resources, as directed by the Planning Division/Water Resources Division. Work shall include, but not be limited, to employing technical consultants as necessary, developing required work plans, obtaining approval of work plans, obtaining necessary permits, and obtaining final inspection and approval of site.

PLANNING COMMISSION

HEARING DATE: February 22, 2001 (Continued to April 19, 2001)

APPROVAL DATE: April 19, 2001

Page 5 of 8

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

12. *Prior to the issuance of a Zoning Clearance for Use Inauguration*, the applicant shall comply with all additional directions and review comments provided by the Planning Division/Water Resources Division and subsequent to performing conditions 8) through 11) above.
13. *Prior to the issuance of a Zoning Clearance for Use Inauguration*, the applicant shall complete condition 8) through 12) above. The Planning Division/Water Resources Division will make determinations as to the completeness of each condition. Failure by the applicant to comply with the requirements of this Condition shall cause this permit to automatically expire.

*\*\*The following condition is in addition to the above conditions pursuant to Permit Adjustment No.6 approved May 23, 2002.*

***Prior to the Issuance of a Zoning Clearance for Use Inauguration, the Applicant shall complete the following conditions:***

- a. All proposed asphalt product tanks shall be located on a concrete slab with concrete wall on all four sides and sloped to a sump, except need not be impervious nor have a roof constructed overhead. The sump shall be constructed without any overflow or drain outlets. These tanks are denoted on the Applicant's drawing (dated 3/29/02) as "D", "E", "I", "J", "K", "L" and "M".
- b. All proposed magnesium chloride/salt water brine tanks shall be located on a concrete slab with concrete wall on all four sides, sloped to a sump, lined with 80 mil HDPE throughout and turned up at walls to the maximum height of walls, except need not have a roof constructed overhead. The sump shall be constructed without any overflow or drain outlets. These tanks are denoted on the Applicant's drawing (dated 3/29/02) as "G" and "H".
- c. The existing containment area for the proposed diesel tank shall be made impervious by application of epoxy sealant on concrete floor slab and at all interior walls up to maximum height of walls, except need not include a sump nor be roofed. This tank is denoted on the Applicant's drawing (dated 3/29/02) as "F". A roof shall be constructed over the existing fuel transfer area (approximately 10' x 12' x 14' high) and the existing concrete slab shall be similarly coated with epoxy sealant including 3" high rolling curb/berm on all sides.

**Development and Inspection Services Division:**

14. *Prior to issuance of a Zoning Clearance for Use Inauguration*, the permittee shall submit to the Public Works Agency for review and approval, a grading plan; and shall obtain a Grading Permit, unless determined by the Public Works Agency that a Grading Permit is not necessary,

If the amount of grading is greater than 1,000 cubic yards, the grading plan shall be prepared by a Registered Civil Engineer. Grading involving less than 1000 cubic yards shall not require a Registered Civil Engineer to prepare, unless the permittee chooses to have the grading performed by a Civil Engineer, or, the building official determines that special conditions or unusual hazards exist.

15. If it is determined that a Grading Permit is required, the Public Works Agency may request a Geology Report, the permittee shall, upon our request, submit to the

PLANNING COMMISSION

HEARING DATE: February 22, 2001 (Continued to April 19, 2001)

APPROVAL DATE: April 19, 2001

Page 6 of 8

(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)

Public Works Agency for review and approval, a Geology Report with the submittal of the Grading Plans.

The grading plan shall incorporate the recommendations of the approved report.

16. If it is determined that a Grading Permit is required, the Public Works Agency may request a Soils Engineering Report, the permittee shall, upon our request, submit to the Public Works Agency for review and approval, a Soils Engineering Report with the submittal of the Grading Plans.

The grading plan shall incorporate the recommendations of the approved report.

Flood Control Department:

The applicant shall comply with all requirements of the Regional Board Water Quality Order No. 97-03-DWQ National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001 and shall implement the Storm Water Pollution Prevention Plan prepared for the subject facility.

*\*\*The following condition is in addition to the above conditions pursuant to Permit Adjustment No.6 approved May 23, 2002.*

- a. All surface runoff and drainage from activities will be controlled by berms, revegetation, and/or other approved measures to ensure that surrounding land and water resources are protected from erosion, gulying, sedimentation, and contamination.

Solid Waste Management Department:

18. The permittee shall adhere to the requirements of the Ventura County Ordinance # 4155, which states "...all commercial generators shall separate or cause to be separated from refuse and shall arrange for recycling all materials on the Director's list of commercial recyclables." (Call the Solid Waste Management Department at 805/648-9226 for assistance in meeting this condition).
19. The permittee shall consent to an on-site waste audit by staff of the SWMD. If any materials on the Director's List of Commercial Recyclables, such as pallets, are being generated in sufficient quantities to justify a separate bin for collection and recycling, the permittee shall implement programs to recycle or reuse these materials within 30 days of the waste audit.
20. *Prior to issuance of a Zoning Clearance for Use Inauguration and/or Occupancy*, the permittee shall submit a design for the enclosure/area for siting refuse and recyclables bins and have this design approved by the Director of the Solid Waste Management Department. This enclosure/area shall be conveniently located and large enough to accommodate both refuse containers and all the recyclables bins necessary to achieve condition (18) above. The permittee shall refer to the SWMD's Space Allocation Guidelines for refuse and recyclables collection and loading area design guidelines.
21. The permittee shall arrange for the recycling of all discarded recyclable hazardous materials, including the motor oil, used oil filters, and antifreeze from (salvaged) vehicles.

PLANNING COMMISSION

HEARING DATE: February 22, 2001 (Continued to April 19, 2001)

APPROVAL DATE: April 19, 2001

Page 7 of 8

*(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)*

D. Air Pollution Control District Condition:

22. The facility operator shall conduct all on-site and off-site operations in compliance with all applicable APCD Rules and Regulations. This includes, but is not limited to, Rule 10 – *Permits Required*, and Rule 74.27 – *Gasoline and ROC Liquid Storage Tank Degassing Operations*.
23. The operator shall obtain all necessary APCD permits (Authority to Construct Permit, Permit to Operate) prior to constructing or operating the applicable equipment. The APCD Permit Section can be reached at (805) 645-1401

*\*\*The following condition is in addition to the above conditions pursuant to Permit Adjustment No.6 approved May 23, 2002.*

The District recommends the following permit conditions to help minimize potential asbestos exposure from remodeling and demolition activities; to help reduce fugitive dust associated with operations at the facility; and to ensure the completed facilities are operated in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District:

- a. Building demolition activities may cause possible exposure to asbestos. The applicant shall notify the District prior to issuance of demolition permits for any onsite structures. Demolition and/or renovation activities shall be conducted in compliance with District Rule 62.7, *Asbestos – Demolition and Renovation*. Rule 62.7 governs activities related to demolition of buildings with asbestos-containing materials. This rule establishes the notification and emission control requirements for demolition activities. Specifically, this rule requires that the owner or operator of a facility shall remove all asbestos-containing material from a facility being demolished. For additional information on asbestos, or to download a copy of Rule 62.7, please visit our website at [www.vcapcd.org/asbestos.htm](http://www.vcapcd.org/asbestos.htm). You can also contact the District's Asbestos Coordinator, Jay Nicholas at (805) 645-1443 or by email at [jay@vcapcd.org](mailto:jay@vcapcd.org).
- b. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds to prevent excessive amounts of fugitive dust.
- c. All trucks that will haul excavated or graded material off site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
- d. All unpaved on-site roads shall be periodically watered or treated with environmentally-safe dust suppressants to prevent excessive amounts of dust.
- e. The area disturbed by clearing, grading earth moving, or excavation operations shall be minimized to prevent excessive amounts of fugitive dust.
- f. All active portions of the site shall be either periodically watered or treated with environmentally-safe dust suppressants to prevent excessive amounts of dust.
- g. On-site vehicle speeds shall not exceed 15 miles per hour.
- h. Construction equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications.

PLANNING COMMISSION

HEARING DATE: February 22, 2001 (Continued to April 19, 2001)

APPROVAL DATE: April 19, 2001

Page 8 of 8

*(As amended pursuant to Permit Adjustment No. 6 approved on May 23, 2002)*

- i. Facilities shall be constructed and operated in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 51, *Nuisance*.

*"A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endangers the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property."*

- j. An APCD Authority to Construct shall be obtained for all equipment subject to permit, prior to construction (see Attachment 2, Form AB3205). To determine if proposed new equipment is subject to APCD Permitting, the applicant should submit the attached APCD Questionnaire (AB3205) to the District. This form can be mailed or faxed to APCD. If an applicant has additional questions about this process please contact District Staff at (805) 645-1445 or (805) 645-1401.

E. Fire Department Conditions:

24. The applicant shall obtain all applicable Uniform Fire Code (UFC) permits prior to occupancy or use of any system or item requiring a UFC.
25. The permittee shall notify the Fire Department of any change in use or ownership and shall submit changes to the Fire Department for plan review and approval prior to occupancy.
26. All leased or rented areas of this property shall apply for any Uniform Fire Code Permits that apply to that business.

*\*\*The following condition is in addition to the above conditions pursuant to Permit Adjustment No.6 approved May 23, 2002.*

- a. The applicant shall complete form # VCFD 126B Fire Department Requirements for construction prior to obtaining a building permit.
- b. The subject project is located in a high fire hazard area and shall meet the requirements of the Ventura County Building Code for High Fire Hazard Area Construction.

- END OF CONDITIONS -



# county of ventura

## MITIGATED NEGATIVE DECLARATION (MND) - ADDENDUM

### A. BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Entitlement:** The applicant requests approval of a Minor Modification of Planned Development Permit (PD) 573-2 (Case No. LU10-0023) for the continued use of the property as a "Contractor's Service and Storage Yard" (Ventura County Non-Coastal Zoning Ordinance, §8105-5).
2. **Applicant/Property Owner:** W.O.S.S Properties, LLC – James Miller
3. **Location:** 736 Mission Rock Road, Santa Paula
4. **Assessor's Parcel Number:** 099-0-060-405
5. **Lot Size:** 2.00 acres
6. **General Plan Land Use Designation:** The lot on which the proposed project site is located is designated as Existing Community.
7. **Zoning Designation:** The lot on which the proposed project site is located is zoned "M3-10,000" (General Industrial, 10,000 square feet minimum lot area).
8. **Project Description:** The project consists of the continued use of the property as a contractor's service and storage yard for an oil spreading services business. This facility would serve the asphalt paving industry, local ranches, and private homeowners. The facility includes oil storage tanks used to contain various paving grade liquid asphalts and asphaltic emulsions. Containment areas for the storage of aggregate (sand and gravel) used in the oil spreading business are also included. Operation of support vehicles and equipment used for chip sealing, seal coating, and asphalt patching are part of the proposed project. A 600 square foot truck scale is located at the entrance to the project site in order to weigh the arriving and departing trucks.

The project site will encompass 2.00 acres of land and will be located entirely on Tax Assessor's Parcel No. 099-0-060-405.

Removal of an existing 400 sq. ft. mobile office trailer and demolition of an 800 sq. ft. wooden office building are included in the project. These structures would be replaced with a newly-constructed 4,992 sq. ft. metal building that includes a 2,000 sq. ft. interior office space and a 2,992 sq. ft. shop. Additionally, the applicant proposes to remove an illegal 800 sq. ft. metal framed canopy and to legalize a 728 sq. ft. metal framed canopy.



This operation would utilize the following structures:

<b>List of Structures</b>	<b>Size of Structure</b>
Metal Framed Canopy	728 sq. ft.
Wood Framed Shop	2,193 sq. ft.
Hot Water Tank	15,000 gallons
New Metal Building with Office Space	4,992 sq. ft.
Trash Enclosure	80 sq. ft.
Slow Setting Emulsion Tank	9,750 gallons
Seal Coat Tank	(2) at 9,750 gallons
Diesel Tank	11,250 gallons
AR 4,000 Tank	12,000 gallons
SC70 Tank	9,750 gallons
Emulsified Asphalt CRS-2	15,000 gallons
Spare Tank	10,100 gallons
SC250 Tank	12,400 gallons
Empty Tank	7,500 gallons
Seal Coat Storage, Water Based Tank	6,500 gallons

The existing, unpermitted vehicle parking area located at the front of the property adjacent to Mission Rock Road will be relocated to within the permit area boundaries. Fifteen parking spaces are proposed (one of which would be handicap accessible).

The oil spreading facility would be operated on Monday through Friday, 7:00 a.m. to 5:00 p.m. The facility will involve one shift with 19 employees per shift.

The applicant proposes to eliminate the existing landscape screening condition (tree row), Condition No. 7 (a-c) of the existing conditions of approval for PD 573-2 (i.e., the "Umbrella Conditions," Part 1 of 2) since the project site is not visible from the State Highway 126 and the Agricultural Commissioner's Office determined that the recommended conditions of approval of the Ventura County Air Pollution Control District are sufficient to prevent adverse dust impacts on agricultural operations that are located to the east of the project site (Email from Rita Graham to Franca Rosengren, dated December 13, 2010). There is also a high pressure gas line and easement along the northeast portion of the subject property identified by the Southern California Gas Company in which no planting of trees or deep rooted plants are allowed (Letter from Cherrie Peterson, Southern California Gas Company, to County of Ventura, Planning Division, dated February 25, 2011).

Pursuant to the *Ventura County Non-Coastal Zoning Ordinance* (§8109-3.4), the applicant proposes 5% landscaping on the project site to meet the requirements of the M-3 zone.

In addition, the applicant proposes to eliminate the requirement for a permit expiration date, which is currently included in Condition No. 2 of the existing conditions of approval for PD 573-2 (i.e., the "Umbrella Conditions," Part 1 of 2 and the "Specific Conditions," Part 2 of 2).

The City of Santa Paula will continue to provide water service to the project site. As part of the proposed project, the existing septic system would be removed and replaced. A new 1500 gallon septic tank and new 100 foot leach field would provide sewage disposal services for the existing and proposed building.

**B. STATEMENT OF ENVIRONMENTAL FINDINGS:**

In August 1990, a Mitigated Negative Declaration (MND) was adopted by the County of Ventura that evaluated the impacts of industrial development in the Mission Rock Road area. This document covered PD No. 573-1, for truck transportation services (hazardous waste hauling) with repair and storage facilities.

On November 23, 1990, the Planning Director approved a permit adjustment (PD No. 573-1, PAJ No. 1) to clarify the size and location of all existing structures on the site. The Planning Director determined that this change was categorically exempt for CEQA review under Section 15301, class 1 (a), Existing Facilities.

In April 2001, the Planning Commission found that the 1990 MND, as augmented by an Addendum, constituted adequate environmental review of the minor modification of PD No. 573-1 (Case No. PD 573-2) to authorize the continued use of the property for a truck transportation services (hazardous waste hauling) with repair and storage facilities.

On May 24, 2002, the Planning Director approved a permit adjustment to PD No. 573-2 to allow a change of use on the property from a truck transportation services business to a contractor's service and storage yard, which performs oil spreading services for the asphalt paving industry (current use). The Planning Director determined that this change was categorically exempt for CEQA review under Section 15301, class 1 (a), Existing Facilities.

Section 15164(b) of the State CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3) states that the decision-making body may adopt 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 State CEQA Guidelines calling for the preparation of a subsequent EIR or negative declaration have occurred.

The conditions described in Section 15162 of the State CEQA Guidelines which require the preparation of a subsequent MND are provided below, along with a discussion as to why a subsequent MND 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 Permittee is currently authorized to operate a contractor's service and storage yard. The proposed project involves the:

- continuation of the existing contractor's service and storage yard
- construction of a 4,992 sq. ft. metal storage building which includes office space
- removal of illegal structures
- reconfiguration of the parking lot area
- installation of new landscaping

As mentioned in Item B, above, on August 30, 1990, the Planning Commission adopted a MND that evaluated the environmental impacts of potential uses that were proposed for the entire Mission Rock Road community (which included the subject site). The uses proposed for this particular site are among those proposed uses that were previously analyzed and were identified in the original MND adopted for the entire Mission Rock Road community.

The proposed uses identified in the original MND include:

- contractor's service and storage operations
- oil waste water treatment plants
- oil production operations
- vehicle wrecking yards
- animal boarding kennels
- concrete manufacturing plants.

The proposed project is included in the above-listed uses and does not represent a new use not previously analyzed in the original MND or the Addendum to MND for the entire Mission Rock Road Community.

All of the existing and proposed uses would be located within areas that were previously analyzed either in the original MND or Addendum to the MND. These areas are currently developed with the oil spreading services facility. Therefore, the proposed project would not create any new significant environmental impacts that were not identified in the previous environmental documents adopted for the site.

The MND as augmented by this Addendum constitutes adequate environmental review.

As discussed above, the MND identified potentially significant but mitigable impacts relating to fire protection, floodplain management, and access and circulation. As a mitigation measure and condition of approval for all permits in the Mission Rock Road Community, a Property Owners Association was created to implement a community-wide approach to fire protection issues, flooding problems, and traffic access and circulation problems which exist within the Mission Rock Road Community. To mitigate the significant cumulative environmental impacts, the Mission Rock Road Property Owners Association (MRR POA) formed and recorded Codes, Covenants, and Restrictions (CC&Rs) which require the implementation and maintenance of the approved Road Improvement Plan, Drainage Improvement Plan and fire protection facilities.

Based on a letter from Carolyn J. Abul-Haj, Managing Agent for the MRR POA, to Franca Rosengren, dated November 29, 2010, the required community improvements are continuing to be maintained and implemented in order to effectively reduce the significant cumulative environmental impacts. Each property owner within the Mission Rock Road Community is current in the payment of the regular assessments to the MRR POA which funds the services needed to maintain the roadways, drainage and fire protection facilities.

The proposed modified facility (as may be authorized by PD No. LU10-0023) will be subject to conditions of approval to ensure that the property owner continues to participate in the MRR POA to ensure that the roadways, drainage and fire protection facilities are maintained pursuant to the requirements of the mitigation measures in the MND. Therefore, the continued use of the existing uses and addition of a new building on the subject property would not increase the severity of these impacts.

The Ventura County Fire Protection District (collectively, "Fire") reviewed the proposed project (Memorandum from Marnel Vanden Bossche to Franca Rosengren, dated March 14, 2012). Fire determined that the proposed project will not create any new significant impacts or increase the severity of fire protection impacts identified in the MND. Furthermore, as conditions of approval, the applicant will be required to obtain Fire clearance prior to obtaining a building permit for any new structures or additions to verify that they meet all current Fire requirements. Additionally, Fire determined that the proposed project will have no significant effect on emergency response (tactical access), since the public roads and driveways that provide access to the project site meet current Fire Department Access Standards.

The County of Ventura, Public Works Agency, Watershed Protection District (collectively, "WPD"), reviewed the proposed project (Memorandum from Brian Trushinski to Franca Rosengren, dated February 15, 2012). Since WPD determined that the project site is located outside of the 100-year floodplain, the impacts from flooding hazards are considered to be less than significant. As a

recommended condition of approval for the proposed project, a floodplain clearance will be required.

WPD determined that the proposed project will have a less than significant impact on surface water quality since the applicant will be required, as a condition of approval, to comply with the Stormwater Development Construction Program requirements and the State General Industrial Stormwater Permit requirements to ensure compliance and implementation of an effective combination of erosion and sediment control measures to protect surface water quality (Memorandum from Ewelina Mutkowska to Franca Rosengren, dated February 15, 2012).

Finally, the County of Ventura, Public Works Agency, Transportation Department (collectively, "Transportation Department") reviewed the proposed project (Memorandum from Behnam Emami to Franca Rosengren, dated February 23, 2012). The Transportation Department determined that any potential change to the amount of traffic generated by the proposed project will be less than significant. Since the proposed project will generate additional traffic on the local public roads and the Regional Road Network, the payment of the Ventura County Traffic Impact Mitigation Fee ("TIMF") would be required in order to offset the impacts of traffic on the Regional Road Network. With payment of the TIMF, the level of service and safety of the existing roads would remain consistent with the County's General Plan Policies.

Therefore, the proposed project will not involve any new significant environmental impacts or an increase in the severity of the potentially significant environmental impacts that were identified in the original MND and Addendum to MND and will not require major revisions to the MND.

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)]; or,**

The environmental conditions that existed at the project site at the time the County prepared the original MND have not changed to the extent that the proposed time extension of the oil spreading services facility and proposed metal storage building would require major revisions to the MND. No new reasonably foreseeable, recently approved, or possible future projects exist within the Mission Rock Road area that either were not analyzed in the original MND or would result in the project making a potentially significant contribution to a cumulative impact that was not analyzed in the original MND. Therefore, the MND as augmented by this Addendum constitutes an adequate environmental review.

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)];**

No new information or mitigation measures that were unknown and could not have been known when the MND was adopted have become available. The environmental conditions that currently exist on-site are substantially the same as those that existed at the time at which the MND was prepared and adopted.

Therefore, the MND as augmented by this Addendum constitutes an adequate environmental review.

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 State 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:

  
\_\_\_\_\_  
Franca Rosengren, Case Planner  
Commercial/Industrial Permits Section

Reviewed by:

  
\_\_\_\_\_  
Brian R. Baca, Manager  
Commercial/Industrial Permits Section

The Planning Director finds that this Addendum has been completed in compliance with the California Environmental Quality Act.

  
\_\_\_\_\_  
Kimberly L. Prillhart, Planning Director

8-27-12  
Date

## **EXHIBIT 7 – CONDITIONS OF APPROVAL FOR PLANNED DEVELOPMENT PERMIT (PD) NO. LU10-0023**

*The following conditions of approval supersede all previously approved conditions—that is, the “umbrella” conditions for all projects within the Mission Rock Road Community, as well as the project-specific conditions for PD No. 573, Minor Modification No. 2 and Permit Adjustment No. 6 of PD No. 573, Minor Modification No. 2.*

### **RESOURCE MANAGEMENT AGENCY (RMA) CONDITIONS**

#### **I. Planning Division (PL) Conditions**

##### **1. Project Description**

This planned development permit is based on and limited to compliance with the project description found in this condition below, all County land use hearing exhibits in support of the project marked Exhibit 3, and conditions of approval set forth below. Together, these documents describe the Project. Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the original approval. Project deviations may require Planning Director approval for changes to the permit or further CEQA environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) constitutes a violation of the conditions of this permit.

The project description is as follows:

The project consists of the continued use of the property as a contractor's service and storage yard for an oil spreading services business. This facility will serve the asphalt paving industry, local ranches, and private homeowners. The facility includes oil storage tanks used to contain various paving grade liquid asphalts and asphaltic emulsions. Containment areas for the storage of aggregate (sand and gravel) used in the oil spreading business are also included. Operation of support vehicles and equipment used for chip sealing, seal coating, and asphalt patching are part of the project. A 600 sq. ft. truck scale is located at the entrance to the project site in order to weigh the arriving and departing trucks.

The project site will encompass 2.00 acres of land and will be located entirely on Tax Assessor's Parcel No. 099-0-060-405.

Removal of an existing 400 sq. ft. mobile office trailer and demolition of an 800 sq. ft. wooden office building are included in the project. These structures will be replaced with a newly-constructed 4,992 sq. ft. metal building that includes a 2,000 sq. ft. interior office space and a 2,992 sq. ft. shop. Additionally, the applicant will remove an illegal 800 sq. ft. metal framed canopy and legalize a 728 sq. ft. metal framed canopy.



This operation will utilize the following structures:

List of Structures	Size of Structure
Metal Framed Canopy	728 sq. ft.
Wood Framed Shop	2,193 sq. ft.
Hot Water Tank	15,000 gallons
New Metal Building with Office Space	4,992 sq. ft.
Trash Enclosure	80 sq. ft.
Slow Setting Emulsion Tank	9,750 gallons
Seal Coat Tank	(2) at 9,750 gallons
Diesel Tank	11,250 gallons
AR 4,000 Tank	12,000 gallons
SC70 Tank	9,750 gallons
Emulsified Asphalt CRS-2	15,000 gallons
Spare Tank	10,100 gallons
SC250 Tank	12,400 gallons
Empty Tank	7,500 gallons
Seal Coat Storage, Water Based Tank	6,500 gallons

The existing, unpermitted vehicle parking area located at the front of the property adjacent to Mission Rock Road will be relocated to within the permit area boundaries. Fifteen parking spaces are proposed (one of which would be handicap accessible).

The oil spreading facility will be operated on Monday through Friday, 7:00 a.m. to 5:00 p.m. The facility will involve one shift with 19 employees per shift.

The requested modified permit authorizes the deletion of the following two existing conditions of approval of PD No. 573-2:

- Condition 7 a-c (“Umbrella Conditions,” Part 1 of 2): This condition currently requires the installation of a tree row along the northeast and northwest property lines to reduce the visual impacts of the industrial use from State Highway 126.
- Condition 2 (“Specific Conditions,” Part 2 of 2): This condition sets a permit expiration date.

The full text of these conditions is included in Exhibit 5 (2001 Umbrella and Specific Conditions).

Pursuant to the *Ventura County Non-Coastal Zoning Ordinance (§8109-3.4)*, the applicant will landscape 5% of the project site to meet the requirements of the M-3 zone.

The City of Santa Paula will continue to provide water service to the project site. As part of this project, the existing septic system will be removed and replaced. A new 1500-gallon septic tank and new 100-foot long leach field will provide sewage disposal services for the existing and proposed building (Exhibit 3).

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and all approved County land use hearing exhibits in support of the project and conditions of approval below. (PL-1)

## 2. Site Maintenance

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

**Requirement:** The Permittee shall maintain the project site in compliance with the described uses outlined in Condition No. 1 (Permitted Land Uses). Only equipment and/or materials which the Planning Director determines to substantially comply with Condition No. 1 (Permitted Land Uses), or which are authorized by any subsequent amendments to this PD, shall be stored on the property during the life of this PD. The following additional conditions shall apply:

- a. All outside storage shall be fenced for security and public safety at the property line pursuant to the *Ventura County Non-Coastal Zoning Ordinance (§8109-3.4.2)*.
- b. Restrooms shall be open and available for those employed at the truck transportation and contractor's service and storage operation.
- c. In accordance with the *Ventura County Non-Coastal Zoning Ordinance (§8109-3.1.1)* all new utility lines, including electric, communications, street lighting and cable television, shall be placed underground by the Permittee, who shall make the necessary arrangements with the utility companies for the installation of such facilities.

**Documentation:** Condition No. 1 (Permitted Land Uses) of this PD and any approved amendments of the PD.

**Timing:** Prior to the issuance of the Zoning Clearance for Use Inauguration and for the life of the permit.

**Monitoring and Reporting:** The County Building Inspector, Public Works 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*. (PL-4)

### 3. PD Modification

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

- a) The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and,
- b) Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, §21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000-15387), as amended from time to time. (PL-5)

### 4. 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. (PL-6)

### 5. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this PD and/or commencement of construction and/or operations under this PD shall constitute the Permittee's formal agreement to comply with all conditions of this PD. Failure to abide by and comply with any condition for the granting of this PD shall constitute grounds for enforcement action provided in the *Ventura County Non-Coastal Zoning Ordinance* (2010, 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 PD 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 PD.

The Permittee is responsible for being aware of and complying with the PD conditions and all applicable federal, state and local laws and regulations. (PL-7)

## 6. Time Limits

### a) Zoning Clearance for Construction:

- i. The approval decision for this PD becomes effective upon the expiration of the 10 day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for Construction in order to initiate the land uses provided in Condition No. 1 (Project Description).
- ii. This PD shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for Construction within one year [*Ventura County Non-Coastal Zoning Ordinance (2005, §8111-4.7)*] from the granting or approval of this PD. The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for Construction if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to inaugurate the permitted land use, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.
- iii. Prior to the issuance of the Zoning Clearance for Construction, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for Use Inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this PD.

### b) Zoning Clearance for Use Inauguration:

- i. This PD shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for Use Inauguration within one year from the issuance of the Zoning Clearance for Construction. 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 inaugurate the permitted land use, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.
- ii. Prior to the issuance of the Zoning Clearance for Use Inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for Use Inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this PD.

## 7. Consolidation of All Approved Exhibits and Permits

**Purpose:** In order to assure that the facility is operated in compliance with other federal, state or local government regulatory requirements, the Permittee shall obtain all necessary permits or other documentation.

**Requirement:** The Permittee shall comply with all applicable federal, state and local regulatory requirements.

**Documentation:** The Permittee shall provide copies or permits or other correspondence to the County Planning Division for review and approval that demonstrates compliance with agency requirements.

**Timing:** The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for construction or as required by the permitting agency.

**Monitoring and Reporting:** The Planning Division shall maintain the documentation provided by the Permittee in the project file. In the event that a permit is modified by any other agency, the Permittee shall submit revised documentation within 30 days of the modification.

#### 8. Notice of PD Requirements and Retention of PD Conditions On-Site

**Purpose:** In order to assure compliance, all relevant parties shall be informed of permit requirements.

**Requirement:** The owners of record, the contractors, and all other parties and vendors regularly dealing with the daily operation of the proposed activities shall be informed, in writing, by the Permittee of the pertinent conditions of this PD. The Permittee shall retain a copy of the PD on the site available for inspection by all parties.

**Documentation:** The Permittee shall provide a copy of a letter that informs all relevant parties of the applicability of the PD to the subject operation and facility. This letter shall also specify the location of the copy of the PD to be retained on-site.

**Timing:** Prior to the issuance of the Zoning Clearance for construction, the informational letter shall be provided to the Planning Division. The copy of the PD shall be retained on-site until expiration of this PD.

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

#### 9. Recorded Notice of Land Use Entitlement

**Purpose:** In order to comply with §8111-8.3 of the *Ventura County Non-Coastal Zoning Ordinance* a notice shall be recorded on the deed of the subject property that describes the responsibilities of the Property Owner and Permittee for compliance with applicable permit conditions and regulations.

**Requirement:** The Permittee and Property Owner of record 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, for tax assessor's parcel that is subject to this PD.

**Documentation:** Recorded Notice of Land Use Entitlement.

**Timing:** Prior to the issuance of a Zoning Clearance for Construction.

**Monitoring and Reporting:** The Permittee shall return a copy of the recorded Notice of Land Use Entitlement to the Planning Division for the project file. (PL-11)

10. Condition Compliance, Enforcement, and Other Responsibilities:

- a. Cost Responsibilities: The Permittee shall bear the full costs of all staff time, materials costs, or consultant costs associated with the approval of studies, generation of studies or reports, on-going permit compliance, and monitoring programs by maintaining revolving Condition Compliance Account CC06-0260 as described below in Condition 10.b. Specifically, the Permittee shall bear the full costs of the following:
- (1) Condition Compliance, which is defined herein to include, but is not limited to, the staff time, materials costs, or consultant costs associated with the approval of studies, generation of studies or reports, ongoing permit condition compliance review, and CEQA Mitigation Monitoring/other monitoring programs; and,
  - (2) Monitoring and enforcement costs, and any related fines or penalties assessed pursuant to the provisions of the Ventura County Ordinance Code, as it may be amended. (Refer to Condition 10.c, below.)
- b. Maintenance of Revolving Condition Compliance Account CC06-0260: Condition Compliance Account CC06-0260 was established pursuant to Umbrella Conditions (Part 1 of 2), Condition No. 9 of CUP 573-2, and shall be maintained until this CUP expires (Condition 6, above). Condition Compliance Account CC06-0260 shall serve as a revolving condition compliance and enforcement account to be used by Ventura County agencies to cover costs incurred by Ventura County for Condition Compliance review, monitoring, and enforcement costs (Condition 10.a, above), and for enforcement costs and penalties assessed pursuant to the provisions of the Ventura County Ordinance Code, as it may be amended (Condition 10.c, below.)

If any of the information provided in the existing reimbursement agreement for Condition Compliance Account CC06-0260 is outdated and/or incorrect, prior to issuance of a Construction Zoning Clearance [Condition 6a, above], the Permittee shall submit a new, signed reimbursement agreement with the updated and/or correct information. The reimbursement agreement obligates the Permittee to pay any Condition Compliance review, monitoring, and enforcement costs (Condition 10.a, above). The reimbursement agreement also grants the Permittee the right to challenge any charges for Condition Compliance review, monitoring, and enforcement costs.

- c. Monitoring and Enforcement Costs: The *Ventura County Non-Coastal Zoning Ordinance* (§8114-3.4) requires the Permittee, or the Permittee's

successors-in-interest, to bear the full costs incurred by the County or its contractors for inspection and monitoring, and for enforcement activities related to the resolution of confirmed violations. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections, public reports, penalty hearings, forfeiture of securities, and suspension of this CUP. Costs will be billed at the contract rates in effect at the time enforcement actions are required. The Permittee shall be billed for said fees and penalties pursuant to the *Ventura County Non-Coastal Zoning Ordinance* (§8114-3.4) as it may be amended.

- d. Billing Process: The Permittee shall pay any written requests made by the Planning Director or designee within 30 days of receipt of the request. If requested by the Permittee, requests for payment shall be accompanied by an accounting of how the deposited funds have been spent. Failure to pay the required amount, or to maintain the required deposit, shall be grounds for suspension, modification, or revocation of this CUP. The Permittee shall have the right to challenge any charge or the reasonableness of any charge prior to payment.

#### 11. Defense and Indemnity

As a condition of PD issuance and use including adjustment, modification, or renewal thereof, the Permittee agrees to:

- a) Defend, at the Permittee's sole expense, any action brought against the County by a third party challenging either the County's decision to issue this PD or the manner in which the County is interpreting or enforcing the conditions of this PD; and
- b) Indemnify the County against any settlements, awards, or judgments, including attorney's fees, arising out of, or resulting from, any such legal action. Upon written demand from the County, the Permittee shall reimburse the County for any and all court costs and/or attorney's fees which the County may be required by a court to pay as a result of any such legal action the Permittee defended or controlled the defense thereof pursuant to Section 11(a) above. The County may, at its sole discretion, participate in the defense of any such legal action, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.

Neither the issuance of this PD, nor compliance with the conditions thereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this PD serve to impose any liability upon the County of Ventura, its officers, or employees for injury or damage to persons or property.

Except with respect to the County's sole negligence or intentional misconduct, the Permittee shall indemnify, defend, and hold harmless the

County, its officers, agents, and employees from any and all claims, demands, costs, and expenses, including attorney's fees, judgments, or liabilities arising out of the construction, maintenance, or operations described in Condition No. 1 (Permitted Land Uses), as it may be subsequently modified pursuant to the conditions of this PD. (PL-13)

#### 12. Invalidation of Condition(s)

If any of the conditions or limitations of this PD are held to be invalid, that holding shall not invalidate any of the remaining PD conditions or limitations. In the event the Planning Director determines that any condition contained herein is in conflict with any other condition contained herein, then where principles of law do not provide to the contrary, the conditions most protective of public health and safety and natural environmental resources shall prevail to the extent feasible.

In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee an action filed in a court of law, or threatened to be filed therein, which action is brought in the time period provided for by the *Code of Civil Procedures* (§1094.6), or other applicable law, this PD shall be allowed to continue in force until the expiration of the limitation period applicable to such action, or until final resolution of such action, provided the Permittee has, in the interim, fully complied with the fee, exaction, dedication, or other mitigation measure being challenged.

If a court of law invalidates any condition, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this PD, at the discretion of the Planning Director, the Planning Director may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Director shall make the determination of adequacy. If the Planning Director cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this PD may be revoked. (PL-14)

#### 13. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for this land use 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 manpower of County staff.

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



The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 10 above, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense. (PL-15)

#### 14. Relationship of PD Conditions, Laws and Other Permits

The Permittee shall design, maintain, and operate the PD area and any facilities thereon in compliance with all applicable requirements and enactments of Federal, State, and County authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any PD condition contained herein is in conflict with any other PD condition contained herein, when principles of law do not provide to the contrary, the PD condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

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

A business tax certificate and regulatory licenses shall be obtained for the truck transportation and contractor's service and storage yard. (PL-16)

#### 15. Contact Person

**Purpose:** In order to facilitate responses to complaints, a contact person shall be designated.

**Requirement:** The Permittee shall designate a contact person(s) responsible to respond to complaints from citizens and the County regarding the uses permitted by this PD. 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 PD site.

**Timing:** Prior to the issuance of a Zoning Clearance for Construction, the Permittee shall provide the Planning Division the contact information of the Permittee's field agent(s) for the project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide the Planning Division 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 respective project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

#### 16. Resolution of Complaints

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

- a) The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 15 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about the operation of the kennel may directly contact the Contact Person;
- b) If a written complaint about this project is received by the County, Planning staff will contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and,
- c) If, following a complaint investigation by County staff, a violation of Ventura County Code or a condition of this permit is confirmed, County enforcement actions pursuant to §8114-3 of the Non-Coastal Zoning Ordinance may be initiated. (PL-18)

#### 17. Reporting of Major Incidents

**Purpose:** To ensure that the Planning Director is notified of major incidents within the PD area.

**Requirement:** The Permittee shall immediately notify the Planning Director by telephone, email, FAX, and/or voicemail of any incidents (e.g., fires, explosions, spills, landslides, or slope failures) that could pose a hazard to life or property inside or outside the PD area.

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

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

**Monitoring and Reporting:** The Planning Division maintains any documentation provided by the Permittee related to major incidents in the PD file. (PL-19)

#### 18. Change of Owner and/or Permittee

**Purpose:** To ensure that the Planning Division is properly and promptly notified of any change of ownership or change of Permittee affecting the PD site.

**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). 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 new Property Owner's and/or 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 PD.

**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*. (PL-20)

19. Implementation and Maintenance of Required Mission Rock Road Community Improvements<sup>1</sup>: The Mission Rock Road area property owners created a Property Owners Association (POA) and recorded Codes, Covenants, and Restrictions (CC&Rs) requiring the on-going implementation and maintenance of the following items:

- a. The elimination of traffic related problems, pursuant to the approved "As Built" Road Improvement Plan dated August 20, 1992 (Drawing No. 62462-67);
- b. An effective drainage system which will deter sheet flooding, pursuant to the approved "As Built" Drainage Improvement Plan dated September 29, 1993 (Drawing No. 62408-14, GP8613); and,
- c. Adequate fire protection through the approved Fire Protection System Plans dated May 23, 1986, which include the installation and maintenance of fire hydrants and sufficient fire flow.

The Permittee shall continue to participate throughout the life of this PD in the continued implementation and maintenance of the items noted above, as required by the POA and its CC&Rs, by providing, upon request, the Planning Director with a letter from the POA acknowledging payment of the required dues of the Permittee and showing the Permittee is in good standing with the POA and its CC&Rs.

---

<sup>1</sup> This condition/mitigation measure is required in order to implement mitigation measures that were identified in the Mitigated Negative Declaration (1990, Section III, Environmental Impacts and Mitigation Measures, B. Implementation and Enforcement), which was adopted for projects within the Mission Rock Road Community.

20. Building Color/Material Specifications: Pursuant to the requirements of the *Ventura County Non-Coastal Zoning Ordinance* (§8109-3.4.1) metal buildings, including accessory buildings, shall:

- (a) have exterior surfaces constructed or faced with a stainless steel, aluminum, painted, baked enamel, or similarly finished surface;
- (b) be reasonably screened from view from any street by other buildings or by appropriate walls, fencing, earth mounds or landscaping; or,
- (c) be located at least 100 feet from the street centerline.

21. Specific Industrial Zone Standards: Pursuant to Article 9 of the *Ventura County Non-Coastal Zoning Ordinance*, the Permittee shall maintain the contractor's service and storage yard in compliance with the following requirements, which also satisfy the mitigation measures identified in the original MND that are designed to reduce the impacts of concentrations of pollutants that are discharged into the Santa Clara outfall as a result of flood channelization:

- a. **Objectionable Factors** - The following shall be maintained at levels which are appropriate for the zone and geographic area and are not objectionable at the point of measurement, as determined by the Planning Director, when the use is in normal operation:
  - (1) Smoke, odors, vapors, gases, acids, fumes, dust, dirt, fly ash, or other forms of air pollution;
  - (2) Noise, vibration, pulsations, or similar phenomena;
  - (3) Glare or heat; and,
  - (4) Radioactivity or electrical disturbance.

The point of measurement for these factors shall be at the lot or ownership line surrounding the use.

- b. **Hazardous Materials** - Land or buildings shall not be used or occupied in any manner so as to create any fire, explosive or other hazard. All activities involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local and national safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate fire-fighting and fire suppression equipment in compliance with the Ventura County Fire Protection District's regulations. The burning of waste materials in open fires without written approval of the Ventura County Fire Protection District is prohibited.
- c. **Liquid and Solid Wastes** - Liquid or solid wastes discharged from the premises shall be properly treated prior to discharge so as not to contaminate or pollute any watercourse or groundwater supply or interfere with bacterial processes in sewage treatment. The disposal or dumping of

solid wastes, such as slag, paper, and fiber wastes, or other industrial wastes shall not be permitted on any premises.

- d. Exceptions - Exceptions to these regulations may be made during brief periods for reasonable cause, such as breakdown or overhaul of equipment, modification or cleaning of equipment, or other similar reason, when it is evident that such cause was not reasonably preventable, as determined by the Planning Director. These regulations shall not apply to the operation of motor vehicles or other transportation equipment unless otherwise specified.

## 22. Landscaping and Screening

**Purpose:** To comply with the County's landscaping requirements for proposed development in the M-3 zone.

**Requirement:** Landscaping that serves the following functions must be provided and maintained:

- a. Provides visual relief and visual integration. Landscaping must be provided that softens the building edges, breaks up the expanses of buildings or walls, and blends structures with their surroundings.
- b. Ensures compatibility with community character. Landscaping must be provided that visually integrates the development with the character of the surrounding community.
- c. Shades and improves the aesthetics of paved areas used by the public and employees. Landscaping must be provided in the parking area and adjacent to all project sidewalks and adjacent to the proposed warehouse.

The required landscaping must be designed to require minimal amounts of water and to use required water efficiently, in accordance with the water efficiency requirements of the Landscape Design Criteria, and must achieve the following design objectives

- a. Use Available Non-potable Sources of Water. The landscaping must integrate the harvesting and/or use of alternative, non-potable sources of water, including stormwater, reclaimed water, and gray water, where feasible.
- b. Create Viable Growing Environment. Landscape design must address the needs of the plants to ensure their health, long-term viability and protection.
- c. Species Diversity. The landscape plan must integrate a variety of plant species, heights, colors and textures, as appropriate given the size of the landscape.
- d. Crime Detering. The landscape design must deter crime by allowing unobstructed views of vulnerable doors and windows from the street and other properties, avoiding blind spots and hiding spaces, and creating pedestrian walkways that are safe.
- e. Use Non-Invasive Plant Species.

**Documentation:** The Permittee shall submit to the County of Ventura Planning Division for review and approval three sets of a draft landscape plan, prepared by a California

registered landscape architect (or other qualified individual as approved by the Planning Director), demonstrating compliance with the above requirements, [§8109-0.6 (Landscaping) of the *Non-Coastal Zoning Ordinance* the project must meet percentage of landscaping requirements] and the County's *Landscape Design Criteria*. The landscape architect responsible for the work shall stamp the plan. After landscape installation, the Permittee shall submit to the County of Ventura Planning Division a statement from the project landscape architect that all landscaping has been installed as shown on the approved landscape and plan. Any changes to approved landscape plans that affect the character or quantity of the plant material or irrigation system design must be approved by the Planning Director prior to installation.

**Timing:** The Permittee shall submit the landscape plan to the Planning Division for review and approval prior to issuance of a Zoning Clearance for Construction. The Permittee shall install all required landscaping prior to issuance of a Zoning Clearance for use inauguration.

**Monitoring and Reporting:** The Planning Division maintains the landscape plans and statement by the landscape architect provided by the Permittee in the project file and has the authority to periodically confirm that the landscaping is maintained by the Permittee in accordance with the approved plan consistent with the requirements of [§8114-3 of the *Non-Coastal Zoning Ordinance*]. (PL-21)

### 23. Lighting Plan

**Purpose:** To ensure lighting on the subject property is provided in compliance with §8106-8.6 and §8108-5.12 of the *Ventura County Non-Coastal Zoning Ordinance* and:

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

**Requirement:** In order to minimize light and glare from project property all parking lots, exterior structure light fixtures, and freestanding light standards must be high cut-off type that divert lighting downward onto the property to avoid the casting of any direct light onto any adjacent property or roadway.

**Documentation:** The Permittee shall submit two copies of a lighting plan to the Planning Division for review and approval. The Permittee shall include a photometric plan and manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs) in the lighting plan. An electrical engineer registered by the State of California shall prepare the lighting plan. The plan must include illumination information within parking areas, pathways, streetscapes, and open spaces proposed throughout the development. The Permittee shall bear the total cost of the review and approval of the lighting plan. The Permittee shall install all exterior

lighting in accordance with the approved lighting plan. The Permittee shall maintain the lighting as approved in the lighting plan for the life of the permit.

**Timing:** The Permittee shall submit a lighting plan for review and approval by the Planning Division prior to the issuance of a Zoning Clearance for Construction. The approved lighting plan shall be installed prior to the issuance of a Zoning Clearance for Use Inauguration.

**Monitoring and Reporting:** The Planning Division maintains a stamped copy of the approved lighting plan in the project file. The Permittee shall ensure that the lighting is installed according to the approved lighting plan prior to the issuance of a Zoning Clearance for Use Inauguration. The Building and Safety Inspector and the Planning Division have the authority to ensure that the lighting plan is installed according to the approved lighting plan. 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*. (PL-22)

#### 24. Sign Plan

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

**Requirement:** A sign plan for any proposed signs shall include the proposed size, colors, materials, and lighting details. All existing signs (Missile Motel and airplane signs) on the property that are not in compliance with *Chapter 1, Article 10 of the Ventura County Non-Coastal Ordinance*, shall be removed.

**Documentation:** The Permittee shall submit two copies of a sign plan to the Planning Division for review and approval. The Permittee shall bear the total cost of such review and approval.

**Timing:** The Permittee shall submit the sign plan to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for construction. All existing signs on the property that are not in compliance with *Chapter 1, Article 10 of the Ventura County Non-Coastal Ordinance*, shall be removed prior to the issuance of a Zoning Clearance for Construction.

**Monitoring and Reporting:** The Planning Division maintains a stamped copy of the approved sign plan in the project file. The Permittee shall be responsible for obtaining a Zoning Clearance for any new or replacement sign to assure that the signage for the project continues to comply with the approved sign plan and *Chapter 1, Article 10 of the Ventura County Non-Coastal Ordinance*. 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*. (PL-23)

#### 25. Availability of Parking Spaces

**Purpose:** To ensure compliance with all applicable provisions in §8108-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

**Requirement:** The Permittee shall ensure that the required 15 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 and Property Owner 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, screening, sight distance, surfaces, signs, striping, lighting fixtures, landscaping, and trash and recyclables enclosures.

**Documentation:** A stamped copy of the approved site plan.

**Timing:** The Permittee shall install all components of the required parking area as indicated on the approved site plan prior to the issuance of a Zoning Clearance for Use Inauguration, and shall maintain the required parking area as illustrated on the approved site plan for the life of the permit.

**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 Use Inauguration. 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*. (PL-24)

#### 26. Trash and Recycling Storage Area

**Purpose:** In order to comply with §8106-8.7 and §8108-5.13 of the *Ventura County Non-Coastal Zoning Ordinance*.

**Requirement:** The Permittee shall ensure that trash and waste diversion (e.g., recyclables and yard waste) enclosures are constructed and maintained on the project site in accordance with the County of Ventura's adopted "*Space Allocation for Recycling and Refuse Collection Design Criteria and Specifications Guidelines*."

**Documentation:** A copy of the approved site plan.

**Timing:** Prior to the issuance of a Zoning Clearance for Construction, the Permittee shall illustrate the enclosures on all development plans for review and approval by the Planning Division. The Permittee shall install the trash enclosures prior to the issuance of a Zoning Clearance for Use Inauguration.

**Monitoring and Reporting:** The Planning Division maintains a copy of the approved plans in the project file. The Planning Division has the authority to inspect the site to ensure that the enclosure is constructed as illustrated on the approved plans prior to issuance of the Zoning Clearance for Use Inauguration. The Planning Division has the authority to periodically inspect the site to ensure that the trash enclosure is maintained consistent with the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*. (PL-30)

#### 27. Minimizing Nuisance Impacts and Setbacks from Agricultural Uses

The Permittee shall take whatever reasonable steps are necessary, as determined by the Planning Director, to prevent significant nuisance impacts from occurring outside the PD area. Significant nuisance impacts include, but are not limited to, noise, dust, odors, lighting, and glare. In order to determine the significance of the nuisance, the Planning Director may consider the number and types of neighbor complaints, and conduct inspections of the site and surrounding areas. Any questions about what constitutes significant off-site nuisance levels shall be resolved by the Planning Director or other public agency (e.g., the Air Pollution Control District) as the Planning Director may



designate.

28. Archaeological Resources Inadvertently Discovered During Grading

**Purpose:** In order to mitigate potential impacts to archaeological resources inadvertently 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:
  - i. Cease operations and assure the preservation of the area in which the discovery was made;
  - ii. Notify the Planning Director in writing, within three days of the discovery;
  - iii. 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; and,
  - iv. Obtain the Planning Director's written concurrence of the recommended disposition before resuming development.
- b. If any human burial remains are encountered during ground disturbance or construction activities, the Permittee shall:
  - i. Cease operations and assure the preservation of the area in which the discovery was made;
  - ii. Immediately notify the County Coroner and the Planning Director;
  - iii. 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; and,
  - iv. Obtain the Planning Director's written concurrence of the recommended disposition before resuming development on-site.

**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 archaeologists report.

**Timing:** Archaeologist reports shall be provided to the Planning Division immediately upon completion.

**Monitoring and Reporting:** The Permittee shall provide any archaeologist report prepared for the project site to the Planning to be made a part of the project file. The Permittee shall implement any recommendations made in the archaeologist's report to the satisfaction of the Planning Director. (PL-59)

29. Paleontological Resources Inadvertently 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 recommendations on the proper disposition of the site;
- d. Obtain the Planning Director's written concurrence of the recommended disposition before resuming development; and,
- e. Implement the agreed upon recommendations.

**Documentation:** Permittee shall submit the reports prepared by the paleontologist or geologist. Additional documentation may be required to demonstrate that the Permittee has implemented any recommendations made by in the paleontological report.

**Timing:** Paleontological reports shall be provided to the Planning Division immediately upon completion.

**Monitoring and Reporting:** The Permittee shall provide any paleontological report prepared for the project site 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. (PL-56)

## II. Environmental Health Division (EHD) Conditions

30. Only domestic waste as defined in the Ventura County General Plan and the Ventura County Building Code Ordinance is allowed to be discharged into the on-site sewage disposal system. (EHD-3)

31. The Los Angeles Regional Water Quality Control Board adopted Order No. 01-031 to require general waste discharge requirements for commercial and multi-family sewage disposal systems. Wastewater generated by the project may be subject to waste discharge requirements. For more information regarding the Order and waste discharge requirements, please contact the Los Angeles Regional Water Quality Control Board at 213/576-6600. (EHD-7)

32. Prior to the issuance of a Zoning Clearance for construction, the Permittee shall obtain a Waste Discharge Report/determination of exemption for the sewage disposal system (septic system) from the Los Angeles Regional Water Quality Control Board for the Ventura County Environmental Health Division to issue appropriate permits.

33. The storage, handling, and disposal of any potentially hazardous material must be in compliance with applicable state regulations. (EHD-10)

## **Public Works Agency (PWA) Conditions**

The PWA - Watershed Protection District (WPD) conditions (below) will satisfy the mitigation measures identified in the original MND (Exhibit 4), which will reduce impacts from pollutants that are discharged into the Santa Clara River outfall as a result of flood channelization. Monitoring of the mitigation measures shall consist of annual inspections, responding to complaints, and the issuance of, and compliance with, the required WPD permits. The Ventura County Planning Division will verify that the Permittee has obtained the required WPD permits and will ensure compliance with Condition Nos. 34-35 and 41-46, through inspection and monitoring activities conducted pursuant to Condition No. 10 and §8114-3.5 of the *Ventura County Non-Coastal Zoning Ordinance*.<sup>2</sup>

### **III. Engineering Services Department (ESD) Conditions**

#### **34. Grading Permit**

**Purpose:** In order to ensure the Permittee performs all grading in compliance with Appendix J of the *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 and approval. 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 applicable documentation, as specified above, must be approved prior to the 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. (ESD-1)

---

<sup>2</sup>These condition/mitigation measures (Condition Nos. 34-35 and 41-46) are required in order to implement mitigation measures that were identified in the Mitigated Negative Declaration (1990, Section III, Environmental Impacts and Mitigation Measures, B. Implementation and Enforcement). The mitigation measures are required in order to mitigate potential flooding impacts.

#### IV. Transportation Department (TD) Conditions

##### 35. Traffic Impact Mitigation Fee:

**Purpose:** To address the cumulative adverse impacts of traffic on the Regional Road Network, TIMF Ordinance 4246 and County General Plan (GP) 4.2.2 require that the PWA– Transportation Department collect a Traffic Impact Mitigation Fee (TIMF).

**Requirement:** The Permittee shall deposit with the PWA – Transportation Department a TIMF. The trip generation rate and TIMF will be calculated based on the applicant's information. The Permittee may choose to submit additional information or provide a Traffic Study to supplement the information currently provided to establish the trip generation rate. The TIMF may be adjusted for inflation at the time of deposit in accordance with the latest version of the Engineering News Record Construction Cost Index.

- a. Based on the applicant's information, the TIMF due to the County would be:

$$5.727 \text{ TSF}^* \times \$160^{**}/\text{TSF} = \$916.32$$

\*Office/warehouse Building and Metal Building  
(5.727 TSF = [(4,999 SF + 728 SF) / 1,000 SF/TSF])

\*\*TIMF for Traffic District #2

- b. Based on the applicant's information, the TIMF due to the City of Santa Paula would be:

$$5.727 \text{ TSF}^* \times \$1,146^{***}/\text{TSF} = \$6,563.14$$

\*\*\*TIMF for Traffic District #2 in accordance with the Traffic Mitigation Agreement between the City of Santa Paula and the County of Ventura to be transferred to the City within 30 calendar days.

**Documentation:** The Permittee shall come to the PWA – Transportation Department counter, fill out the TIMF form, and pay the TIMF.

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

**Monitoring and Reporting:** The PWA – Transportation Department will review and approve the payment of the TIMF. (TD – 1)

#### V. Integrated Waste Management Division (IWMD) Conditions

##### 36. Waste Diversion & Recycling

**Purpose:** To ensure the project complies with Ordinance No. 4308. Ordinance 4308 pertains to the diversion of recyclable materials generated by this project (e.g., paper, cardboard, wood, metal, greenwaste, soil, concrete, plastic containers, beverage

containers) from local landfills through recycling, reuse, or salvage. Ordinance 4308 can be reviewed at [www.wasteless.org/ord.4308](http://www.wasteless.org/ord.4308).

**Requirement:** Ordinance 4308, 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: [www.wasteless.org/commercialhaulers](http://www.wasteless.org/commercialhaulers).

**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. (IWMD -1)

### 37. 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: [www.wasteless.org/ord4421](http://www.wasteless.org/ord4421).

**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 60% 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:

[www.wasteless.org/recycling/greenbuildingCD](http://www.wasteless.org/recycling/greenbuildingCD). A comprehensive list of permitted recyclers, County-franchised haulers, and solid waste & recycling facilities in Ventura County is available at: [www.wasteless.org/construction&demolitionrecyclingresources](http://www.wasteless.org/construction&demolitionrecyclingresources). A list of local facilities permitted to recycle soil, wood, and greenwaste is available at: [www.wasteless.org/greenwasterecyclingfacilities](http://www.wasteless.org/greenwasterecyclingfacilities).

<http://www.wasteless.org/greenwasterecyclingfacilities> complete list of County-franchised solid waste haulers is available at: [www.wasteless.org/commercialhaulers](http://www.wasteless.org/commercialhaulers).

**Timing:** Upon the Building & 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 the project's final zoning clearance is issued. (IWMD-2)

### 38. 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: [www.wasteless.org/ord4421](http://www.wasteless.org/ord4421).

**Requirement:** The Permittee must submit a *Form C – Reporting Form* to the IWMD for approval prior to Building & Safety’s final permit approval. A copy of *Form C – Reporting Form* is available at: [www.wasteless.org/recycling/greenbuildingCD](http://www.wasteless.org/recycling/greenbuildingCD).

**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 60% 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 conclusion of construction.

**Monitoring & Reporting:** The Permittee is required to keep a copy of their approved *Form C – Reporting Form* until the project’s final zoning clearance is issued. (IWMD-3)

#### 39. Collection and Loading Areas for Refuse and Recyclables

**Purpose:** Section 8106-8.7 of the County’s Non-Coastal Zoning Ordinance, and Public Resources Code 42900-42901, require the Permittee to ensure adequate space is provided on the premises for refuse bins, recycling bins, and loading areas.

**Requirement:** The Permittee shall adhere to the County’s *Space Allocation Guidelines* which include the minimum space required for refuse and recycling bins, and requirements for aesthetic, gated trash enclosures. Review the County’s *Space Allocation Guidelines* at: [www.wasteless.org/spaceallocationguidelines](http://www.wasteless.org/spaceallocationguidelines).

**Documentation:** The Permittee’s site plan must indicate the location of a trash enclosure or a designated area on the property with sufficient space to accommodate refuse and/or recycling bins necessary to meet the needs of the project.

**Timing:** Prior to the issuance of a Zoning Clearance for Construction, the Permittee must submit a site plan to the IWMD for review and approval. The site plan must indicate the location of a trash enclosure, or a 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. (IWMD-4)

#### 40. Commercial Vehicles and Equipment - Used Oil Recycling

**Purpose:** To ensure the recycling of motor oil and oil filters, and the removal of antifreeze from commercial vehicles and equipment.

**Requirement:** The Permittee shall ensure compliance with State and federal hazardous waste regulations. See: [www.calrecycle.ca.gov/UsedOil/Handling/Haulers.htm](http://www.calrecycle.ca.gov/UsedOil/Handling/Haulers.htm). The Permittee shall contract with a registered hazardous waste transporter to ensure motor oil, oil filters, and antifreeze generated by their business is taken to a registered used oil recycling facility. A list of registered hazardous waste transporters is available at: [www.dtsc.ca.gov/database/Transporters/Trans000](http://www.dtsc.ca.gov/database/Transporters/Trans000). A list of registered used oil recycling facilities is available at: [www.calrecycle.ca.gov/UsedOil/Handling/Recyclers.htm](http://www.calrecycle.ca.gov/UsedOil/Handling/Recyclers.htm).

**Documentation:** The Permittee shall maintain original billing statements generated by their registered hazardous waste transporter(s) to verify compliance with this condition.

**Timing:** Original billing statements shall be kept on file for a minimum of three years.

**Monitoring and Reporting:** Upon request, the Permittee shall provide copies of current billing statements to the IWMD to verify that used motor oil, oil filters, and antifreeze generated by vehicles and equipment that are permitted for use by this PD, are properly recycled. (IWMD-5)

## **VI. Groundwater Section (GWQ) Conditions**

41. All proposed asphalt product tanks shall be located on a concrete slab containment area with concrete wall on all four sides and sloped to a sump, except need not be impervious not have a roof constructed overhead. The sump shall be constructed without any overflow or drain outlets. These tanks are denoted on the approved site plan, dated July 23, 2012, as keynote nos.19, 20, 39, 22, 23, 24, 25 and 26.

42. The existing containment area for the diesel tank shall be made impervious by application of epoxy sealant on concrete floor slab and at all interior walls up to a maximum height of walls, except need not include a sump nor be roofed. This tank is denoted on the approved site plan, dated July 23, 2012, as keynote no. 21. A roof shall be constructed over the existing fuel transfer area (approximately 10' X 12' X 14' high) and the existing concrete slab shall be similarly coated with epoxy sealant including 3" high rolling curb/berm on all sides. Prior to the issuance of a Zoning Clearance for Construction, the Permittee shall provide plans to construct the roof and the process of applying the epoxy sealant to the Watershed Protection District (WPD) for review and approval. Upon completion of the Building and Safety Division permit to construct the roof, the Permittee shall provide documentation to the WPD that this condition has been completed.

43. No truck washing or vehicle maintenance functions shall be conducted on-site, which includes no oil or fluid changes. No water or solvent washes will be allowed.

## **VII. Water Quality Section (WQ) Conditions**

### **44. Compliance with Stormwater Development Construction Program**

**Purpose:** To ensure compliance with Part 4.F., "*Development Construction Program*" of the *Ventura Countywide Municipal Stormwater Permit* (Los Angeles Regional Water Quality Control Board NPDES Permit No.CAS004002 ["Permit"]).

**Requirement:** The demolition of the existing 800 sq. ft. metal framed canopy and the construction of a new 4,992 sq. ft. warehouse and office space building shall meet performance criteria defined in Section I of the Part 4.F through the inclusion of effective Best Management Practices (BMPs) for Construction Sites Less than One Acre during all ground disturbing activities.

**Documentation:** The Permittee shall submit to the Watershed Protection District, Surface WQ Section for review and approval:

- Complete SW-1 (Best Management Practices for sites less than 1 acre), which can be found at <http://onestoppermit.ventura.org>.

**Timing:** The above listed items shall be submitted to the Watershed Protection District, Surface WQ Section for review and approval prior to the issuance of a Zoning Clearance for Construction.

**Monitoring and Reporting:** Watershed Protection District, Surface WQ Section staff will review the submitted materials for consistency with the NPDES Permit. Building and Safety staff will conduct inspections during construction to ensure effective installation of the approved BMPs. (WQ-1)

#### 45. State General Industrial Stormwater Permit No. CAS000001 Requirements

**Purpose:** To ensure the project maintains compliance with all water quality provisions in accordance with NPDES General Permit (No. CAS000001), Waste Discharge Requirements for Discharges of Stormwater Runoff Associates with Industrial Activities.

**Requirement:** Proper filing of all compliance documents required under the NPDES General Industrial Stormwater Permit (No. CAS000001).

**Documentation:** The Permittee shall prepare and submit the following items to the Watershed Protection District – Surface WQ staff for review:

- a. Current Notice of Intent (NOI) in accordance with the State Water Resources Control Board requirements under the NPDES General Industrial Stormwater Permit (No. CAS000001);
- b. Current Stormwater Pollution Prevention Plan (SWPPP) in accordance with the State Water Resources Control Board requirements under the NPDES General Industrial Stormwater Permit (No. CAS000001); and,
- c. Annual Report including sampling results in accordance with the State Water Resources Control Board requirements under the NPDES General Industrial Stormwater Permit (No. CAS000001).

**Timing:** The above listed items shall be submitted to the Watershed Protection District – Surface WQ staff for review and approval prior to the issuance of a Zoning Clearance for Use Inauguration.

**Monitoring and Reporting:** Watershed Protection District – Surface WQ staff will review the submitted materials for consistency with the General Industrial Stormwater Permit. Current and site-specific SWPPP shall be kept on-site for periodic review by County inspectors. (WQ-3)

### VIII. Floodplain Management

#### 46. Floodplain Clearance (Development proposed outside of the 1% annual chance floodplain)

**Purpose:** To comply with the *Ventura County Flood Damage Mitigation Ordinance* and *Ventura County General Plan policy 2.10.2* to technically verify that impacts to the proposed development are less than significant from flooding conditions during the 1% annual chance storm event.

**Requirement:** The Permittee shall obtain a Floodplain Clearance from the County Floodplain Manager. The Clearance will be verified by the County Floodplain Manager



that the proposed development is located outside the mapped boundaries of the 1% annual chance floodplain as determined from the latest available Digital Flood Insurance Rate Map (DFIRM) provided by the Federal Emergency Management Agency (FEMA).

**Documentation:** A Floodplain Clearance issued by the County Floodplain Manager.

**Timing:** The Floodplain Clearance shall be obtained prior to the approval of a building permit, a grading permit, or an underground storage tank and septic tank permit.

**Monitoring and Reporting:** A copy of the approved Floodplain Clearance shall be provided to the Building and Safety Department as well as maintained in the case file by the Public Works Agency. (EWP-6)

## **IX. Ventura County Fire Protection District (VCFPD) Conditions**

### **47. Access Driveways Design, Contractor Storage Yards**

**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 drive aisles having a minimum clear width of 25 feet.

- a. With buildings in the yards, installation shall comply with:
  - i. Full paved access to within 150 feet of all portions of the exterior walls of each building.

**Documentation:** The access plan shall be submitted to the VCFPD for review and approval.

**Timing:** The access plan shall be approved prior to issuance of building permits. All required access shall be installed before the start of construction operations.

**Monitoring and Reporting:** A copy of the approved access plan shall be kept on file with the VCFPD. The VCFPD shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the VCFPD, the Permittee, and his successors in interest, shall maintain the access for the life of the project. (VCFPD-8)

### **48. Access Road / Driveway Maintenance**

**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 all on-site access road(s) and driveway(s) not included in a maintenance agreement. Repairs shall be made as needed or as required by the VCFPD to maintain the original design and installation of the access road(s) and driveway(s).

**Documentation:** The Permittee shall submit a copy of the Covenants, Conditions and Restrictions or such other documentation as may be deemed acceptable by the VCFPD.

**Timing:** The Permittee shall provide evidence of provisions for maintenance must be submitted to the VCFPD prior to occupancy.

**Monitoring and Reporting:** The VCFPD has the authority to inspect all on-site access road(s) and driveway(s) as it deems necessary. The Permittee shall be responsible for

ongoing maintenance of the access road and driveways and shall conduct repairs as required by the Fire District. (VCFPD-10)

#### 49. Vertical Clearance

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

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

**Documentation:** The Permittee shall submit an access plan to the VCFPD for review and approval.

**Timing:** The Permittee shall submit an access plan to the VCFPD 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 VCFPD. The VCFPD shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the VCFPD, the Permittee, and his successors in interest, shall maintain the access for the life of the development.

#### 50. 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:** The Permittee shall submit an access plan to the VCFPD for review and approval.

**Timing:** The Permittee shall submit an access plan to the VCFPD 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 VCFPD. The VCFPD shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the VCFPD, the Permittee, and his successors in interest, shall maintain the access for the life of the development.

#### 51. Turnarounds

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

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

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

- d. Kept free of obstructions at all times.

**Documentation:** The Permittee shall submit access plans to the VCFPD for review and approval.

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

**Monitoring and Reporting:** A copy of the approved access plans shall be kept on file with the VCFPD. The VCFPD shall conduct a final inspection ensure that turnaround areas are installed according to the approved plans. Unless a modification is approved by the VCFPD, the Permittee, and his successors in interest, shall maintain the turnaround areas for the life of the development. (VCFPD-14)

#### 52. 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 all fire lanes in accordance with California Vehicle Code, the International Fire Code and current Ventura County Fire Protection District Fire Lane Standards. All fire lane markings / signs shall be located within recorded access easements. The Permittee shall maintain all required fire lane markings / signs to be clearly visible.

**Documentation:** The Permittee shall submit two copies of the site plan to the VCFPD for review and approval.

**Timing:** The Permittee shall submit the site plan to the VCFPD for review and approval before the issuance of building permits. All required fire lanes shall be installed before final occupancy.

**Monitoring and Reporting:** A copy of the approved fire lane plan shall be kept on file with the VCFPD. The VCFPD shall conduct a final inspection to ensure that all fire lanes are installed according to the approved plans. Unless a modification is approved by the VCFPD, the Permittee, and his successors in interest, shall maintain the fire lanes for the life of the development. (VCFPD-26)

#### 53. 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:** The Permittee shall submit gate plans to the VCFPD for review and approval.

**Timing:** The Permittee shall submit gate plans to the VCFPD for review and approval prior to the installation of any access gates. The submittal shall include a copy of the Zoning Clearance for Construction issued by the Ventura County Planning Division.

**Monitoring and Reporting:** A copy of the approved gate plan shall be kept on file with the VCFPD. The VCFPD shall conduct a final inspection to ensure that access gates are installed according to the approved plans. Unless a modification is approved by the

VCFPD, the Permittee, and his successors in interest, shall maintain the gates for the life of the development. (VCFPD-30)

#### 54. 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 1250 gallons per minute at 20 psi for minimum two hour duration. A minimum flow of 1000 gallons per minute shall be provided from any one hydrant.

**Documentation:** The Permittee shall submit a signed copy of the water purveyor's certification to the VCFPD for review and approval.

**Timing:** The Permittee shall submit a signed copy of the water purveyor's certification to the VCFPD for approval before the issuance of building permits.

**Monitoring and Reporting:** A copy of the fire flow certification shall be kept on file with the VCFPD. (VCFPD-32)

#### 55. Fire Hydrant(s)

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

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

**Documentation:** The Permittee shall submit a site plan to the VCFPD for fire hydrant placement and approval.

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

**Monitoring and Reporting:** A copy of the approved fire hydrant plans shall be kept on file with the VCFPD. The VCFPD shall conduct on-site inspections to ensure that the fire hydrants are installed according to the approved plans. Unless a modification is approved by the VCFPD, the Permittee, and his successors in interest, shall maintain the fire hydrants for the life of the development. (VCFPD-34)

#### 56. Hydrant Location Markers

**Purpose:** To assist with rapid locating of fire hydrants during emergency responses.

**Requirement:** The Permittee shall install blue reflective fire hydrant location markers on the access road per Ventura County Fire Protection District Standards.

**Documentation:** The Permittee shall submit a fire hydrant location plan to the VCFPD for review and approval.

**Timing:** The Permittee shall submit a fire hydrant location plan to the VCFPD for review and approval before the issuance of building permits. The Permittee shall install all required blue reflective fire hydrant location markers at the time access is installed. If the final asphalt cap is not in place at the time of occupancy, the markers shall be installed and shall be replaced when the final asphalt cap is completed.

**Monitoring and Reporting:** A copy of the approved fire hydrant plans shall be kept on file with the VCFPD. The VCFPD shall conduct on-site inspections to ensure that the fire hydrants and markers are installed according to the approved plans. Unless a modification is approved by the VCFPD, the Permittee, and his successors in interest, shall maintain the fire hydrants and markers for the life of the development. (VCFPD-36)

#### 57. Fire Sprinklers

**Purpose:** In order to minimize fire hazards, the project shall be constructed in conformance with current California Codes and the Ventura County Fire Protection District Ordinance.

**Requirement:** The Permittee shall install an automatic fire sprinkler system in all structures. The fire sprinkler system shall be designed and installed by a California-licensed contractor.

**Documentation:** The Permittee shall submit the plans for the fire sprinkler system to the VCFPD for review and approval.

**Timing:** Prior to the installation and inspection of the fire sprinkler system, the fire sprinkler system plans must be approved by the Fire Prevention Bureau.

**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.

#### 58. Fire Alarm

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

**Requirement:** The Permittee shall be responsible to have a fire alarm system installed in all structures. The fire alarm system shall be designed and installed by a properly licensed contractor under California State Law.

**Documentation:** The Permittee shall submit fire alarm plans to the VCFPD for review and approval.

**Timing:** The Permittee shall submit fire alarm plans to the VCFPD for approval before the installation of the fire alarm system.

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

#### 59. Trash Dumpster Locations

**Purpose:** To ensure adequate exposure protection is provided for surround structures.

**Requirement:** The Permittee shall ensure that 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 building openings, building combustible walls, or combustible roof eave lines unless protected by approved automatic fire sprinklers.

**Documentation:** The Permittee shall submit site plans indicating all commercial trash dumpster and container locations to the VCFPD for review and approval.

**Timing:** The Permittee shall submit site plans indicating all commercial trash dumpster and container locations to the VCFPD for approval before the issuance of building permits.

**Monitoring and Reporting:** A copy of the approved site plan shall be kept on file with the VCFPD. The VCFPD shall conduct a final inspection to ensure that the commercial trash dumpster and containers are installed according to the approved site plan. Unless a modification is approved by the VCFPD, the Permittee, and his successors in interest, shall maintain the approved locations for the life of the development. (VCFPD-44)

#### 60. Fire Department Clearance

**Purpose:** To inform the Permittee of all fire department requirements applicable to the proposed project.

**Requirement:** The Permittee shall complete a VCFPD Form #126 "Requirements for Construction." for any new structures or additions to existing structures before issuance of building permits.

**Documentation:** The Permittee shall submit to the VCFPD a signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction."

**Timing:** Prior to the issuance of building permits, the submitted VCFPD Form #126 Application must be approved by the Fire Prevention Bureau.

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

#### 61. Fire Code Permits

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

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

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

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

**Monitoring and Reporting:** A copy of the approved Fire Code permits shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the requirements of the Fire Code permit 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. Prefabricated Sea Cargo / Metal Storage Containers

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

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

**Documentation:** The Permittee shall submit documentation indicating that the proposed containers met the requirements of VCFPD standards to the VCFPD for review and approval.

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

**Monitoring and Reporting:** A copy of the approval shall be kept on file with the VCFPD. The VCFPD shall conduct a final inspection to ensure that the prefabricated sea cargo/metal storage containers are installed according to the approval. Unless a modification is approved by the VCFPD, the Permittee, and his successors in interest, shall maintain the approved use and installation of the prefabricated sea cargo/metal storage containers for the life of the project. (VCFPD-56)

63. 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. (VCFPD-60)

**X. AIR POLLUTION CONTROL DISTRICT (APCD) CONDITIONS**

64. APCD Rules and Regulations for Grading and Construction: All project operations 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).

**XI. VENTURA COUNTY SHERIFF'S DEPARTMENT CONDITIONS**

65. The Permittee shall provide adequate site security during the construction phase (e.g. licensed security guard and/or fencing around the construction site, and all construction equipment, tools, and appliances to be properly secured and serial numbers recorded for identification purposes).
66. The Permittee shall provide adequate security lighting (e.g., parking lots to be well lighted with a minimum 1 foot candle of light at ground level, lighting devices to be protected from the elements and constructed of vandal resistant materials and located high enough to discourage anyone on the ground from tampering with them).
67. The Permittee shall avoid installing landscaping which interferes with police surveillance (e.g., landscaping must not cover any exterior door or window, landscaping at entrances and exits or at any parking lot intersection must not block or screen the view of a seated driver from another moving vehicle or pedestrian, and trees must not be placed underneath any overhead light fixture which would cause a loss of light at ground level).



Were all of the standards you are requesting the County to impose adopted by either an ordinance or policy by your city council? Yes  No   
COUNTY, STATE AND FEDERAL REGULATION

If not, which were not?

IF CONSIDERED AS PART OF THE MISSION ROCK AREA, WITH EIGHT ADJOINING PROPERTIES, THE CUMULATIVE IMPACTS OF POOR DRAINAGE UNDER 126 AND PINKERTON ROAD, THEN INTO MISSION ROCK ROAD PROPERTIES WHICH ARE ALL DESIGNATED "FLOOD PLAIN", THESE REVIEWS ARE NOT COMPLETE.

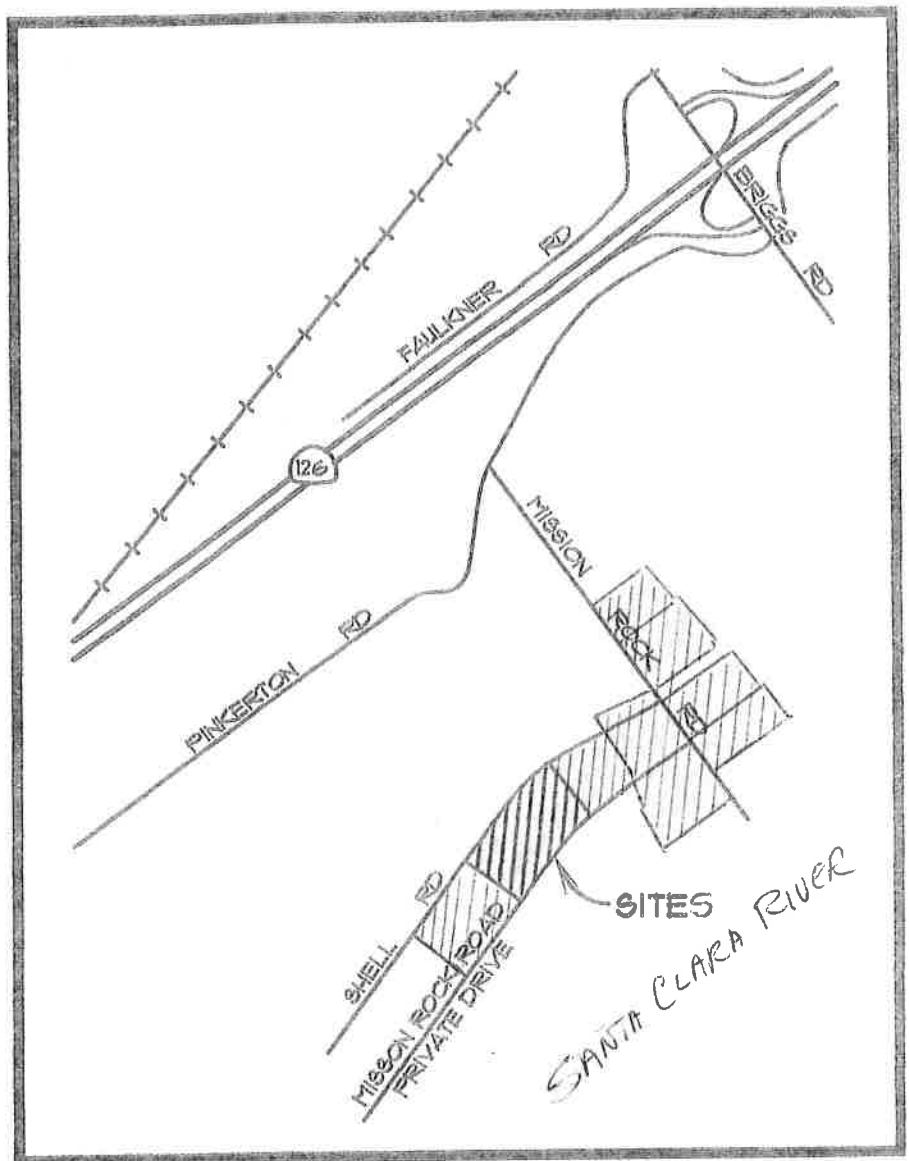
**DISTRIBUTION LIST FOR:**

Valley Advisory Committee  
Supervisor Kathy Long's Office  
Janna Minsk, Planning Director, City of Santa Paula

VENTURA COUNTY AND THE CITY OF SANTA PAULA, CALIFORNIA NEED TO REQUIRE MITIGATION OF FLOOD CONTROL MANAGEMENT AND STRUCTURES, ROAD GRADES TO ALLEVIATE CURRENT CONDITIONS AND <sup>GIVE</sup> ADEQUATE ACCESS DURING FLOOD EVENTS.

SALVAGE YARDS AND OTHER PROPOSED AND EXISTING USES OF THESE PROPERTIES PRESENT SIGNIFICANT ENVIRONMENTAL DAMAGE IF FLOODED. TO CONSIDER INDIVIDUAL PROPERTIES WITHOUT ATTENTION TO CUMULATIVE IMPACTS OF ADJACENT PROPERTIES CANNOT PRESENT AN ADEQUATE REVIEW!

JOANNE R. KING V. CHAIR,



### VICINITY MAP

SCALE: 1" = 1500'



#### PROJECT COMPOSITE MAP FOR

- LU10-0024 MINOR MODIFICATION TO CUP 4352 AND PD 1462
- LU10-0019 MINOR MODIFICATION TO CUP 4356
- LU10-0023 MINOR MODIFICATION TO PD 573
- PD 573-2
- LU10-0022 MINOR MODIFICATION TO CUP 4855
- LU10-0018 MINOR MODIFICATION TO CUP 4204
- LU10-0026 MINOR MODIFICATION TO CUP 3922 AND PD 1693
- LU10-0025 MINOR MODIFICATION TO CUP 4902