



Planning Director Staff Report Hearing on December 18, 2025

County of Ventura • Resource Management Agency

800 S. Victoria Avenue, Ventura, CA 93009 • (805) 654-2478 •

<https://rma.venturacounty.gov/divisions/planning/>

GONZALEZ TENTATIVE PARCEL MAP CASE NO. PL25-0061

A. PROJECT INFORMATION

1. **Request:** The Subdivider is seeking approval of a tentative parcel map (TPM) and the recordation of a parcel map (PM) to legalize an existing 14.35-acre parcel (APN 032-0-202-070), as required by Conditional Certificate of Compliance No. 8821 (CCC-8821).
2. **Subdivider/Property Owner:** Progressive Environmental Industries, Inc., Mr. Arturo Gonzalez, P.O. Box 4395, Santa Barbara, CA 93140
3. **Subdivider's Representative:** Mr. Jaime Limon, 205 Ocean View Avenue, Carpinteria, CA 93013
4. **Background and Applicable Laws:** William Newton and Charlotte Newton acquired interest in the 14.35-acre parcel through a grant deed (recorded in Book 4379, Official Records, page 827) on March 14, 1975. A copy of the deed history for APN 032-0-202-075 can be found in Exhibit 2).

On May 30, 1989, William Newton, as the then applicant/owner, recorded Conditional Certificate of Compliance No. 8821 (CCC-8821). Pursuant to Section 66499.35(b) of the California Subdivision Map Act and Section 8214-8.2.1.1 of the Ventura County Subdivision Ordinance, the County of Ventura imposed conditions on CCC-8821 that were applicable as of March 14, 1975, the date when William Newton acquired an interest in the property.

The conditions imposed on CCC-8821 are based on the regulations and requirements that were in effect at the time William Newton acquired an interest in the property (March 14, 1975), rather than the date of recording (May 30, 1989).

On March 14, 1975, when William Newton acquired interest in the property, Ventura County Subdivision Ordinance No. 1787 was in effect. According to this ordinance, a tentative parcel map and parcel map were required to subdivide and sell the subject 14.35-acre parcel legally. At that time, the 14.35-acre property was zoned as Rural Exclusive (RE-10 acre), with a minimum lot size of 10 acres. This zoning designation had been established through Ordinance No. 1114, which implemented Zone Change Z-740 for the Live Oaks Acres area, effective October 10, 1961. The RE-10 acre zoning designation remained in effect until October 25, 1983.

As of March 14, 1975, the subject property had been designated as Open Space in the 1990 Open Space Plan, pursuant to the 1973 Open Space and Conservation Elements. However, these elements did not impose significant restrictions on development beyond establishing a few key policies:

- a. **Open Space Zone:** The creation of an Open Space Zone, which defined the allowed uses for properties designated as Open Space.
- b. **Rezoning goals:** The goal of studying areas to be potentially rezoned to Open Space.
- c. **Permit requirements:** The application of standard permit requirements for developing land with structures or through grading.

The Open Space designation did not impose substantial development restrictions on the subject property beyond these limited policies and the standard permitting process in place at that time.

The RE-10 acre zoning designation in effect in 1975 allowed for the creation of a minimum 10-acre lot size through the approval of a tentative parcel map and the subsequent recordation of a parcel map, provided that the land was at least 10-acres in size and the subdivision complied with the requirements of Ventura County Subdivision Ordinance No. 1787.

The proposed tentative parcel map has undergone review by the relevant agencies within Ventura County that evaluate development, including the Planning Division, Environmental Health Division, Public Works Agency, Watershed Protection District, and Fire Department. Following this review, it has been determined that the subdivision meets all applicable standards and requirements of Ventura County Subdivision Ordinance No. 1787, including all Ventura County Improvement Standards and Specifications. As a result, the tentative parcel map is in compliance with the ordinance and the approval of the tentative parcel map and recordation of a parcel map will enable the property to be developed in accordance with the approved map, applicable zoning regulations, and all applicable Ventura County Improvement Standards and Specifications.

5. **Decision-Making Authority:** Pursuant to the Ventura County Subdivision Ordinance (VCSO) (Section 8212.), the Planning Director is the decision-maker for the requested TPM.
6. **Project Site Size, Location, and Parcel Number:** The 14.35-acre property is located at 1000 Burnham Road near the intersection of Burnham Road and Los Encinos Road, in the community of Ojai, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 032-0-202-070 (Exhibit 3).

7. Current Site Land Use and Zoning Designations (Exhibit 3):

- a. Countywide General Plan Land Use Map Designation: Open Space (OS)
- b. Ojai Valley Area Plan Land Use Map Designation: Open Space 20-acre minimum lot size (OS-20 ac.)
- c. Zoning Designation: Open Space 20-acre minimum lot size in the Temporary Rental Unit, Dark Sky, and Habitat Connectivity Wildlife Corridor Overlay Zones (OS-20 ac TRU/DKS/HCWC)

8. Historic Land Use Designation and Zoning: According to Section 66499.35(b) of the California Subdivision Map Act and Section 8214-8.2.1.1 of Ventura County Subdivision Ordinance, the County of Ventura imposed conditions on CCC-8821 that were applicable at the time the applicant/owner acquired interest in the property on March 14, 1975. At that time, the Ventura County General Plan land use designation was Open Space, and the zoning designation was Rural Exclusive 10-acre minimum lot size (RE-10 ac).

9. Table 1 - Adjacent Zoning and Land Uses/Development (Exhibit 3):

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	OS 40 ac TRU/DKS/HCWC (OS 40-acre minimum lot size)	Open Space, Ventura River
East	OS 20 ac TRU/DKS/HCWC	Open Space, Ventura River, and residential
South	OS 20 ac TRU/DKS/HCWC	Open Space, animal keeping
West	OS 40 ac TRU/DKS/HCWC/CWPA (Critical Wildlife Passage Area)	Forest Home camp

10. History:

Between October 10, 1961, and October 25, 1983, the 14.35-acre property was designated as Rural Exclusive with a minimum lot size of 10 acres (RE-10 acre). This zoning designation was established through Ordinance No. 1114, which implemented Zone Change Z-740 for the Live Oaks Acres area, effective October 10, 1961.

William Newton and Charlotte Newton took ownership of the 14.35-acre parcel through a grant deed (4379 OR 827) on March 14, 1975. William Newton applied for a conditional certificate of compliance and CCC-8821 recorded on May 30, 1989.

In accordance with Section 66499.35(b) of the California Subdivision Map Act and Section 8214-8.2.1.1 of Ventura County Subdivision Ordinance, the County of Ventura imposed conditions on CCC-8821 that were applicable at the time the

applicant/owner acquired interest in the property in 1977. Condition 2 of CCC-8821 required that a parcel map be submitted and approved prior to the issuance of a permit for development.

On March 14, 1975, Ventura County Subdivision Ordinance No. 1787 was in effect, and a TPM and PM were required to subdivide a property. Also on March 14, 1975, the 1985 Ventura County General Plan was in effect and the Open Space and Conservation Elements of 1973 had been adopted. As the property is part of the Ventura River floodplain, the subject property was designated as Open Space by the Open Space Plan 1990 adopted with the Open Space and Conservation Elements.

On February 19, 2023, the Resource Management Agency Code Compliance Division issued a Notice of Violation (Case No. CV23-0123) for non-permitted storage and use of a recreational vehicle as a habitable space / dwelling; installation of unpermitted accessory structures (two cargo containers and animal shade structures); unpermitted use of the site as commercial contractor service/storage yard; and, and unpermitted alteration/cutting/trimming of protected oak trees.

On December 15, 2023, a Notice of Noncompliance was recorded on the property title for failure to abate the violations noted above. The violations were abated on September 30, 2025.

11. Project Description: The Subdivider requests that a TPM be granted and a PM be recorded to legalize the 14.35-acre parcel pursuant to CCC-8821. The Subdivider is not proposing to reconfigure the lot lines or develop the site as a part of this TPM. Direct access to the site is provided by a 30-foot-wide private driveway to Burnham Road. Domestic water will be provided by the Ventura River Water District, pending approval from the Ventura Local Action Formation Commission (LAFCo) for annexation of the parcel into the District's service area¹. Wastewater service will be provided by the Ojai Valley Sanitation District, pending approval from LAFCo for annexation of the parcel into the District's service area and associated sphere of influence. Prior to final map recordation, the Subdivider shall obtain approval of the annexations from LAFCo (Exhibit 4 and Exhibit 5, Condition No. 1). The site has been used for animal husbandry for over 40 years and agriculture for the past 4 years, with developed areas on a riverine bluff above the Ventura River floodway consistently cleared of vegetation.

¹ On January 15, 2025, the Ventura Local Action Formation Commission (LAFCo) approved a 1-year time extension for annexation into the Ventura River Water District per Resolution # 23-23B(1) for domestic water service.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

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

Pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, Section 15000 et seq.), the proposed project is subject to environmental review. However, the State Legislature, through the Secretary for Resources, has determined that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment.

The proposed project qualifies for an exemption from CEQA under Section 15061(b)(3), commonly referred to as the "Common Sense Exemption." This exemption applies when it is clear there is no possibility of the activity having a significant environmental impact. In this instance, the legalization of the lot involves approval of a TPM and recording a PM will not result in any physical alterations to the environment, thereby meeting the criteria for this exemption.

The California Subdivision Map Act (Section 66499.35(b)) and the Ventura County Subdivision Ordinance (Section 8214-8.2.1.1) contain provisions that vest the applicable regulations and policies in place at the time the owner acquired their interest, which in this case is March 14, 1975.

As a result, the County must evaluate the project's impacts based on the laws, regulations, and policies that were in effect on March 14, 1975, rather than current regulations. This means that the County will consider the environmental and other impacts of the project under the standards and requirements that applied at the time the owner acquired their interest, rather than applying modern-day regulations.

These provisions affect how the project is evaluated and limit the scope of the review to the standards that were considered relevant or subject to regulation under the 1975 rules.

On March 14, 1975, the regulatory framework governing the subject property was established by Ventura County Subdivision Ordinance No. 1787, which required a TPM and PM to subdivide a property. At that time, the property was zoned Rural Exclusive with a 10-acre minimum lot size, and the Open Space and Conservation Elements of the 1985 Ventura County General Plan, adopted in 1973, were also in effect. As part of the Ventura River floodplain, the subject property was designated as Open Space in these elements. However, this designation did not impose significant development restrictions on the property beyond requiring compliance with the Ventura County Subdivision Ordinance.

The RE-10 acre zoning designation allowed for the creation of a minimum 10-acre lot size through the approval of a TPM and subsequent recordation of a PM, provided that the

land was at least 10-acres in size and the subdivision complied with the requirements of VCSO No. 1787. Notably, since the DKS and HCWC regulations were not in effect in 1975, the approval of the TPM is exempt from the development standards of these regulations, as well as those outlined in the 2040 Ventura County General Plan. As a result, the project's compliance is evaluated solely based on the regulations in place at the time, specifically Ordinance No. 1787 and the RE-10 acre zoning designation.

The subject 14.35-acre property is located east of Burnham Road, on the western bank of the Ventura River, in the unincorporated area of Ojai. It falls within the Open Space Zone and is subject to the DKS and HCWC Overlays. For over 40 years the site has been used for animal husbandry, and agriculture for the past 4 years. As part of these activities, the developed areas on the riverine bluff above the Ventura River floodway have been consistently cleared of vegetation. Aerial photographs taken by the County of Ventura, available through the Resource Management Agency's GIS Viewer, confirm this ongoing practice.

As animal husbandry and agricultural activities are not regulated by the Planning Division, any vegetation modification related to these activities is exempt from requiring a Planned Development Permit. This exemption is specified in Section 8109-4.8.3.2 of the NCZO HCWC regulations, allowing the property owner to continue their existing land use practices without needing additional permits.

As discussed above, a conditional certificate of compliance was recorded in 1989 by a previous property owner who had acquired their interest in the property on March 14, 1975. According to California Subdivision Map Act Section 66499.35(b), a local agency may impose any conditions that would have been applicable to the division of the property at the time the applicant acquired his or her interest in 1975. This means that any conditions imposed must have been established by state law or local ordinance as of March 14, 1975, and would have been relevant to the division of the property at that time. VCSO No. 1787 required the minimum lot size of the subdivision to be consistent with the zoning, a demonstration of a permanent source of water, a demonstration that wastewater discharge could be accommodated on site, appropriate access the lot design standards of the VCSO, and a demonstration that the development of the site met the Ventura County Improvement Standards and Specifications

The proposed project is also exempt from CEQA under Section 15301, Class 1 (Existing Facilities) as it involves the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of private structures. As noted above, the site is disturbed and has been used for animal husbandry for 40 years and agricultural production for the past 4 years. The developed areas of the property have consistently been cleared of vegetation during this time frame. Aerial photographs from the County of Ventura Resource Management Agency's GIS Viewer confirm this.

The project is also exempt from CEQA pursuant to Section 15303 (New Construction or Conversion), as reasonably foreseeable development in the Open Space Zone typically includes a single-family dwelling and accessory structures related to agricultural and

residential uses. Since there is no proposed development of the site that is subject to the current NCZO, the approval of the TPM and recordation of the PM do not trigger the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2(f).

The project's exemption from CEQA is supported by the fact that it will not result in any cumulative impacts. An Initial Study Biological Assessment prepared by David N. Lee for the project (Exhibit 6), confirms that the developed areas of the parcel are not located within an environmental sensitivity area, and the project would result in no, or less than significant impacts to these resources.

Since there is no development of the site that is subject to the current NCZO, the approval of the TPM and recordation of the PM do not trigger the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2(f). Future development of the site will be subject to the permitting requirements the Ventura County NCZO and CEQA. Additionally, the legalization of the lot will not result in any cumulative impacts, as the surrounding properties are legally developed, the site is not located near a scenic resource, it does not impact historic resources or structures, and it is not associated with a hazardous waste site. In conclusion, this project is categorically exempt pursuant to Sections 15061(b)(3), 15301, and 15303 of the CEQA Guidelines, does not meet any exceptions to the exemptions, and no further environmental review is required.

C. CONSISTENCY WITH THE GENERAL PLAN

As noted above, pursuant to California Government Code Section 66499.35(b) the local agency may impose any conditions that would have been applicable to the division of the property at the time the applicant acquired his or her interest therein. The June 17, 1963, General Plan and June 1973 Open Space and Conservation General Plan Elements were in effect on March 14, 1975, when the property owner and applicant of CC-8821 acquired interest in the property. Therefore, the proposed project has been analyzed and determined to be consistent with all applicable policies / objectives of the June 17, 1963 General Plan and the June 1973 Open Space and Conservation General Plan Elements. An analysis which evaluates the project's consistency with the policies / objectives of the General Plan is included as Exhibit 7 of this Staff Report. Note that the Ojai Valley Area Plan was not adopted until October 1989.

D. ZONING AND SUBDIVISION ORDINANCE COMPLIANCE

No structures are proposed at this time. However, the proposed TPM was evaluated utilizing development standards of the RE zone district pursuant to the June 27, 1973, NCZO² (NCZO Sections 8160-1, 8160-4.1, 8160-5, 8160-6., and 8160-7).

² The June 27, 1973, NCZO (Ordinance No. 2700) was in effect at the time ownership of the property was transferred to another in March 1975. The parcel at that time was also zoned Rural Exclusive 10-acre minimum lot size (RE-10 ac).

In 1973, uses such as a single-family dwelling, agricultural activities and animal keeping could occur onsite with the issuance of a ministerial Zoning Clearance. Other uses, such as a farm labor mobile home park, boarding houses and churches required a Conditional Use Permit. After the parcel map is recorded, development of the lot and will be subject to the current NCZO development and overlay zone standards.

The proposed subdivision is subject to the requirements of the January 25, 1966, VCSO³ (Section 8230 et seq.) And is allowed with the granting of a TPM and the recordation of a PM.

Table 2 lists the applicable design requirements and a description of whether the proposed project complies with the design requirements of the VCSO.

Table 2 – VCSO Design Requirements Consistency Analysis

Type of Requirement	Subdivision Ordinance Requirement	Complies?
Section 8235 General	All Tentative Maps must conform to the Ventura County Zoning Ordinance and to all applicable design requirements for proposed subdivisions specified in this code. Further, all Tentative Maps must, in design, conform to or be compatible with all applicable improvement requirements specified in this code. specified, design requirements and improvement requirements may be modified or waived only by the Board of Supervisors.	Yes. With conditions that must be satisfied prior to development of the property, the TPM conforms with all applicable planning, zoning, design and improvement requirements.
Section 8236 Subdivision Layout	In addition to the specific design requirements contained in this code, the alignment and grades of streets and the location, size and shape of blocks within a proposed subdivision shall be such as to provide efficient circulation within the subdivision and in the local neighborhood.	Yes. The proposal only includes the legalization of the lot through a TPM and PM. A reconfiguration of the lot will not occur. Access to the site is provided by a private driveway that has direct access to Burnham Road. Interior circulation will not be impacted as no new development is proposed with the subdivision.
Section 8237 Size of Blocks	The Planning Commission may establish guideline standards regulating the size of blocks and the minimum and maximum distances between intersections within and nearby the proposed subdivisions. When considering any specific proposed subdivision the Planning Commission may modify the guideline standards whenever desirable to provide for better design and circulation within the subdivision. Whenever distances between intersections are large, the	Not Applicable. The proposal only includes the legalization of the lot through a TPM and PM. No additional subdivisions or roads are required or proposed. VCSO standards will not need to be modified.

³ Ordinance No. 1787

Table 2 – VCSO Design Requirements Consistency Analysis

Type of Requirement	Subdivision Ordinance Requirement	Complies?
	Planning Commission may require pedestrian walkways of adequate width within any resulting block.	
Section 8238 Lots	Each sideline of a lot in any proposed subdivision shall be as close as is practicable to perpendicular to the centerline of the street at the point at which the lot sideline terminates. All lot lines must comply with Section 8259.6 of this code at the time of recordation of the proposed subdivision. All lots in a proposed subdivision shall conform to the minimum lot area and width requirements of the zone in which the proposed subdivision is located. No lot shall be less than 40 feet in its shortest dimension, except that the staff of a flag lot shall be at least 20 feet wide at all points. All residential, commercial and industrial lots shall have direct access to streets. Where lots are irregular in dimension due to a location on a cul-de-sac or curve or due to other unusual circumstances the minimum lot dimension for such lots in a particular proposed subdivision may be reduced. In determining the permissible minimum lot area of lots less than 10,000 square feet in size, all public utility transmission line easements may be required to be excluded even though such easements are included in the lot design. No overhead electrical line shall be deemed a transmission line unless it is used to carry 33 kilovolts or more.	Yes. The configuration of the lot will not be altered as a part of the TPM and complies with this design standards of the 1966 VCSO. The eastern sideline of the lot is perpendicular to the centerline of Burnham Road.
Section 8239 Street Right of Way	The street layout of a proposed subdivision shall provide for all secondary and primary street rights of way that are in the Ventura County General Plan of Highways at the time the Tentative Map is approved and lie within the boundaries of the proposed subdivision. The street layout shall also comply with the Access Policy adopted by the Board of Supervisors on February 2, 1965, and any amendments thereto. Rights of way for public streets within and adjacent to the proposed subdivision shall, in width, comply with the Street Standards set forth in the Ventura County	Yes. The proposal only includes the legalization of the lot through a TPM and PM. A reconfiguration of the lot will not occur. Direct access to the site is provided by a private driveway that connects to Burnham Road. The right of way along the lot's frontage on Burnham Road will not be adversely affected by the subdivision.

Table 2 – VCSO Design Requirements Consistency Analysis

Type of Requirement	Subdivision Ordinance Requirement	Complies?
	Improvement Standards and Specifications.	
Section 8240 Utility Easements	Whenever overhead utilities are allowed in a proposed subdivision by this code, utility easements of sufficient width shall be located along the rear or side lot lines. Whenever possible such easements shall extend an equal distance into each of two abutting lots. This requirement may be modified by the Planning Director if warranted by unusual circumstances in a particular proposed subdivision. To the extent practicable underground utility easements, whenever necessary, shall be abutting and parallel to lot lines.	Yes. The proposal only includes the legalization of the lot through a TPM and PM. As indicated on the TPM (Exhibit 4), an existing utility easement is located along the eastern property line and a sewer easement is located along the western property line.
Section 8241 Drainage and Drainage Easements	The design of the proposed subdivision proper drainage of the proposed subdivision shall be such as to provide the proper drainage of the proposed subdivision and all lots and improvements therein, based on the runoff that can be anticipated from ultimate development of the water shed area in which the subdivision is located. The design shall be such that there are no undrained depressions. Right of way shall be provided within the proposed subdivision as may be necessary to provide for the proper drainage of the proposed subdivision and to provide for flood control channels and conduits or laterals thereto which may be constructed within or abutting the proposed subdivision and which are shown upon a comprehensive flood control plan approved by the Ventura County Flood Control District. Access to open channels shown on the comprehensive flood control plan shall be provided along the entire length of the channel. Access to underground drainage conduit shall be provided by an easement of not less than ten feet in width directly above the entire length of the conduit. The design of the proposed subdivision shall be such as to protect the Subdivision and the lots and improvements therein from off tract drainage or flood damage. Further, the design must provide that any	Yes. According to the Geotechnical Report (Exhibit 8), The eastern boundary line of the property abuts the Ventura River. The western bank of the river has a dry-stack rock levee constructed by the U.S. Army Corps of Engineers. An existing gap in the levee occurs approximately 380 feet downstream of the north property line which allows sheet flow drainage to enter the river but has a lapping levee which prevents high river waters from breaching the levee. Road drainage from upslope is directed through four inlet structures located at the road gutter on Burnham Road.

Table 2 – VCSO Design Requirements Consistency Analysis

Type of Requirement	Subdivision Ordinance Requirement	Complies?
	concentrations or increases of surface water resulting from the development of the proposed subdivision are conveyed by means of adequate facilities to a suitable natural watercourse in the area of off-tract rights of way as may be necessary for such facilities shall be provided by the subdivider.	
Section 8242 Bridges	The design of the proposed subdivision shall include bridges as are necessary for efficient internal circulation of traffic within the proposed subdivision and all Tentative Maps approved shall comply with the Bridge Policy adopted by the Board of Supervisors on November 10, 1964 and any amendments thereto.	Not Applicable. Bridges are not proposed nor needed for the proposed legalization of the lot.
Section 8243 State Highways	If an existing or proposed state highway abuts or crosses a proposed subdivision, the subdivider shall secure all pertinent road data and specifications and shall provide that the design of the proposed subdivision is compatible with such State highways.	Not Applicable. There are no state highways that abut or cross the proposed subdivision.
Section 8244 Street Lighting	Prior to final acceptance of the improvement of the subdivision, the subdivider shall cause the area within the subdivision to be included in a lighting district.	Not Applicable. The proposed subdivision is not located within a County Service Area for street lighting. Street lighting is not required.
Section 8245 Public Water Agency	Whenever a proposed subdivision is located within the boundaries of a public water agency willing and able to provide water service to the lots, the public water agency must be chosen as the water purveyor for the proposed subdivision. At the time the tentative map for a proposed subdivision is submitted for approval, upon application of the subdivider the Board of Supervisors may waive the requirements of this section.	Permissible. On December 3, 2024, the Ventura River Water District issued a Will Serve Letter for the lot. On January 15, 2025, LAFCo approved a 1-year time extension for annexation into the Ventura River Water District per Resolution # 23-23B(1) for domestic water service. Domestic water will be provided by the Ventura River Water District, pending approval from LAFCo for annexation of the parcel into the District's service area.

E. SUBDIVISION MAP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to determine that the proposed subdivision is consistent with the State Subdivision Map Act, Government Code, and VCSO. However, when the January 1966 VCSO was adopted, the ordinance did not include required findings to determine consistency of the proposed subdivision with the State Subdivision Map Act, Government Code, and NCZO. It was not until October 1989, when the State Supreme Court ruled that administrative agencies are required to provide findings

that bridge the gap between the evidence and their permit decision, and these findings must be supported by "substantial evidence" (*Topanga Association for a Scenic Community v. County of Los Angeles* 11 Cal. 3d 506 (1974)). In any case, as noted in Section D above and Exhibit 7, the proposed subdivision is consistent with the January 1966 VCSO.

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

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), VCSO (Section 8229). On December 10, 2025, 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* and the *Ojai Valley News*.

The project site is located within the City of Ojai's Area of Interest. Therefore, on July 16, 2025, the Planning Division notified the City of Ojai regarding the proposed project and requested the City of Ojai to submit any comments that the City might have on the proposed project. No public comments were received.

G. RECOMMENDED ACTIONS

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

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **FIND** that this project is categorically exempt from CEQA pursuant to Sections 15300(b)(3), 15301, and 15303 of the CEQA Guidelines.
3. **FIND** that the TPM complies with the approval standards of the Ventura County Subdivision Ordinance, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **APPROVE** TPM (Case No. PL25-0061), subject to the conditions of approval (Exhibit 5);
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the map has been approved, conditionally approved, or denied (or on the following workday if the 10th day falls on a weekend or holiday). Any aggrieved person may file an appeal of the decision with the Planning Division. The

Planning Division shall then set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

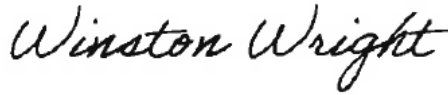
If you have any questions concerning the information presented above, please contact Kristina Boero at (805) 654-2467 or Kristina.Boero@venturacounty.gov.

Prepared by:



Kristina Boero, Senior Planner
Ventura County Planning Division

Reviewed by:










Winston Wright, Planning Manager
Ventura County Planning Division

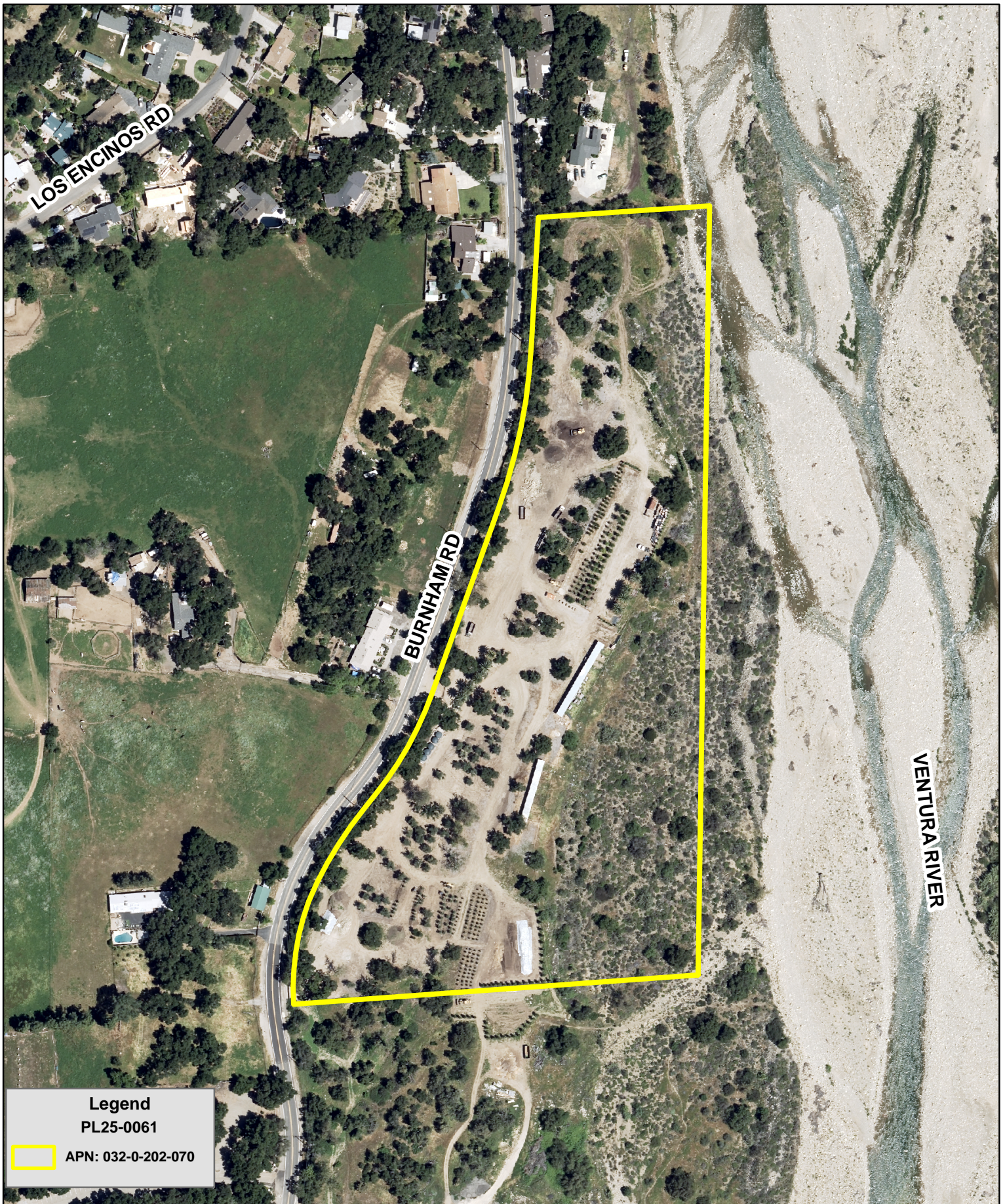
EXHIBITS

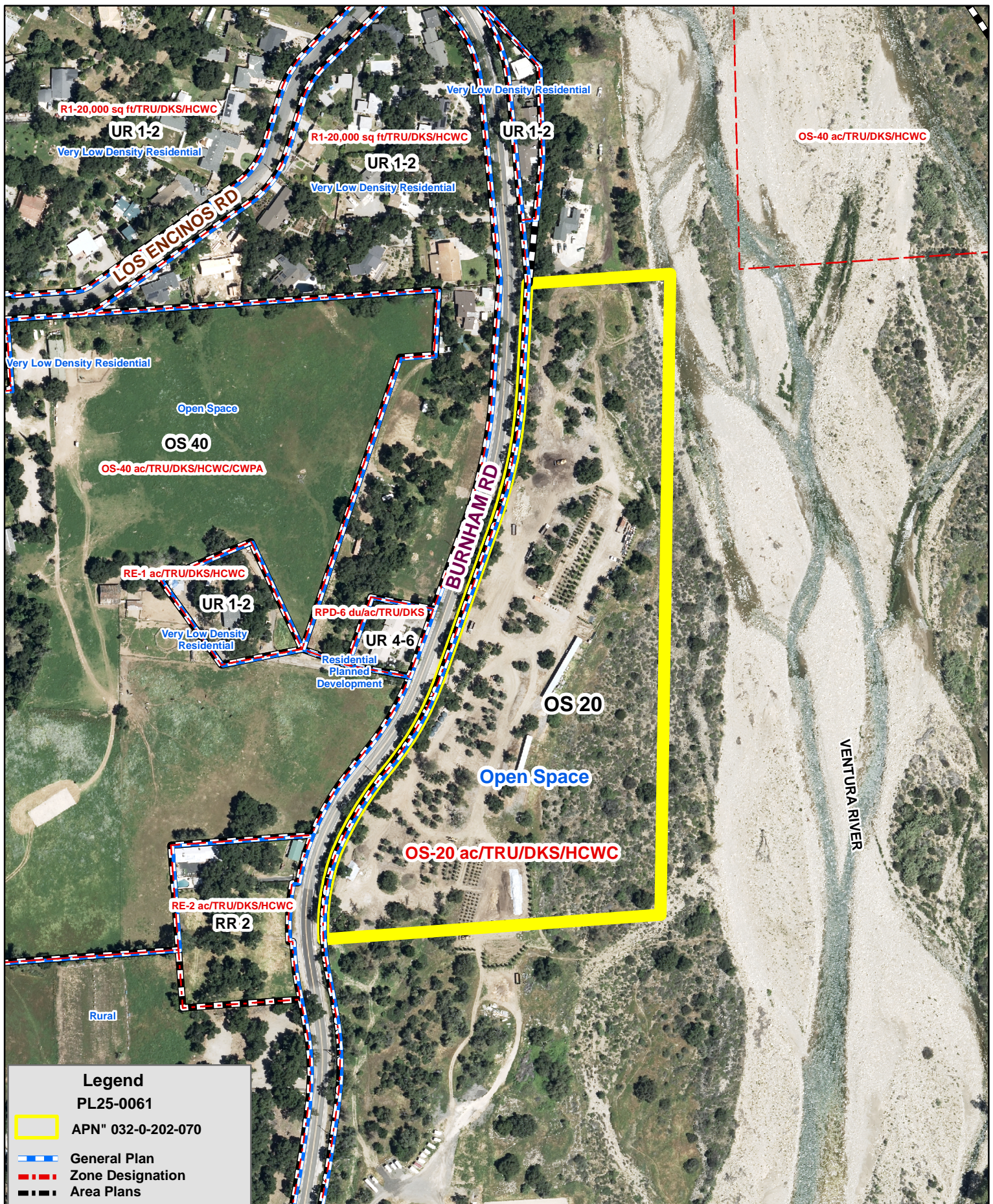
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| Exhibit 2 | APN 032-0-202-075 Deed History |
| Exhibit 3 | Maps |
| Exhibit 4 | Subdivision Map |
| Exhibit 5 | Conditions of Approval |
| Exhibit 6 | Initial Study Biological Assessment, prepared by DNL Consulting, dated May 2025 |
| Exhibit 7 | General Plan Consistency Analysis |
| Exhibit 8 | Geotechnical Report prepared by Braun and Associates, dated May 19, 2025 |

Deed History for APN 032-0-202-075

Document #	Eff. Date	Status	Document Type	Source Type
200219602 20201215-00219602 OR	12/15/2020		GRANT DEED - William F. Newton and Charlotte R. Newton, Trustees of The Newton Family Trust dated Dec 19, 1991 TO Progressive Environmental Industries, Inc. a California Corporation	
920004996 92-004996 OR	01/13/1992		TRUST TRANSFER DEED - William F. Newton and Charlotte R. Newton as joint tenants Trust dated Dec 19, 1991, William F. Newton and Charlotte R. Newton Trustors/Trustees	TO The Newton Family
880096072 88-096072 OR	07/08/1988		JOINT TENANCY GRANT DEED - Phillip Wesley Balding and Jenetta Mai Balding	TO William F. Newton and Charlotte R. Newton
004770967 4770 OR 967	02/14/1977		JOINT TENANCY GRANT DEED - Phillip Wesley Balding and Jenetta Mai Balding	TO William F. Newton and Charlotte R. Newton
004379823 4379 OR 823	03/14/1975		AFFIDAVIT - DEATH OF JOINT TENANT - Nettie Feraud Smith (Deceased)	
004379827 4379 OR 827	03/14/1975		GRANT DEED - Gordon Braker and Wanda Braker as joint tenants to an undivided 1/2 interest AND William F. Newton and Charlotte R. Newton husband and wife as joint tenants as to an undivided 1/2 interest	TO Phillip Wesley Balding and Jenetta Mai Balding husband and wife
003111534 3111 OR 534	03/03/1967		GRANT DEED - Merle P. Smith and Nettie Feraud, Smith husband and wife	TO Gordon Braker and Wanda Braker
Illegal Subdivision as mentioned in NOI-8628				

County of Ventura
Planning Director Hearing
12/18/2025
PL25-0061
Exhibit 2 – Deed History





LEGEND:

- = FOUND MONUMENT AS NOTED
- (R1) = RECORD 63 PM 55
- (R2) = GRANT DEED DOCUMENT No.: 20201215-00219602 O.R.
- (R3) = RECORD 3 MR 32
- (R6) = RECORD 16 RS 54
- M = MEASURED
- C.F.R. = CALCULATED FROM RECORD
- MON = MONUMENT
- MR = MISCELLANEOUS RECORD
- PM = PARCEL MAP
- P.O.S.T = POINT ON SEMI TANGENT
- RS = RECORD OF SURVEY

PROJECT INFORMATION:

UTILITIES:

- WATER - VENTURA RIVER WATER DISTRICT
- SEWER - OJAI VALLEY SANITARY DISTRICT
- FIRE - VENTURA COUNTY FIRE DEPARTMENT
- POWER - SOUTHERN CALIFORNIA EDISON
- PHONE - ATT
- CABLE - SPECTRUM
- GAS - SOUTHERN CALIFORNIA GAS COMPANY

MAP BASIS:

- (1) HORIZONTAL BASIS OF COORDINATES IS NAD83 (2017.5 EPOCH) PER COR STATIONS HVYS AND OVLS PER NATION GEODETIC SURVEY DATA SHEETS
- (2) VERTICAL DATUM IS NAVD88 PER BENCHMARK 38-6 PER VENTURA COUNTY SURVEYORS OFFICE. ELEVATION = 503.14'

SITE STATISTICS:

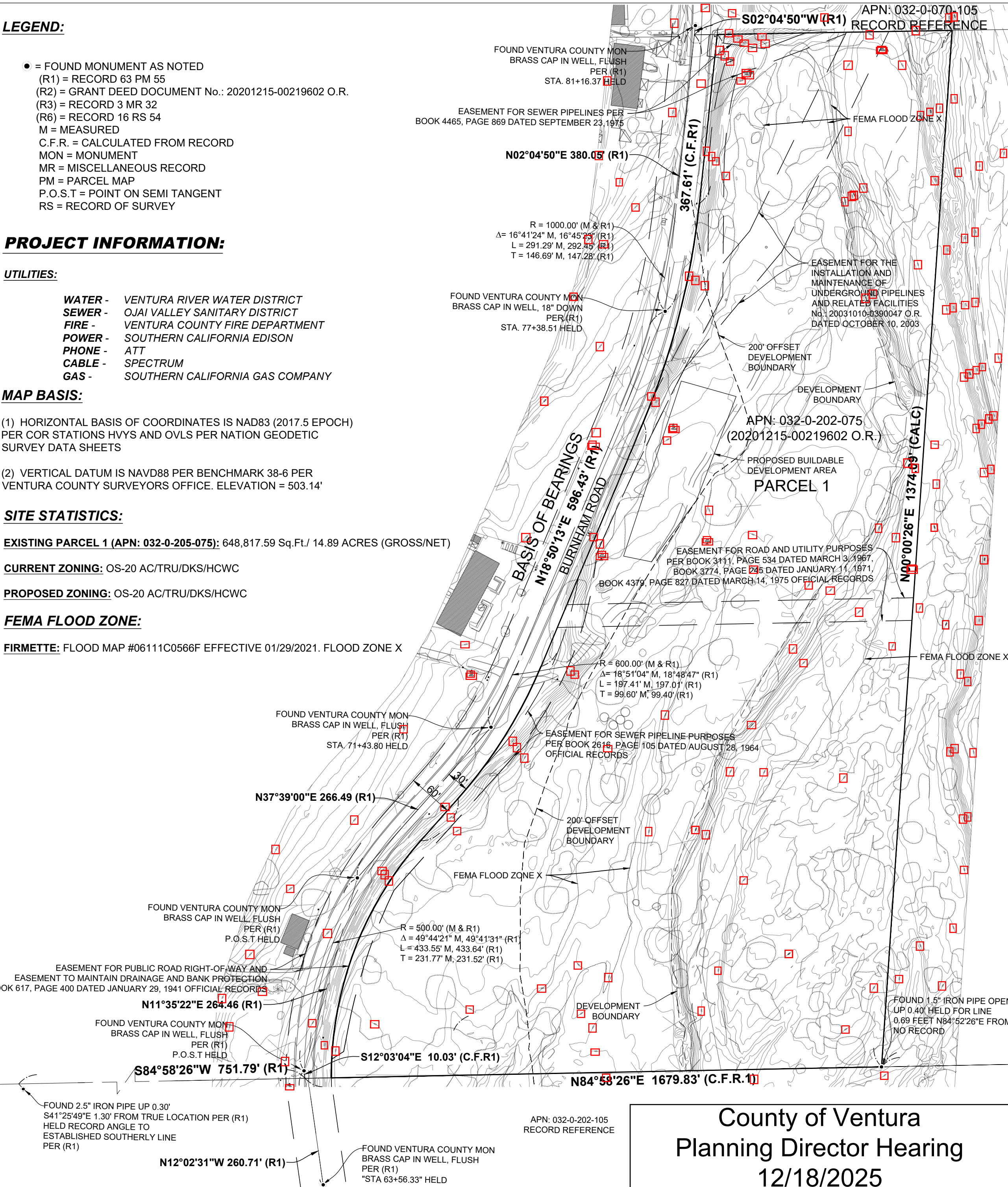
EXISTING PARCEL 1 (APN: 032-0-205-075): 648,817.59 Sq.Ft./ 14.89 ACRES (GROSS/NET)

CURRENT ZONING: OS-20 AC/TRU/DKS/HCWC

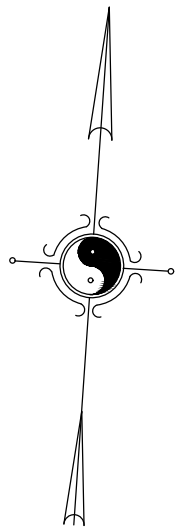
PROPOSED ZONING: OS-20 AC/TRU/DKS/HCWC

FEMA FLOOD ZONE:

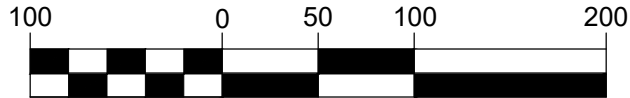
FIRMETTE: FLOOD MAP #06111C0566F EFFECTIVE 01/29/2021. FLOOD ZONE X



N85°10'00"E 1427.24 (R1)



GRAPHIC SCALE



1 inch = 100 ft.

APN: 032-0-202-065
RECORD REFERENCE

CONDITIONAL CERTIFICATE OF COMPLIANCE No. 89-084701

TENTATIVE PARCEL MAP No. 6072

IN THE UNINCORPORATED TERRITORY OF THE
COUNTY OF VENTURA
STATE OF CALIFORNIA

BEING A SUBDIVISION OF A PORTION OF LOT 12,
RANCHO SANTA ANA, IN THE COUNTY OF VENTURA,
STATE OF CALIFORNIA, AS PER MAP RECORDED IN
BOOK 3 PAGE 32 OF MAPS, IN THE OFFICE OF THE
COUNTY RECORDER OF SAID COUNTY

MAP PREPARED BY:
WATERS CARDENAS LAND SURVEYING, LLP
JOSE V. CARDENAS & BARRY J. WATERS
LICENSED LAND SURVEYORS
5553 HOLLISTER AVE.-STS. 7&8 - GOLETA, CALIFORNIA 93117
PHONE: (805) 967-4416

DATE OF PREPARATION:
~APRIL 2023~
~REVISED SEPTEMBER 2025~

SHEET 2 OF 2
SCALE: 1" = 100' WC W.O. #21-0895

N84°58'26"E (R2) 916.96 (CFR2)

2" IRON PIPE PER (R6)
SEARCHED FOR
NOT FOUND

SOUTHERLY LINE LOT 12
PER (R1), (R3), (R6)

SOUTHEAST
CORNER LOT 12
PER (R1), (R3), (R6)

N06°55'40"E 1395.05 (R1) HELD, S06°56'30"W 1396.14' (R6)
N06°55'40"E 2052.04' (R1) HELD, N06°56'30" 2053.47' (R6)

County of Ventura
Planning Director Hearing
12/18/2025
PL25-0061
Exhibit 4 - Subdivision Map

EXHIBIT 5 - DRAFT CONDITIONS OF APPROVAL FOR TENTATIVE PARCEL MAP CASE NO. PL25-0061

Please note the following abbreviations are used throughout this document:

Ventura County Non-Coastal Zoning Ordinance – NCZO

Ventura County Subdivision Ordinance – VCSO

Tentative Parcel Map – TPM

RESOURCE MANAGEMENT AGENCY (RMA) CONDITIONS

1. Planning Division Conditions

1. Project Description

This TPM is based on and limited to compliance with the project description stated in this condition below. Exhibit 3 of the Planning Director hearing on December 18, 2025 and conditions of approval set forth below. Together, these conditions and documents describe the “Project.” Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further CEQA environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

This TPM is granted to allow for the legalization of the subject 14.35-acre lot pursuant to Conditional Certificate of Compliance (CC of C) No. 8821. A reconfiguration of the lot is not proposed and there will not be any new development on the site as a part of the TPM. Direct access to the site is provided by a 30 foot wide private driveway to Burnham Road. Domestic water will be provided by the Ventura River Water District, pending approval from the Ventura Local Action Formation Commission (LAFCo) for annexation of the parcel into the District’s service area. Wastewater service will be provided by the Ojai Valley Sanitation District, pending approval from LAFCo for annexation of the parcel into the District’s service area and associated sphere of influence. Prior to final map recordation, the Subdivider shall obtain approval of the annexations from LAFCo. The site has been used for animal husbandry for over 40 years and agriculture for the past 4 years, with developed areas on a riverine bluff above the Ventura River floodway consistently cleared of vegetation.

The size of the lot, shape of the lot, 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.

County of Ventura Planning Director Hearing 12/18/2025 PL25-0061 Exhibit 5 – Draft Condition of Approval
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2. TPM Modification

Prior to undertaking any operational or construction-related activity described in these conditions, the Subdivider or Property Owner which is not expressly shall first contact the Planning Director to determine if the proposed activity requires a modification of this TPM. The Planning Director may, at the Planning Director's sole discretion, require the Subdivider or Property Owner to file a written and/or mapped description of the proposed activity in order to determine if a TPM modification is required. If a TPM 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, SS 21000-21 178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387), as amended from time to time.

3. Construction Activities

Prior to any construction, the Property Owner 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 Property Owner shall obtain a Grading Permit from the Public Works Agency.

4. Acceptance of Conditions

Recordation of the Final Parcel Map shall constitute acceptance by the Property Owner and all successors -in-interest of all conditions of approval for this TPM.

5. Tentative Parcel Map Expiration

This TPM shall expire on June 18, 2027 (see VCSO Section 8230¹) Approval of a minor or major modification to the TPM shall not affect the expiration date of this TPM (See Condition No. 6, below.)

Unless the Subdivider files a Parcel Map with the County Surveyor prior to expiration of this TPM, all proceedings shall terminate upon such expiration, and any subdivision of the land shall require the filing and processing of a new map. The Subdivider shall identify the new map as a previously approved, but now expired map. The County Surveyor may approve a Parcel Map for recordation after the expiration date of this Parcel Map, if the Subdivider files the Parcel Map with the County Surveyor and the County Surveyor deems the Parcel Map complete, prior to the TPM expiration date.

¹ VCSO, adopted January 25, 1966

6. Tentative Parcel Map Modification

Pursuant to the January 25, 1966, Ventura County Subdivision Ordinance (Section 8231), the Planning Director or Planning Commission (as applicable) may change this TPM, and the conditions of approval of this TPM, with the approval of a map modification application.

7. Conditions of Approval and Map Notations

The conditions of approval for this TPM supersede all conflicting notations, specifications, dimensions, typical sections, and the like which may be shown on the TPM.

8. Parcel Map Processing Fees

Prior to recordation of the Parcel Map, the Subdivider must remit payment of all County processing fees billed to date. After recordation of the Parcel Map, the Subdivider must remit payment of any final processing fees within 30 days of the billing date.

9. Recordation of Conditions with the Final Parcel Map

Purpose: The Subdivider shall have these conditions of the TPM recorded with the Final Parcel Map for the project in order to notify future property owner of these conditions of the TPM that apply to development of the lot that is subject to the TPM.

Requirement / Documentation: The Subdivider shall provide the County Surveyor with a copy of these TPM and the wet signed Notice of Land Use Entitlement conditions for recordation of the Parcel Map provided by the Planning Division.

Timing: The Subdivider shall provide the County Surveyor with a copy of these TPM conditions prior to recordation of the Parcel Map. The Parcel Map, along with the TPM conditions must be recorded pursuant to the timing requirements set for in Condition No. 6 of this TPM.

Monitoring and Reporting: The Subdivider shall return a copy of the recorded TPM conditions and Parcel Map to Planning Division staff to be included in the Project file.

10. Documentation Verifying Compliance with Other Agencies' Requirements Related to this TPM

Purpose: To ensure compliance with, and notification of, federal, state, and/or local government regulatory agencies that have requirements that pertain to the Project (Condition No. 1, above) that is the subject of this TPM.

Requirement: Upon the request of the Planning Director, the Property Owner shall provide the Planning Division with documentation (e.g., copies of permits or agreements from other agencies, which are required pursuant to a condition of this TPM) to verify that the Property Owner has obtained or satisfied all applicable federal, state, and local entitlements and conditions that pertain to the Project.

Documentation: The Property Owner shall provide this documentation to Planning Division staff in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division Project file.

Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for future construction on the lot.

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Property Owner in the respective Project file. In the event that the federal, state, or local government regulatory agency prepares new documentation due to changes in the Project or the other agency's requirements, the Property Owner shall submit the new documentation within 30 days of receipt of the documentation from the other agency.

11. Consultant Review of Information and Consultant Work

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

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

The Property Owner 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 Property Owner or a contractor of the Property Owner undertakes. If the County hires a consultant to review any work undertaken by the Property Owner, or hires a consultant to review the work undertaken by a contractor of the Property Owner, the hiring of the consultant will be at the Property Owner's expense.

12. Defense and Indemnification

- a. The Property Owner shall defend, at the Property Owner's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this TPM. The County shall promptly notify the

Property Owner of any such claim, action or proceeding and shall cooperate fully in the defense.

- a. The Property Owner shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Property Owner, the County, and/or third parties.
- b. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Property Owner shall also indemnify, defend (at Property Owner sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this TPM, regardless of how a court apportions any such Liabilities as between the Property Owner, the County, and/or third parties. The County shall promptly notify the Property Owner of any such claim, action, or proceeding and shall cooperate fully in the defense.
- d. Neither the issuance of this TPM, nor compliance with the conditions hereof, shall relieve the Property Owner from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this TPM serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

13. Invalidation of Condition(s)

If any of the conditions or limitations of this TPM are held to be invalid in whole or in part by a court of competent jurisdiction, that holding shall not invalidate any of the remaining TPM conditions or limitations. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Property Owner in an action filed in a court of competent jurisdiction, or threatened to be filed therein, the Property Owner shall be required to fully comply with this TPM, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This TPM shall continue in full force unless, until, and only to the extent invalidated by a final, binding judgment issued in such action.

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this TPM, 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 TPM may be revoked.

14. Relationship of TPM Conditions, Laws, and Other Entitlements

The Subdivider shall implement the Project in compliance with all applicable requirements and enactments of federal, state, and local authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any TPM condition contained herein is in conflict with any other TPM condition contained herein, when principles of law do not provide to the contrary, the TPM condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this TPM for uses and subdivision of property allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules, or regulations, or orders of an authorized governmental agency. Neither the approval of this TPM, nor compliance with the conditions of this TPM, shall relieve the Subdivider from any responsibility otherwise imposed by law for damage to persons or property.

15. Notice of Fire Hazard

NOTICE IS HEREBY PROVIDED THAT THE SUBJECT PROPERTY (APN 032-0-202-070) IS WITHIN A MODERATE, HIGH, OR VERY HIGH FIRE HAZARD SEVERITY ZONE, AS DESIGNATED BY THE CALIFORNIA STATE FIRE MARSHALL, OR A LOCAL HAZARDOUS FIRE AREA, AS DESIGNATED BY THE VENTURA COUNTY FIRE PROTECTION DISTRICT.

16. Biological Assessment Prior to Future Development

The project site is located within the Habitat Connectivity Wildlife Corridor (HCWC) overlay zone, that includes the Sierra Madre-Castaic wildlife corridor and a designated surface water feature (i.e. Ventura River). Prior to future development of the lot, the property owner will be required, as deemed applicable by the Planning Division, to provide an updated Initial Study Biological Assessment, that evaluates project related impacts to the surface water feature, project consistency with the NCZO HCWC development guidelines related to fuel modification, and minimization of impacts to biological resources and habitat connectivity. The assessment must be prepared by a County of Ventura approved Biologist pursuant to the Zoning Code and General Plan policies in effect at the time that the application to develop on the property is submitted to the Planning Division.

17. Wildlife Fencing

Purpose: To mitigate environmental impacts to wildlife migration corridors from fencing, in accordance with Sections 8109-4.8.3.6(b)(1), 8109-4.8.3.6(c)(1) and 8109-4.8.3.7(a) of the NCZO.

Requirement:

A Zoning Clearance is required is required for the installation of new or replacement wildlife impermeable fencing that does not exceed 10 percent of the gross lot area.

A Planned Development Permit is required for the installation of new or replacement wildlife impermeable fencing that forms an enclosed area greater than 10 percent of the gross lot area.

Documentation: The Property Owner shall submit a fencing plan for all new fencing located on the parcel. The fencing plan must include the fence location, type of fence, elevations detailing construction and materials for both permeable and impermeable fences. Any fence over six feet in height requires a Building Permit.

Timing: Prior to issuance of a Zoning Clearance for any new or replacement fencing, the Property Owner shall demonstrate on the fencing plans that the requirements of this condition are met.

Monitoring and Reporting: The Property Owner shall submit plans to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for fencing. The Planning Division has the authority to conduct site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 81 14-3 of the Ventura County NCZO.

18. Wildlife Corridor or Wildlife Habitat Outdoor Lighting

Purpose: To mitigate potentially significant environmental impacts from light and glare to wildlife migration corridors and/or wildlife habitat and ensure lighting on the subject property is provided in compliance with Section 8109-4.1 .5 of the Ventura County NCZO.

Requirement: Prior to the future development on the property, the Property Owner shall prepare a lighting plan that meets the following objectives:

- avoids interference with reasonable use of adjoining properties;
- avoids conflict with landscape features;
- minimizes on-site and eliminates off-site glare;
- minimizes impacts to wildlife movement;
- minimizes energy consumption; an
- includes devices that are compatible with the design of the permitted structure and minimize energy consumption.
- Is consistent with Ventura County NCZO S 8109-4.7.4 (Dark Sky Overlay Zone)
- Is consistent with Ventura County NCZO SS 8109-4.8.2 (Habitat Connectivity and Wildlife Corridors Overlay Zone (Outdoor Lighting) and 8109-4'8.2-3 (Habitat Connectivity and Wildlife Corridors Overlay Zone Prohibited Lighting)

The Property Owner shall include in the lighting plan the manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs).

The plan must include illumination information within pathways and driveways proposed throughout the development. In order to minimize light and glare from the subdivision, all exterior structure light fixtures and freestanding light standards must be a cut-off type, fully shielded, and downward facing, such that lighting is projected downward onto the property and does not cast any direct light onto any adjacent property and roadway in order to prevent the illumination of surrounding habitat. All outdoor light sources must be located within 100 feet of a structure or adjacent to a driveway. Floodlights shall be prohibited. Lighting shall be located such that it is not directed at glass and other materials used on building- exteriors and structures, which could create reflective glare. The Property Owner shall bear the total cost of the review and approval of the lighting plan. The Property Owner shall install all exterior lighting in accordance with the approved lighting plan. The Property Owner shall prepare and implement the permitted use in conformance with an approved lighting plan.

Documentation: The Property Owner shall submit two copies of a lighting plan to the Planning Division for review and approval.

Timing: The Property Owner shall obtain the Planning Division's approval of the lighting plan prior to the issuance of a Zoning Clearance for construction on the Lot. The Property Owner shall maintain the lighting as approved in the lighting plan for the life of the permit that authorizes the lighting.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved lighting plan in the project file. The Property Owner shall ensure that the lighting is installed according to the approved lighting plan prior to occupancy of future residential development. The Building and Safety Inspector and Planning Division staff 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 Section 8114-3 of the Ventura County NCZO.

Environmental Health Division (EHD) Conditions

19. Sewer Service Certificate for Subdivisions

Purpose: To assure each lot created by the subdivision has an approved method of sewage disposal.

Requirement: The Subdivider shall submit a project specific Sewer Service Certificate for Subdivisions to the Environmental Health Division (EHD).

Documentation: The Subdivider shall submit the Sewer Service Certificate to EHD for review and approval.

Timing: Prior to recordation of the parcel map, the Subdivider shall obtain written confirmation from EHD that the condition has been satisfied.

Monitoring: EHD shall review and approve the adequacy of the Sewer Service Certificate to assure compliance with this condition.

20. Water Supply Certificate for Subdivisions

Purpose: To assure each lot created by the subdivision has an approved source of domestic water supply.

Requirement: The Subdivider shall submit a project specific Water Supply Certificate for Subdivisions to the Environmental Health Division (EHD) signed by the water purveyor.

Documentation: The Subdivider shall submit the completed Water Supply Certificate to EHD for review and approval.

Timing: Prior to recordation of the final map, the Subdivider shall obtain written confirmation from EHD that the condition has been satisfied.

Monitoring: EHD shall review and approve the adequacy of the Water Supply Certificate to assure compliance with this condition.

PUBLIC WORKS AGENCY (PWA)

Integrated Waste Management Division (IWMD) Conditions

21. Refuse, Organic Waste, and Recycling Requirement

Purpose: To ensure the project complies with Division 4, Chapter 7, Article 3 of the Ventura County Ordinance Code (VCOC) pertaining to the diversion of recyclables and organic waste materials generated by this project from local landfills through recycling, reuse, salvage, or compost.

Requirement: VCOC Division 4, Chapter 7, Article 3, Section 4770-4 requires the Property Owner to work with a County-franchised solid waste hauler who will determine the level of service required to divert recyclables and organic waste generated by their project from local landfills. For a complete list of County-franchised solid waste haulers, go to: <https://www.vcpbublicworks.org/wsd/iwmd/businessrecycling/>.

Documentation: The Property Owner 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: At the time of future development and upon request, the Property Owner must provide Ventura County Public Works Agency's Central Services Department, Integrated Waste Management Division (Central Services) with a copy of a current solid waste billing statement to verify compliance with this condition.

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

22. Construction & Demolition Debris Recycling Plan

Purpose: To ensure the project complies with Division 4, Chapter 7, Article 3 of the Ventura County Ordinance Code (VCOC). Section 4773 aligns with the California Green Building Standards Code which requires the Property Owner to divert recyclable construction and demolition (C&D) materials generated by their project (e.g., wood, metal, green waste, soil, concrete, asphalt, paper, cardboard, etc.) from local landfills through recycling, reuse, salvage, or compost.

Requirement: The Property Owner must submit a comprehensive recycling plan to Ventura County Public Works Agency, Central Services Department, Integrated Waste Management Division (Central Services) for any Covered Project as defined in Division 4, Chapter 7, Article 3, Section 4741-24 of the VCOC, meaning all proposed construction and/or demolition projects that require a building permit, except certain exempted projects as defined in Section 4773-4.

Documentation: A Recycling Plan must be submitted online at Ventura County Citizen Access. For more information and instructions on how to complete the Recycling Plan, please visit vcpublicworks.org/cdrecycling.

Timing: Upon Building and Safety Division's issuance of a building permit for future development of the lot, the Property Owner must submit a Recycling Plan online through Ventura County Citizen Access for approval.

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

23. Construction & Demolition Debris Reporting

Purpose: Division 4, Chapter 7, Article 3 of the Ventura County Ordinance Code, Section 4773 aligns with the California Green Building Standards Code which requires the Property Owner to divert recyclable construction and demolition (C&D) materials generated by their project (e.g., wood, metal, green waste, soil, concrete, asphalt, paper, cardboard, etc.) from local landfills through recycling, reuse, salvage, or compost.

Requirement: The Property Owner must upload recycling receipts to their Recycling Plan to Ventura County Citizen Access. Applicants will receive a Final Approval email once the receipts are reviewed and approved. For more information and instructions on how to complete submit recycling receipts, please visit vcpublicworks.org/cdrecycling.

Documentation: Recycling receipts and/or documentation of reuse to verify minimum landfill diversion requirements are met.

Timing: Required recycling receipts and/or documentation of reuse must be submitted to Ventura County Citizen Access at the time of Building and Safety Division's issuance of final permit for future development of the lot.

Monitoring & Reporting: The Property Owner is required to keep a copy of their approved Recycling Plan and recycling receipts and/or documentation of reuse until Building and Safety Division's issuance of final permit.

24. Collection and Loading Areas

Purpose: To ensure the project complies with Ventura County Ordinance Code (VCOC) Section 4774 et seq. VCOC Section 4774 pertains to readily accessible areas in newly constructed non-residential buildings, non-residential additions resulting in an increase of 30 percent or more in floor area, and multi-family dwelling housing with 5 or more units that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at minimum) paper, corrugated cardboard, glass, plastics, organic waste and metals.

Requirement: The Property Owner shall adhere to the County of Ventura's Space Allocation Guidelines which include minimum space requirements for refuse, and recycling, and organic waste (inclusive of food waste and green waste) bins/carts and recommend aesthetic, gated, trash enclosures.

Documentation: The Property Owner shall submit a site plan to Ventura County Public Works Agency, Central Services Department, Integrated Waste Management Division (Central Services) indicating the location of enclosure(s) or a designated area with sufficient space to accommodate refuse and recycling bins necessary to meet the needs of the project.

Timing: Prior to the Issuance of a Zoning Clearance for Construction for future development of the lot, the Property Owner must submit a site plan to Central Services for approval indicating the location of a trash enclosure or designated area on the property for refuse and recycling bins.

Monitoring & Reporting: Upon request, the Property Owner shall allow Central Services Department staff to verify an adequately sized enclosure area has been constructed on the premises.

Watershed Protection District (WPD) Conditions

Advanced Planning Section

25. Flood Zone Clearance

Purpose: To comply with the Ventura County Floodplain Management Ordinance and Ventura County General Plan policies HAZ-2.1, HAZ-2.2, HAZ-2.3 and HAZ-2.5.

Requirement: The Property Owner shall obtain a Flood Zone Clearance from the Ventura County Public Works Agency Floodplain Manager.

Documentation: A Flood Zone Clearance issued by the Public Works Agency Floodplain Manager.

Timing: The Flood Zone Clearance shall be obtained by the Property Owner prior to obtaining a building permit for future development of the lot.

Monitoring and Reporting: A copy of the approved Flood Zone Clearance shall be provided to the Building and Safety Department as well as maintained in the case file by the Public Works Agency.

26. Notice of Flood Hazard Recorded on Property Title

Purpose: To comply with the Ventura County General Plan Policy HAZ-2.5 to inform existing and future owners of the subject property that the site, in whole or in part, is currently mapped by the Federal Emergency Management Agency (FEMA) as being in a Special Flood Hazard Area.

Requirement: The Property Owner shall, with the assistance of the Ventura County Public Works Agency Floodplain Manager, have recorded on the title of the subject property a Notice of Flood Hazard.

Documentation: A Notice of Flood Hazard deemed satisfactory to the Ventura County Public Works Agency Floodplain Manager.

Timing: The Notice of Flood Hazard shall be recorded on title of the subject property by the Property Owner prior to issuance of a building permit or prior to ground disturbance if a building permit is not required.

Monitoring and Reporting: A copy of the recorded Notice of Flood Hazard shall be provided to the Building and Safety Department as well as maintained in the case file by the Public Works Agency.

Groundwater Section

27. Water Offset Plan

Purpose: To ensure compliance with *Ojai Valley Area Plan* Policy OV-64.2 and to mitigate potentially significant impacts to surface water and groundwater quantity.

Requirement: The Property Owner shall prepare a Water Offset Plan to offset any additional or increased water use. The Water Offset Plan shall provide new plumbing fixtures or provide other means so as not to add any net increased demand on the existing water supply within the Casitas Municipal Water District service area.

The Property Owner shall submit two copies of a water offset plan to the Groundwater Section for review and approval prior to the issuance of a Zoning Clearance for construction of future development on the lot and shall fully implement the approved plan prior to issuance of a final building permit. The water offset plan shall include the number and type of new plumbing fixtures, or any other mitigations, to offset the total calculated water demand required to service the permitted use within the Casitas Municipal Water District service area.

The Property Owner shall submit a post-implementation water offset report documenting the number and type of water conserving fixtures, or any other mitigations, to demonstrate the offset of the calculated total water demand as detailed in the submitted water offset plan.

Documentation: A copy of the approved water offset plan and the post-implementation water offset report.

Timing: The Property Owner shall submit the water offset plan to the Groundwater Section for review and approval prior to the issuance of a Zoning Clearance for construction of future development on the lot. Prior to the issuance of the building permit for future development, the Property Owner shall submit a postimplementation water offset report.

Monitoring and Reporting: The Groundwater Section maintains copies of the approved water offset plan and post-implementation water offset report.

OTHER VENTURA COUNTY AGENCIES

Ventura County Air Pollution Control District (APCD) Conditions

28. Fugitive Dust – Construction

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

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

Documentation: The project applicant shall ensure compliance with the following provisions:

- I. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust;
- II. Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during grading activities;

- III. All trucks shall cover their loads as required by California Vehicle Code §23114.
- IV. Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means (except during and immediately after rainfall). Water shall be applied to all unpaved roads, unpaved parking areas or staging areas, and active portions of the construction site. Environmentally-safe dust control agents may be used in lieu of watering.
- V. Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization.
- VI. Signs shall be posted onsite limiting construction traffic to 15 miles per hour or less.
- VII. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., wind speed sufficient to cause fugitive dust to be a nuisance or hazard to adjacent properties). During periods of high winds, all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by onsite activities and operations from being a nuisance or hazard, either offsite or onsite.

Timing: Throughout the construction phases at the time of future development of the lot.

Reporting and Monitoring: Dust control is a standard condition on all Grading Permits issued by Public Works Agency and grading inspector shall perform periodic site inspections throughout the grading period. Monitoring and Enforcement of APCD Rule 55 is also conducted by APCD staff on a complaint-driven basis.

29. Fugitive Dust – Operations

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

Requirement: The Property Owner shall comply with all applicable provisions of VCAPCD Rule 50, *Opacity*, Rule 51 *Nuisance*, and Rule 55 *Fugitive Dust*, which emphasis on the below, but not inclusive:

- I. No person shall cause or allow the emissions of fugitive dust from any applicable source such that the dust remains visible beyond the midpoint (width) of a public street or road adjacent to the property line of the emission source or beyond 50 feet from the property line if there is not an adjacent public street or road.
- II. Property Owner shall periodically water or treat site access roads with environmentally-safe dust suppressants to prevent excessive amounts of dust if needed.
- III. The Property Owner shall either operate or ensure that all on-site vehicles travel at speeds not to exceed 15 miles per hour.

Documentation: No documentation is required for physical design features that APCD inspectors would observe during inspections.

Timing: Throughout the life of the permit.

Reporting and Monitoring: Monitoring and enforcement of dust-related provisions for project is conducted by APCD staff on a complaint-basis.

30. Construction Ozone Precursors

Purpose: In order to ensure that ozone precursor and particulate emissions from diesel-powered mobile construction equipment are reduced to the greatest amount feasible.

Requirement: The Property Owner shall comply with the provisions of all applicable California State Laws and APCD Rules and Regulations regarding portable construction equipment and construction vehicles.

Documentation: The project applicant shall ensure compliance with the following State Laws and APCD requirements:

- I. Construction equipment shall not have visible emissions greater than 20% opacity, as required by APCD Rule 50, Opacity.
- II. All portable diesel-powered equipment over 50 BHP shall be registered with the State's Portable Equipment Registration Program (PERP) or an APCD Portable Permit.
- III. Off-Road Heavy-Duty trucks shall comply with the California State Regulation for In-Use Off-Road Diesel Vehicles (Title 13, CCR §2449), the purpose of which is to reduce NO_x and diesel particulate matter exhaust emissions.
- IV. On-Road Heavy-Duty trucks shall comply with the California State Regulation for In-Use On-Road Diesel Vehicles (Title 13, CCR §2025), the purpose of which is to reduce NO_x and diesel particulate matter exhaust emissions.
- V. All commercial on-road and off-road diesel vehicles are subject to the idling limits of Title 13, CCR §2485, §2449(d)(3), respectively. Construction equipment shall not idle for more than five (5) consecutive minutes. The idling limit does not apply to: (1) idling when queuing; (2) idling to verify that the vehicle is in safe operating condition; (3) idling for testing, servicing, repairing or diagnostic purposes; (4) idling necessary to accomplish work for which the vehicle was designed (such as operating a crane); (5) idling required to bring the machine system to operating temperature, and (6) idling necessary to ensure safe operation of the vehicle. It is the Property Owner's responsibility to have a written idling policy that is made available to operators of the vehicles and equipment and informs them that idling is limited to 5 consecutive minutes or less, except as exempted in subsection a. above.

The following are recommended measures for construction equipment and vehicles:

- I. Diesel powered equipment should be replaced by electric equipment whenever feasible.
- II. Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications.

- III. Lengthen the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time.
- IV. Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, if feasible.
- V. All off-road construction equipment shall be rated a minimum of Tier 3 or Tier 4 Interim diesel rating
- VI. All architectural coatings shall not exceed an ROC, or VOC, content of 25 g/L. The use of "South Coast Air Quality Management District Clean Air Solvents" or "low-VOC paint", is acceptable.

Timing: Throughout the construction phases of the project.

Reporting and Monitoring: Reporting of compliance with the required State Laws regarding diesel vehicles is conducted via annual fleet mix reporting, phasing out of older-tier equipment, and routine surveillance and audits by APCD inspectors. The applicable recommended measures shall be included in the construction plan submitted to Building and Safety and County building/grading inspector shall perform periodic site inspections throughout the construction period. Monitoring and Enforcement of dust-related construction activities shall be conducted by APCD staff and is complaint-driven.

31. Nuisance

Purpose: To ensure that discharge of air contaminants (odor, dust, etc.) that may result from site operations are minimized to the greatest extent feasible.

Requirement: Property Owner shall operate in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 51, Nuisance, stated below:

- I. *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.*

Documentation: No documentation is required for the purposes of this condition.

Timing: Throughout the life of the permit.

Reporting and Monitoring: Monitoring and enforcement of nuisance provision is enforceable by APCD on a complaint-driven basis.

32. Demolition Activities

Purpose: To minimize the release of asbestos containing material during activities involving demolition and/or renovation operations.

Requirement: Project demolition activities shall be operated in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 62.7, *Asbestos – Demolition and Renovation*.

Documentation: The project applicant shall ensure compliance with the following provision:

- I. The applicant shall submit an AB3205 Form to APCD for approval. In addition, the contractor shall notify APCD 10 business days prior to the abatement commencement, if applicable, by submitting a Notification of Demolition or Renovation Form. Demolition and/or renovation activities shall be conducted in compliance with APCD Rule 62.7, *Asbestos – Demolition and Renovation*.

Timing: Prior to issuance of a demolition permit(s) by Building & Safety or the applicable jurisdiction agency.

Reporting and Monitoring: An AB3205 form must be submitted to and approved by APCD. Building & Safety Compliance Checklist includes AB3205 requirement prior to issuance of a demolition permit. The Notification of Demolition or Renovation Form must be submitted to APCD. Enforcement of notification requirements for both forms and compliance with the APCD Asbestos Rule will be enforced by APCD Asbestos Inspectors or on a complaint-driven basis.

Ventura County Fire Protection District (VCFPD) Conditions

33. State Fire Safe Regulations

The project is located within a State Responsibility Area (SRA) and shall comply with the minimum standards of the California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, unless modified by more restrictive local ordinances and requirements.

34. Hazardous Fire Area

Purpose: To advise the Property Owner that the project is located within a Hazardous Fire Area and ensure compliance with California Building and Fire Codes.

Requirement: The Property Owner shall construct all structures to meet hazardous fire area building code requirements.

Documentation: A stamped copy of the approved building plans to be retained by the Building Department.

Timing: The Property Owner shall submit building plans to the Building Department for approval before the issuance of building permits.

Monitoring and Reporting: The VCFPD shall conduct a final inspection to ensure that the structure is constructed according to the approved hazardous fire area building code requirements. Unless a modification is approved by the VCFPD, the Property Owner, and their successors in interest, shall maintain the approved construction for the life of the structure.

Notice: For purposes of these conditions and application of Building and Fire Codes, the term "Hazardous Fire Area" includes the following as referenced in the CBC and VCFPD Ordinance: State SRA - Fire Hazard Severity Zone, Local Agency - Very-High Fire Hazard Severity Zone, Local Agency - Wildland-Urban Interface Fire Area (WUI Area), Local Agency - Hazardous Fire Area.

35. Fuel Modification Plans

Purpose: To reduce hazardous fuel loads surrounding a project or developments to provide wildfire protection.

Requirement: The Property Owner shall prepare a Fuel Modification Plan (FMP).

Documentation: A stamped copy of the approved Fuel Modification Plan (FMP).

Timing: The Property Owner shall submit a Fuel Modification Plan (FMP) to the VCFPD for approval before the start of construction.

Monitoring and Reporting: A copy of the approved Fuel Modification Plan shall be kept on file with the VCFPD. The VCFPD shall conduct a final inspection to ensure the Fuel Modification Zones are installed according to the approved FMP. The VCFPD shall conduct annual inspections through its Fire Hazard Reduction Program to ensure the Fuel Modification Zones are maintained according to the FMP. Unless a modification is approved by the VCFPD, the Property Owner, and their successors in interest, shall maintain the approved Fuel Modification Zones for the life of the development.

36. Fire Protection Plan

Purpose: To minimize and mitigate the fire problems created by the project with the purpose of reducing impact on the community's fire protection delivery system.

Requirement: The Property Owner shall prepare a Fire Protection Plan (FPP). The FPP shall be prepared by a qualified fire protection consultant as approved by the Ventura County Fire Protection District. The Property Owner, all land owners and any tenants shall abide by the approved FPP.

Documentation: A copy of the approved Fire Protection Plan (FPP).

Timing: The Property Owner shall submit a copy of the Fire Protection Plan (FPP) to the VCFPD for approval before the issuance of a building permit.

Monitoring and Reporting: A copy of the approved Fire Protection Plan shall be kept on file with the VCFPD.

37. Access Road Widths, Single Family Dwellings

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 Property Owner shall provide a minimum paved access road width of 15 feet for the single-family dwelling and 24 feet for the commercial barn.

Documentation: A stamped copy of the approved access plan.

Timing: The Property Owner 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 Property Owner, and their successors in interest, shall maintain the access for the life of the development.

38. 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 Property Owner shall provide a minimum 50 foot inside turning radius at all turns along the access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Property Owner 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 Property Owner, and their successors in interest, shall maintain the access for the life of the development.

39. 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 Property Owner 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:

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

Documentation: A stamped copy of the approved access plan.

Timing: The Property Owner 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 Property Owner, and their successors in interest, shall maintain the turnaround areas for the life of the development.

40. 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 Property Owner shall design and install all gates along required fire access roads/driveways consistent with Fire Protection District Standards. A minimum clear open width of 15 feet in each direction shall be provided for separate entry / exit gates and a minimum 20 for combined entry / exit gates. Roadway spikes of any type are prohibited. If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure (battery back-up), shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation.

Documentation: A stamped copy of the approved gate plans.

Timing: The Property Owner shall submit gate plans to the VCFPD for approval before the installation of any access gates. The submittal shall include a copy of zoning clearance issued by the Planning Department. A final acceptance inspection by the Fire District is required prior to placing any gate into service.

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 Property Owner, and their successors in interest, shall maintain the gates for the life of the development.

41. Address Numbers (Commercial, Industrial, Multi-Family Buildings)

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

Requirement: The Property Owner shall install a minimum of 10 inch address numbers that are a contrasting color to the background and readily visible at night. Brass or gold plated numbers shall not be used. Where structures are setback more than 150 feet from the street, larger numbers will be required so that they are distinguishable from the street. In the event the structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post. Individual unit numbers shall be a minimum of 4 inches in height and shall be posted at the front and rear entrance to each unit. Additional address directional signs may be required at common building entrances and stairways.

Documentation: A stamped copy of an approved addressing plan or a signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction".

Timing: The Property Owner shall install address numbers before final occupancy.

Monitoring and Reporting: A copy of the approved addressing plan and/or signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction" shall be kept on file with the VCFPD. The VCFPD shall conduct a final inspection to ensure that all structures are addressed according to the approved plans/form.

42. Fire Flow

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

Requirement: The Property Owner shall verify that the water purveyor can provide the required volume and duration at the project. The minimum fire flow required shall be determined as specified by the current adopted edition of the Ventura County Fire Code Appendix B with adopted Amendments and the applicable Water Manual for the jurisdiction (whichever is more restrictive).

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

Timing: Prior to map recordation, the Property Owner shall provide to the Fire District, verification from the water purveyor that the purveyor can provide the required fire flow. If there is no map recordation, the Property Owner 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.

43. Fire Hydrant(s)

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

Requirement: Prior to combustible construction on any parcel, a fire hydrant capable of providing the required fire flow and duration shall be installed and in service along the access road / driveway at a location approved by the Fire District. The owner of the combustible construction is responsible for the cost of this installation. The Property Owner shall submit plans to the Fire District for placement of fire hydrants. On plans, show existing hydrants within 500 feet of the development. Indicate the type of hydrants, number and size of outlets. On-site fire hydrants may be required as determined by the Fire District.

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

Timing: The Property Owner 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 Property Owner, and their successors in interest, shall maintain the fire hydrants for the life of the development.

44. Fire Sprinklers

Purpose: To comply with current California Codes and Ventura County Fire Protection District Ordinance and National Fire Protection Association (NFPA) 13 & 13D.

Requirement: The Property Owner shall be responsible to have an automatic fire sprinkler system installed in all structures as required by the VCFPD. The fire sprinkler system shall be designed and installed by a properly licensed contractor under California State Law.

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

Timing: The Property Owner shall submit fire sprinkler plans to the VCFPD for approval before the installation of the fire sprinkler system.

Monitoring and Reporting: A copy of the approved fire sprinkler plans shall be kept on file with the VCFPD. The VCFPD 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 VCFPD, the Property Owner, and their successors in interest, shall maintain the fire sprinkler system for the life of the development.

45. Fire Alarm

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

Requirement: The Property Owner 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: A stamped copy of the approved fire alarm plans.

Timing: The Property Owner 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 Property Owner, and their successors in interest, shall maintain the fire alarm system for the life of the development.

46. Fire Department Clearance

Purpose: To provide the Property Owner a list of all applicable fire department requirements for their project.

Requirement: The Property Owner shall obtain VCFD Form #610B "Requirements for Construction" for any new structures or additions to existing structures before issuance of building permits.

Documentation: A signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction."

Timing: The Property Owner shall submit VCFPD Form #610B Application to the VCFPD for approval before issuance of building permits.

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

DRAFT

INITIAL STUDY BIOLOGICAL ASSESSMENT

1000 Burnham Road

Ojai, CA 93023

Ventura County

APN 0320202075



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May, 2025

County of Ventura
Planning Director Hearing
12/18/2025
PL25-0061
Exhibit 6 - Initial Study Biological
Assessment prepared by DNL Consulting,
dated May 2025

INITIAL STUDY BIOLOGICAL ASSESSMENT
1000 Burnham Road
Ojai, CA 93023
Ventura County
APN 0320202075

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Appendices

Appendix A – Survey Area Photos

1 Summary

This Initial Study Biological Assessment (ISBA) report describes biological resources (vegetation, habitats, special status plant and wildlife species) on a 14.35-acre subject parcel (the Parcel) located approximately one mile southwest of Mira Monte, Ca within Ventura County (the County). The parcel is currently used for agriculture (a tree nursery), with a caretaker residence and barn proposed for development.

The project proponent is filing a Tentative Parcel Map application with the County as part of a proposal for a one-lot tentative subdivision map in order complete a Local Agency Formation Commission (LAFCo) annexation of the Parcel.

Land use surrounding the Parcel is mixed rural residential and agricultural. Although no important biological resources were identified within the Survey Area, the Ventura River provides important habitat connectivity for some terrestrial and aquatic wildlife species. Potential impacts to special status plants, wildlife and habitats were analyzed. With the implementation of various mitigation measures, project impacts are expected to be less than significant.

This report was prepared in reference to Ventura County's *Initial Study Assessment Guidelines* (2011), *Standards for Initial Study Biological Assessments* (2012) and the *Habitat Connectivity and Wildlife Corridor Ordinance 4537* (2019).

Parcel details:

- **Planning Dept. Project Number:** TBD
- **Property Address:** 1000 Burnham Road, Oak View, CA 93022
- **APN:** 0320202075
- **Zoning:** OS-20AC, TRU/DKS/HCWC
- **Survey Area:** 14.35 A
- **Construction Footprint:** 17,000 sf
- **Total Parcel area:** 14.35 A
- **Elevation:** 492 ft.
- **USGS quadrangle:** Matilija
- **Lat/Long:** 34.4175260, -119.3027600



Figure 1. Regional location. Parcel boundary in red.



Figure 2. Parcel overview. Imagery as of July, 2023.

2 Construction Footprint Description

Development Proposal Description

The Proposed Project includes construction of a one-story 10,600 square foot (sf) agriculture barn and a one-story 1,800 sf caretaker residence with a detached two car, 768 sf garage and workshop.

The Proposed Project also includes a one-lot subdivision map in order complete Local Agency Formation Commission (LAFCO) annexation of the 14.35 acre parcel and new site improvements consisting of compacted rock/base driveway areas, fire safety turnarounds and utilities installation.

A new bioretention drainage swale and other related improvements to dissipate, infiltrate and control stormwater flows on site are also proposed.

The total estimated development footprint is 0.39 acres (A) or 2.7 % of the Parcel area.

Construction Footprint Size: approx. 17,000 sf. Includes barn, residence, garage, covered porches and shade shelters.

Development Area Size: 0.39 A

Project Design for Impact Avoidance or Minimization: Construction footprint will be at least 50 feet (ft) from the outer edge of Ventura River riparian habitat.

Coastal Zone/Overlay Zones: Habitat Connectivity and Wildlife Corridor Overlay Zone

Zoning: OS-20AC, TRU/DKS/HCWC

Elevation: 492 feet above sea level (150 meters)

Construction Footprint Size	
Feature	Square Feet
Ag barn	10,600
Residence and garage	2,570
Covered porches, shade shelters	3,830
Total (approximate)	17,000

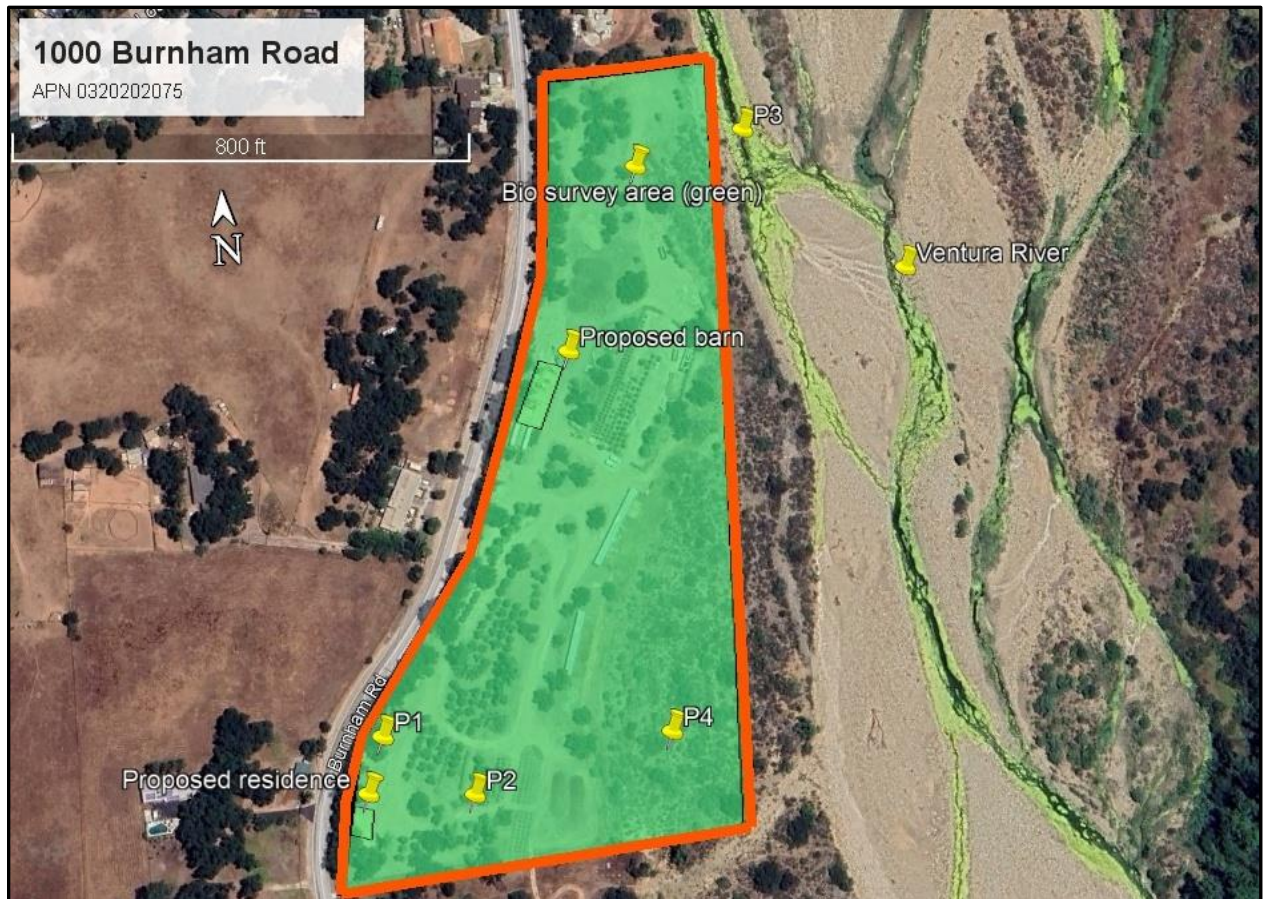


Figure 3. Site and Survey Map. Proposed barn and residence (yellow), survey area (green), parcel boundary (red), and photo locations at “P#”.

3 Survey Area Description and Methodology

Survey Area Description

The 14.35-acre Survey Area covered the entire parcel, including the proposed residence and barn sites. The Survey Area is near the west bank of the Ventura River, at an elevation of 492 ft . The area contains land mostly used as a commercial nursery with a small portion of native habitat located in the southeastern corner of the parcel. Please see **Figure 3**.

Cover

A portion of the Study Area (3.98 acres or 27.7% of the total) contained native vegetation where the dominant cover is laurel sumac (*Malosma laurina*) at 65% cover.

Survey Details

David N. Lee, Senior Biologist (Ventura County-approved) surveyed all portions of the Survey Area on February 21, 2025. Visual surveys were conducted for approximately 2 hours. Wildlife and plant species were identified and noted. The survey results were used to map vegetation and assess habitat quality for special status plants and wildlife. Photographs of the survey area and species of interest were taken. Focused / protocol-level surveys for special status wildlife or plants, jurisdictional delineations and hydrological surveys were not conducted.

Survey Date & Details							
Survey Key	Survey Date	Survey Area Map Key	Survey Type	Time Period	Methods/Constraints	GPS	Surveyors
KR1	2/21/2025	SA1	ISBA	9:00 am–11:30 am	Walking transects. The entire site was accessible.	GEODE GNS2 (sub-meter)	David Lee

Literature review

A desktop literature review was conducted to determine which special status species occur within ten (10) miles of the Parcel. The probability of occurrence was evaluated based on historical records and the Parcel's current land use. Online databases of special status plants and wildlife were reviewed, including the *California Natural Diversity Database* (CNDDB), *California Native Plant Society Inventory of Rare and Endangered Plants of California*, the U.S. Fish and Wildlife Service's *National Wetland Inventory and Information for Planning and Consultation* (2025). Also reviewed was *Ventura County's Locally Important Species lists* (2024-2025).

Figures

The figures in this report depict approximate boundaries and building locations based on GIS and field data. Figures are for biological evaluation only.

4 Biological Inventory

The following Biological Inventory of the Parcel provides detailed findings of our literature review and on-site survey for major plant communities, waters and wetlands, observed species, special status species with a potential to occur on site, and wildlife movement corridors in the area.

Major Plant Communities Summary

Plant communities within the Survey Area were classified to the alliance level using the *California Manual of Vegetation* (CNPS, 2025). Once classified, vegetation communities were mapped with GIS.

Laurel sumac (*Malosma laurina*) Shrubland Alliance

Stand size: 3.98 acres

Status: none

Malosma laurina is 65% relative cover and co-dominant with *Eriogonum fasciculatum*, *Salvia mellifera*, and *Sambucus nigra* in the < 5 m open shrub canopy. The herbaceous layer is grassy. Please see **Figure 4**.

Plant Communities								
Map Key	SVC Alliance	SVC Association	Misc.	Status	Condition	Acres Total	Acres Impacted	Comments
LS1	Laurel sumac (<i>Malosma laurina</i>) Shrubland Alliance	n/a	n/a	None	Intact	3.98	0	
Totals						3.98	0	

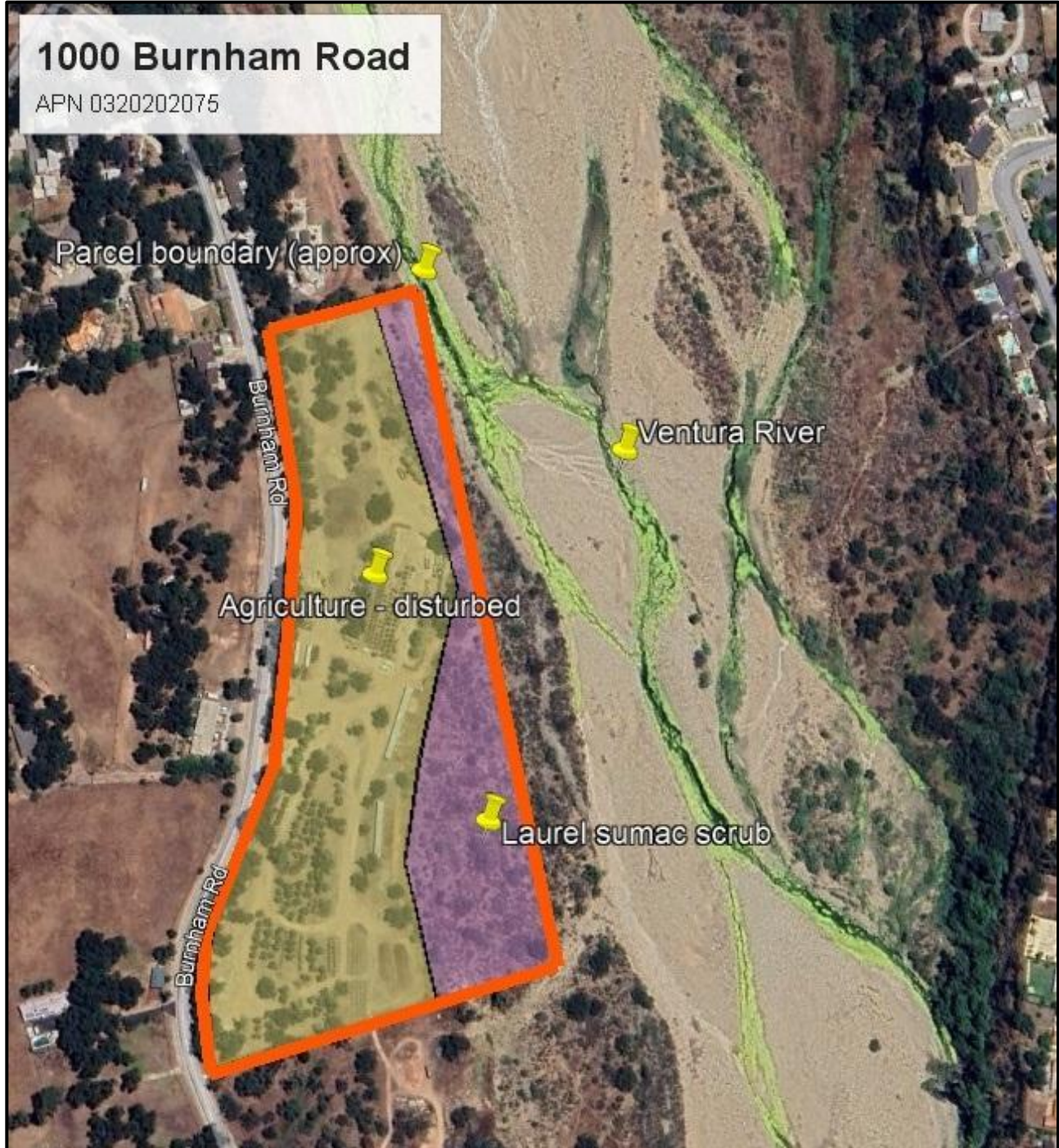


Figure 4. Native plant communities in the Survey Area.

Waters and Wetlands Summary

Wetland data on the Parcel was obtained from the US Fish and Wildlife (USFWS) online National Wetlands Inventory (USFWS, 2025). Jurisdictional delineations and hydrological surveys were not conducted. Please see **Figure 5**.

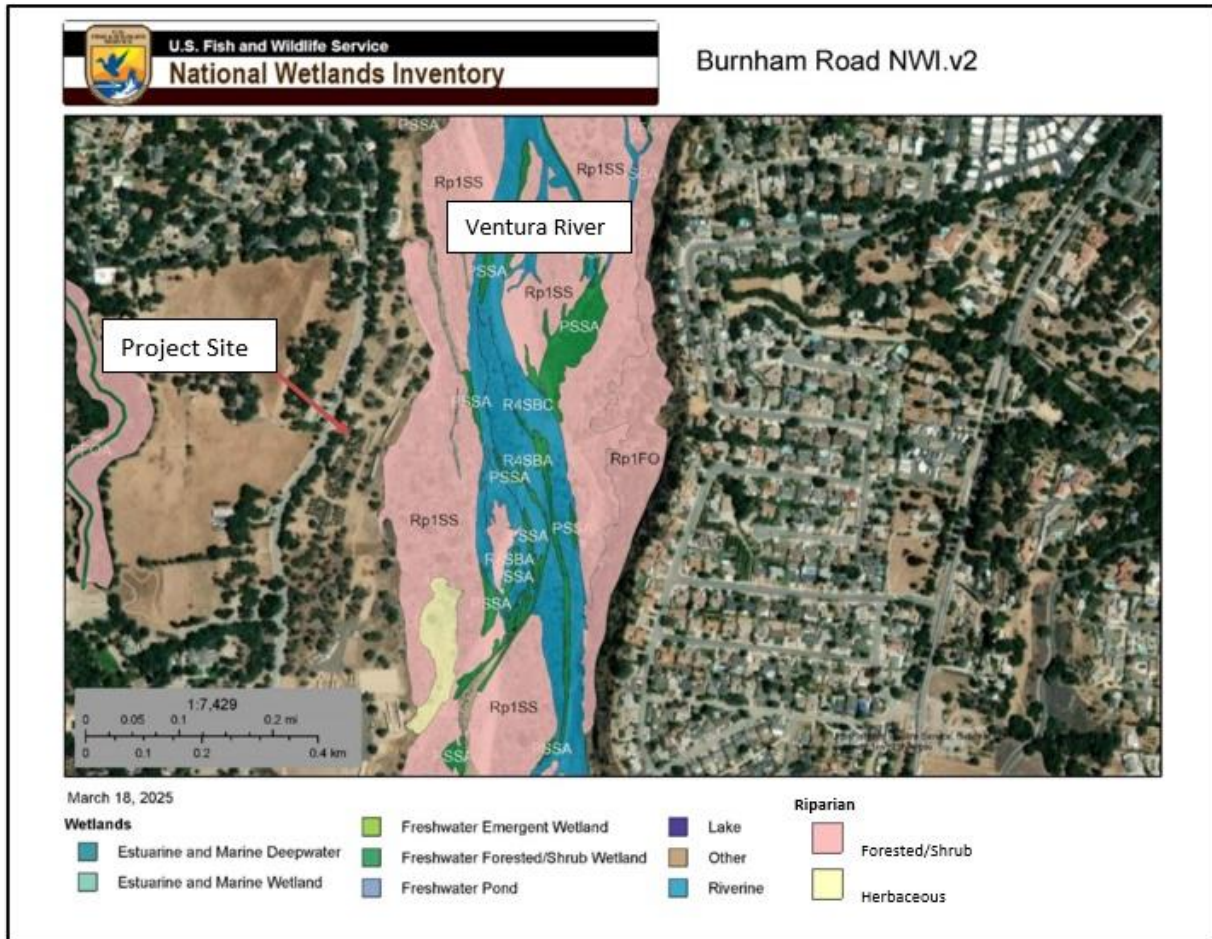


Figure 5. National Wetlands Inventory results.

Ventura River

Located to the east of the Parcel, this section of the Ventura River has sparse riparian vegetation. A few individual California sycamore (*Platanus racemosa*), coast live oak (*Quercus angustifolia*) and arroyo willow (*Salix lasiolepis*) grow sporadically along the riverbank, but there is a general lack of dominant riparian species typically associated with this habitat type in Southern California. Ventura River is designated a Southern California Steelhead Stream (CDFW, 2025).

The National Wetlands Inventory (NWI) identified this reach of the Ventura River as:

- **Wetland Type:** Forested/Shrub Wetland
- **Classification:** Rp1SS

Rp1SS is a type of riparian scrub-shrub adjacent to rivers where flooding is rare. This habitat type is generally found on banks above incised channels. At the time of our survey (February, 2025), this reach of the Ventura River was flowing with a pool depth of 1-2 ft. Please see **Photo 3**.

Wetland Buffers

We recommend implementing riparian setback to buffer sensitive biological resources associated with the Ventura River. All proposed development should occur well outside of the setback. Please see **Figure 6**.

Please see **Sections 5 and 6** for details on impacts and recommended mitigations.

Waters and Wetlands						
Map Key	Wetland Type	Wetland Name	Wetland Status (if known)	Wetland Size	Hydrologic Status	Primary Water Source
W1	Stream/drainage	Ventura River	n/a	1,345 linear feet in the Survey Area.	Flowing	Springs

Observed Species Tables

Fourteen plant species and 15 wildlife species were observed during the general site survey. No special status species were surveyed or observed. Please see Tables 1 and 2 for details.

Table 1. Plants Observed During Site Visit

Common Name	Scientific Name	Special Status (none if blank)
California sycamore	<i>Platanus racemosa</i>	
Coast live oak	<i>Quercus agrifolia</i>	
Scrub oak	<i>Quercus berberidifolia</i>	
Laurel sumac	<i>Malosma laurina</i>	
Toyon	<i>Heteromeles arbutifolia</i>	
Black sage	<i>Salvia mellifera</i>	
White sagebrush	<i>Artemisia ludoviciana subsp. incompta</i>	Ventura County Important Species
California walnut	<i>Juglans californica</i>	
Western elderberry	<i>Sambucus mexicana</i>	
Arroyo willow	<i>Salix lasiolepis</i>	
Mulefat	<i>Baccharis salicifolia</i>	
Coffee berry	<i>Rhamnus californica</i>	
Black mustard	<i>Brassica nigra</i>	Non-native
Wild oats	<i>Avena sp.</i>	Non-native
Olive	<i>Olea europaea</i>	Non-native / agricultural
Peruvian pepper	<i>Schinus molle</i>	Non-native / agricultural
Lodgepole pine	<i>Pinus contorta</i>	Non-native / agricultural

Table 2. Wildlife Observed During Site Visit

Common Name	Scientific Name	Special Status (none if blank)
Reptiles		
Western fence lizard	<i>Sceloporus occidentalis</i>	
Birds		
Western scrub-jay	<i>Aphelocoma californica</i>	
Bushtit	<i>Psaltirparus minimus</i>	
California thrasher	<i>Toxostoma redivivum</i>	
Yellow-rumped warbler	<i>Setophaga coronata</i>	
Oak titmouse	<i>Baeolophus inornatus</i>	
Western kingbird	<i>Tyrannus verticalis</i>	
Acorn woodpecker	<i>Melanerpes formicivorus</i>	
Nuttall's woodpecker	<i>Picoides nuttallii</i>	
White-crowned sparrow	<i>Zonotrichia leucophrys</i>	
Killdeer	<i>Charadrius vociferus</i>	
Mourning dove	<i>Zenaida macroura</i>	
Yellow-rumped warbler	<i>Setophaga coronata</i>	
Northern mockingbird	<i>Mimus polyglottos</i>	
Mammals		
Mule deer – 3 in orchard	<i>Odocoileus hemionus</i>	
California ground squirrel	<i>Otospermophilus beecheyi</i>	

Observed/Potential Special Status Species Table

A desktop literature review was conducted to determine which special status species occur within ten (10) miles of the Parcel. The probability of occurrence was evaluated based on historical records and the Parcel's current land use. Online databases of special status plants and wildlife were reviewed, including the *California Natural Diversity Database (CNDDDB)*, *California Native Plant Society Inventory of Rare and Endangered Plants of California*, the U.S. Fish and Wildlife Service *Information for Planning and Consultation* and *Ventura County's Locally Important Species lists (2024-2025)*. Please see **Table 3** for details.

Special status species are listed under the federal or California Endangered Species Acts and all other species tracked by the California Natural Diversity Database (CNDDDB), which are considered by the California Department of Fish and Wildlife to be those species of greatest conservation concern, and locally important species as defined by the Ventura County General Plan.

Special status plants

A 10-mile database search resulted in 28 special status plant species. These all have low potential to occur in project footprint since the area has been previously cleared of vegetation for agriculture. Two listed plant species are reported in the project vicinity; Coyote thistle (*Eryngium vaseyi*) and white sagebrush (*Artemisia ludoviciana* subsp. *incompta*).

Coyote thistle (*Eryngium vaseyi*) occurs in valley grassland and wetland/riparian habitats at elevations from sea level to 1,410 meters. Coyote thistle is included in Ventura County's Special Plants List. This species was not observed on the project site.

White sagebrush (*Artemisia ludoviciana* subsp. *incompta*) is found in shrublands below 3,500 m. A few individuals of this species were observed in the southeastern corner of the project site where no impacts are anticipated. White sagebrush is included in Ventura County's Special Plants List.

Special status wildlife

A 10-mile database search resulted in 26 special status wildlife species. None of these species were observed during the general site survey, and there is low potential for most of these to occur in the project footprint. Please see **Table 3** below for details.

Two listed wildlife species have been observed in this portion of the Ventura River and warrant further discussion.

California red-legged frog (*Rana draytonii*) are found in lowlands and foothills in or near permanent sources of deep water. CRLF are listed as federally threatened and a California species of special concern. These frogs require dense, shrubby or emergent riparian vegetation, a habitat type not observed along the Ventura River east of the Parcel.

Southern steelhead (*Oncorhynchus mykiss irideus* pop. 10) are found in most lower reaches of the Ventura River, depending on the rain year and season. Steelhead are listed as federally endangered and California endangered (candidate). Since the project footprint is located more than 50 feet from the edge of the Ventura River, there is no potential for steelhead to occur in the project footprint.

Critical habitat

The eastern portion of the property overlaps Critical Habitat for Southwestern willow flycatcher (*Empidonax traillii extimus*). However, SWFL require thick riparian vegetation with willow and other creekside shrubs, and no suitable SWFL habitat was observed in the Study Area.

Designated wildlife corridors

The Parcel is located within a Ventura County designated wildlife corridor. Based on the County's *Habitat Connectivity and Wildlife Corridor* regulations, some mitigations will be required. Please see **Figure 6** and **Sections 5 and 6**.

Table 3. Potentially Occurring Special Status Species

* None observed. Source: CNDDDB, 10-mile search 3-17-25.

Scientific Name	Common Name	Status	Potential to Occur	Habitat Requirements
Plants				
<i>Calochortus plummerae</i>	Plummer's mariposa-lily	CNPS 4.2	Low - no native habitat in the project footprint.	Chaparral, Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Valley & foothill grassland
<i>Fritillaria ojaiensis</i>	Ojai fritillary	CNPS 1B.2	Low - no native habitat in the project footprint.	Broadleaved upland forest, Chaparral, Cismontane woodland, Lower montane coniferous forest, Ultramafic
<i>Calochortus fimbriatus</i>	late-flowered mariposa-lily	CNPS 1B.3	Low - no native habitat in the project footprint.	Chaparral, Cismontane woodland, Riparian woodland, Ultramafic
<i>Muhlenbergia utilis</i>	aparejo grass	CNPS 2B.2	Low - no native habitat in the project footprint.	Chaparral, Cismontane woodland, Coastal scrub, Marsh & swamp, Meadow & seep, Ultramafic
<i>Nolina cismontana</i>	chaparral nolina	CNPS 1B.2	Low - no native habitat in the project footprint.	Chaparral, Coastal scrub, Ultramafic
<i>Sagittaria sanfordii</i>	Sanford's arrowhead	CNPS 1B.2	Low - no native habitat in the project footprint.	Marsh & swamp, Wetland
<i>Imperata brevifolia</i>	California satintail	CNPS 2B.1	Low - no native habitat in the project footprint.	Chaparral, Coastal scrub, Meadow & seep, Mojavean desert scrub, Riparian scrub, Wetland

<i>Centromadia parryi ssp. australis</i>	southern tarplant	CNPS 1B.1	Low - no native habitat in the project footprint.	Marsh & swamp, Salt marsh, Valley & foothill grassland, Vernal pool, Wetland
<i>Chaenactis glabriuscula var. orcuttiana</i>	Orcutt's pincushion	CNPS 1B.1	Low - no native habitat in the project footprint.	Coastal bluff scrub, Coastal dunes
<i>Lasthenia glabrata ssp. coulteri</i>	Coulter's goldfields	CNPS 1B.1	Low - no native habitat in the project footprint.	Alkali playa, Marsh & swamp, Salt marsh, Vernal pool, Wetland
<i>Layia heterotricha</i>	pale-yellow layia	CNPS 1B.1	Low - no native habitat in the project footprint.	Cismontane woodland, Coastal scrub, Pinon & juniper woodlands, Valley & foothill grassland
<i>Horkelia cuneata var. puberula</i>	mesa horkelia	CNPS 1B.1	Low - no native habitat in the project footprint.	Chaparral, Cismontane woodland, Coastal scrub
<i>Navarretia ojaiensis</i>	Ojai navarretia	CNPS 1B.1	Low - no native habitat in the project footprint.	Chaparral, Coastal scrub, Valley & foothill grassland
<i>Quercus dumosa</i>	Nuttall's scrub oak	CNPS 1B.1	Low - no native habitat in the project footprint.	Chaparral, Closed-cone coniferous forest, Coastal scrub
<i>Astragalus didymocarpus var. milesianus</i>	Miles' milk-vetch	CNPS 1B.2	Low - no native habitat in the project footprint.	Coastal scrub
<i>Aphanisma blitoides</i>	aphanisma	CNPS 1B.2	Low - no native habitat in the project footprint.	Coastal bluff scrub, Coastal dunes, Coastal scrub

<i>Caulanthus lemmonii</i>	Lemmon's jewelflower	CNPS 1B.2	Low - no native habitat in the project footprint.	Pinon & juniper woodlands, Valley & foothill grassland
<i>Atriplex coulteri</i>	Coulter's saltbush	CNPS 1B.2	Low - no native habitat in the project footprint.	Coastal bluff scrub, Coastal dunes, Coastal scrub, Valley & foothill grassland
<i>Atriplex pacifica</i>	south coast saltscale	CNPS 1B.2	Low - no native habitat in the project footprint.	Alkali playa, Coastal bluff scrub, Coastal dunes, Coastal scrub
<i>Navarretia peninsularis</i>	Baja navarretia	CNPS 1B.2	Low - no native habitat in the project footprint.	Chaparral, Lower montane coniferous forest, Meadow & seep, Pinon & juniper woodlands
<i>Lonicera subspicata</i> var. <i>subspicata</i>	Santa Barbara honeysuckle	CNPS 1B.2	Low - no native habitat in the project footprint.	Chaparral, Cismontane woodland, Coastal scrub
<i>Delphinium umbraculorum</i>	umbrella larkspur	CNPS 1B.3	Low - no native habitat in the project footprint.	Chaparral, Cismontane woodland
<i>Monardella hypoleuca</i> ssp. <i>hypoleuca</i>	white-veined monardella	CNPS 1B.3	Low - no native habitat in the project footprint.	Chaparral, Cismontane woodland
<i>Aphyllon epigalium</i> ssp. <i>notocalifornicum</i>	Southern California galium broomrape	CNPS 1B.3	Low - no native habitat in the project footprint.	Cismontane woodland, Lower montane coniferous forest, Riparian forest
<i>Streptanthus campestris</i>	southern jewelflower	CNPS 1B.3	Low - no native habitat in the project footprint.	Chaparral, Lower montane coniferous forest, Pinon & juniper woodlands

<i>Sidalcea neomexicana</i>	salt spring checkerbloom	CNPS 2B.2	Low - no native habitat in the project footprint.	Alkali playa, Chaparral, Coastal scrub, Lower montane coniferous forest, Mojavean desert scrub, Wetland
<i>Lepidium virginicum</i> var. <i>robinsonii</i>	Robinson's peppergrass	CNPS 4.3	Low - no native habitat in the project footprint.	Chaparral, Coastal scrub
<i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i>	Ventura Marsh milkvetch	FE, SE, CNPS 1B.1	Low - no native habitat in the project footprint.	Coastal dunes, Coastal scrub, Marsh & swamp, Salt marsh, Wetland
Animals				
<i>Bombus crotchii</i>	Crotch's bumble bee	CEC	Low - no native habitat in the project footprint.	Coastal California east to the Sierra-Cascade crest and south into Mexico.
<i>Danaus plexippus plexippus</i> pop. 1	monarch - California overwintering population	FTP	Low - no native habitat in the project footprint.	Closed-cone coniferous forest
<i>Eucyclogobius newberryi</i>	tidewater goby	FE, AFS-EN	Low - no suitable habitat in the project footprint.	Aquatic, Klamath/North coast flowing waters, Sacramento/San Joaquin flowing waters, South coast flowing waters
<i>Oncorhynchus mykiss irideus</i> pop. 10	steelhead - southern California DPS	FE, CEC	Low - no aquatic habitat within 200 ft. of the project footprint.	Aquatic, South coast flowing waters
<i>Gila orcuttii</i>	arroyo chub	SSC	Low - no aquatic habitat within 200 ft. of the project footprint.	Aquatic, South coast flowing waters

<i>Aspidoscelis tigris stejnegeri</i>	coastal whiptail	SSC	Low – no native habitat within 200 ft. of the project footprint.	Found in deserts and semi-arid areas with sparse vegetation and open areas. Also found in woodland and riparian areas.
<i>Phrynosoma blainvillii</i>	coast horned lizard	SSC	Low – no native habitat within 200 ft. of the project footprint.	Chaparral, Cismontane woodland, Coastal bluff scrub, Coastal scrub, Desert wash, Pinon & juniper woodlands, Riparian scrub, Riparian woodland, Valley & foothill grassland
<i>Anniella spp.</i>	California legless lizard	SSC	Low – no native habitat within 200 ft. of the project footprint.	Variety of habitats; generally in moist, loose soil. They prefer soils with a high moisture content.
<i>Salvadora hexalepis virgultea</i>	coast patch-nosed snake	SSC	Low – no native habitat within 200 ft. of the project footprint.	Coastal scrub
<i>Thamnophis hammondi</i>	two-striped gartersnake	SSC	Low – no native habitat within 200 ft. of the project footprint.	Marsh & swamp, Riparian scrub, Riparian woodland, Wetland
<i>Actinemys pallida</i>	southwestern pond turtle	FTP, SSC	Low – no native habitat within 200 ft. of the project footprint.	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation.
<i>Rana boylei</i> pop. 6	foothill yellow-legged frog - south coast DPS	FE, CE	Low – no native habitat within 200 ft. of the project footprint.	Aquatic, Riparian forest, Riparian scrub, Riparian woodland, South coast flowing waters
<i>Rana draytonii</i>	California red-legged frog	FT, SSC	Low – no native habitat within 200 ft. of the project footprint.	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.

<i>Taricha torosa</i>	Coast Range newt	SSC	Low – no native habitat within 200 ft. of the project footprint.	Lives in terrestrial habitats and will migrate over 1 km to breed in ponds, reservoirs and slow moving streams.
<i>Setophaga petechia</i>	yellow warbler	SSC	Low – no native habitat within 200 ft. of the project footprint.	Riparian forest, Riparian scrub, Riparian woodland
<i>Athene cunicularia</i>	burrowing owl	CEC, SSC, BCC	Low – no native habitat within 200 ft. of the project footprint.	Coastal prairie, Coastal scrub, Great Basin grassland, Great Basin scrub, Mojavean desert scrub, Sonoran desert scrub, Valley & foothill grassland
<i>Agelaius tricolor</i>	tricolored blackbird	CT, SSC, BCC	Low – no native habitat within 200 ft. of the project footprint.	Freshwater marsh, Marsh & swamp, Swamp, Wetland
<i>Vireo bellii pusillus</i>	least Bell's vireo	FE, CE	Low – no native habitat within 200 ft. of the project footprint.	Riparian forest, Riparian scrub, Riparian woodland
<i>Gymnogyps californianus</i>	California condor	FE, CE, FP	Low – no native habitat within 200 ft. of the project footprint.	Chaparral, Valley & foothill grassland
<i>Charadrius nivosus nivosus</i>	western snowy plover	FT, SSC	Low – no native habitat within 200 ft. of the project footprint.	Great Basin standing waters, Sand shore, Wetland
<i>Poliophtila californica californica</i>	coastal California gnatcatcher	FT, SSC	Low – no native habitat within 200 ft. of the project footprint.	Coastal bluff scrub, Coastal scrub
<i>Antrozous pallidus</i>	pallid bat	SSC	Low – no native habitat within 200 ft. of the project footprint.	Chaparral, Coastal scrub, Desert wash, Great Basin grassland, Great Basin scrub, Mojavean desert scrub, Riparian woodland, Sonoran desert scrub, Upper montane coniferous forest, Valley & foothill grassland

<i>Choeronycteris mexicana</i>	Mexican long-tongued bat	SSC	Low – no native habitat within 200 ft. of the project footprint.	Pinon & juniper woodlands, Riparian scrub, Sonoran thorn woodland
<i>Eumops perotis californicus</i>	western mastiff bat	SSC	Low – no native habitat within 200 ft. of the project footprint.	Chaparral, Cismontane woodland, Coastal scrub, Valley & foothill grassland
<i>Neotoma lepida intermedia</i>	San Diego desert woodrat	SSC	Low – no native habitat within 200 ft. of the project footprint.	Coastal scrub
<i>Taxidea taxus</i>	American badger	SSC	Low – no native habitat within 200 ft. of the project footprint.	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils.
Abbreviations: FE – Federally Endangered FT – Federally Threatened FEP - Federally Endangered Proposed FTP - Federally Threatened Proposed CE – California Endangered CT – California Threatened SSC – Species of Special Concern (California Department of Fish and Wildlife) FP – Fully Protected CNPS – California Native Plant Society BCC - Bird of Conservation Concern (USFWS) CEC - California Endangered Candidate CTC - California Threatened Candidate			Listed habitats (CDFW) <ul style="list-style-type: none"> - Southern California Coastal Lagoon - Southern California Steelhead Stream - Southern Sycamore Alder Riparian Woodland - Southern Coast Live Oak Riparian Forest - California Walnut Woodland 	

4 BIOLOGICAL INVENTORY (cont'd)

Nesting bird summary

There is moderate potential for nesting birds to occur in the project footprint due to the presence of some isolated coast live oaks and Western sycamores. Please see the Impacts and Mitigations sections for further discussion.

Wildlife Movement and Connectivity Features

The Ventura River is included on Ventura County's Habitat Connectivity and Wildlife Corridors Map. The river serves as a corridor for wildlife movement and habitat connectivity. Please see **Figure 6**.

Connectivity Features							
Map Key	Type of Connectivity Feature	Description	Species Observed	Evidence	Functional Group/Species Expected	Habitats Connected	Comments
W1	Corridor	Ventura River	Mule deer	HCWC map	Large and medium-sized mammals, amphibians, fish.	Topatopa Mountains – Coast Range	No observable barriers in the Study Area or adjacent.

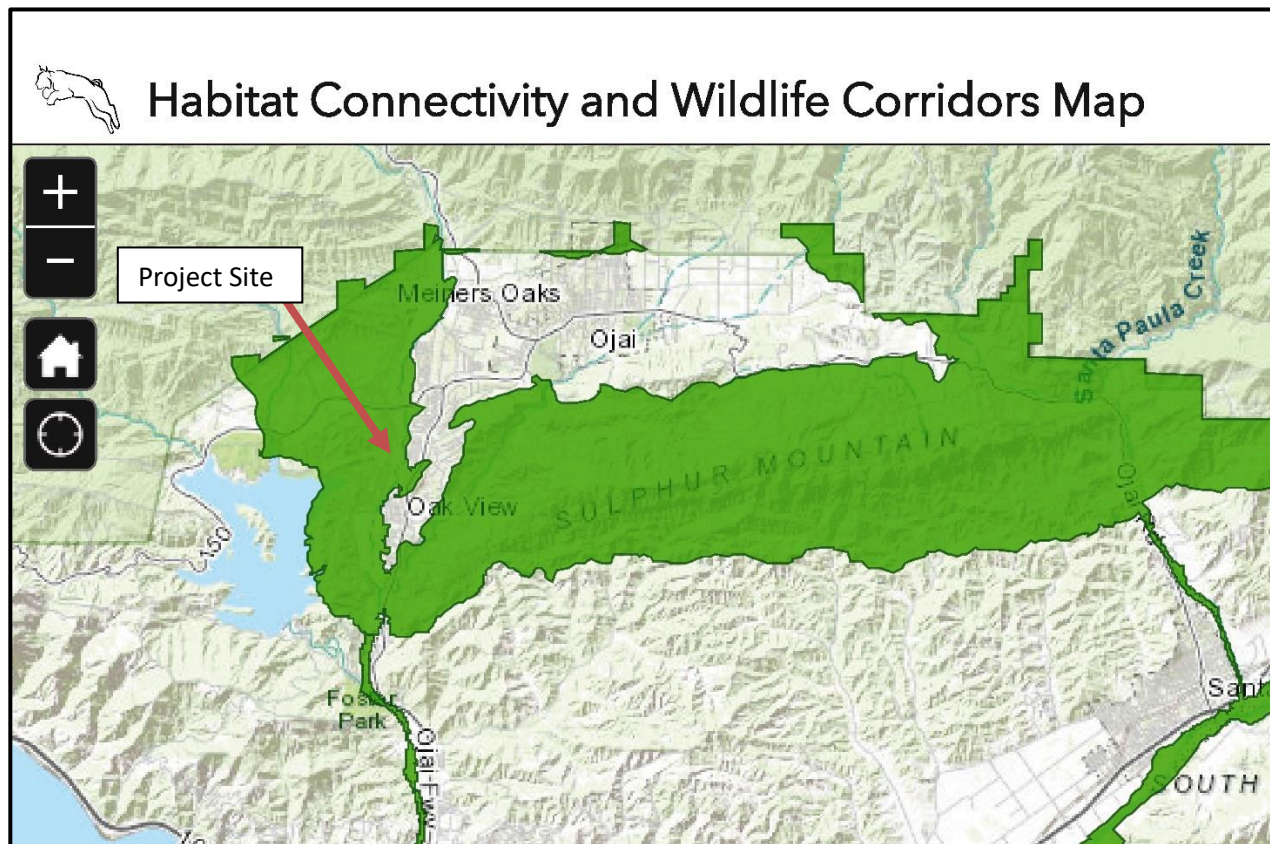


Figure 6. Ventura County's Habitat Connectivity and Wildlife Corridors Map.

5 Impact Assessment

State CEQA Guidelines provide the County with general direction for the evaluation of biological resource impacts as a part of the environmental review of proposed projects. Potential adverse effects of the project on biological resources within the Parcel are evaluated below using threshold guidelines provided in the County's *Initial Study Assessment Guidelines* (Ventura County, 2011) and the *Standards for Initial Study Biological Assessments* (Ventura County Planning Division, 2012).

The significance of each impact is given as either No Impact, Less than Significant, Potentially Significant But Mitigable, or Potentially Significant.

In Southern California, riparian habitat often contains relatively higher densities of listed plant and animal species. Located east of Parcel, the western bank of the Ventura River has a notable lack of riparian habitat due to hydrological scouring (see **Photo 3**).

Listed Plant and Animal Species

A project will have a direct or indirect physical impact to a plant or animal species if it directly or indirectly reduces a species' population, reduces a species' habitat, increases habitat fragmentation, or restricts reproductive capacity. Potential impacts to nesting birds and other species are discussed below.

Impact BIO-1 Nesting birds

Nesting bird habitat within the project footprint is limited to some isolated coast live oaks and Western sycamore around the proposed residence and barn sites. Although not currently planned, if tree trimming or removal is required, impacts on nesting birds can be mitigated by either avoiding the nesting season or conducting surveys for active nests before construction begins. Please see Mitigation Measures below for details.

Impacts on nesting birds is considered to be **Less Than Significant** with implementation of the Mitigation Measures listed below.

Cumulative Impacts

No cumulative impacts to species are anticipated.

Impact BIO-2 Special Status Plant and Animal Species

The development footprint is located outside of the proposed Ventura River setback, and no riparian habitat will be impacted by the project. **No Impact** is expected to special status plants and animals if outdoor night light regulations are followed (see below). A few individual plants associated with riparian habitat were observed: Laurel sumac (*Malosma laurina*) shrubland is the dominant vegetation type along this reach of the Ventura River. California sycamore (*Platanus racemosa*) and arroyo willow (*Salix lasiolepis*) were observed growing sporadically along the west bank, but there are no dominant riparian shrub or woodlands typically associated with riverine habitat in Southern California.

The Southern California/Central California Coast Ecologically Significant Unit of mountain lion (*Puma concolor*) is a candidate as a threatened or endangered species under the California Endangered Species Act (CDFW, 2024). Mountain lion likely use the Ventura River as a corridor for movement and habitat connectivity. Impacts to this species are not expected with implementation of a setback along the west bank of the Ventura River.

Cumulative Impacts

No cumulative impacts to species are anticipated.

Impact BIO-3 Sensitive Plant Communities

Impacts to sensitive plant communities are considered potentially significant if construction, grading, clearing, or other activities temporarily or permanently removes all or part of the community. No sensitive plant communities were identified within the project footprint, and **No Impact** is expected. No disturbance is anticipated in the southeast corner of the parcel that contains a few California white sagebrush.

Cumulative Impacts

No cumulative impacts to sensitive plant communities are anticipated.

Waters and Wetlands

Project impacts to *waters and wetlands* are considered potentially significant if any of the following activities take place in the wetland or drainage: removal of vegetation, grading, obstruction or diversion of water flow, placement of fill, placement of structures, and construction of a road crossing. Potential impacts to waters and wetlands on the project site are discussed below.

Laurel sumac (*Malosma laurina*) shrubland is the dominant vegetation type along this reach of the Ventura River. A few individual shrubs and trees associated with riparian habitat were observed growing sporadically along the west bank of the Ventura River, but there are no dominant riparian shrub or woodlands typically associated with riverine habitat in Southern California.

Impact BIO-4 Waters and Wetlands

The proposed project is expected to have **No Impact** on “Waters of the U.S” under jurisdiction of CDFW, the US Army Corps of Engineers (USACE) or the Regional Water Quality Control Board (RWQCB) with implementation of the Ventura River setback.

Cumulative Impacts

No cumulative impacts to waters or wetlands are anticipated.

Habitat Connectivity

A project would impact habitat connectivity if it would: (a) remove habitat within a wildlife movement corridor; (b) isolate habitat; (c) construct or create barriers that impede fish and/or wildlife movement, migration or long-term connectivity; or (d) intimidate fish or wildlife via the introduction of noise, light, development or increased human presence. The Ventura River is a known wildlife movement corridor and is discussed in detail below.

Impact BIO-5 Wildlife Movement

Ventura River is included in Ventura County’s Habitat Connectivity and Wildlife Corridors Map and can be considered a wildlife corridor. No development or fencing will occur within the Ventura River setback.

The project would not remove any habitat within the wildlife movement corridor, isolate habitat or create a barrier to movement. Potential impacts to wildlife movement from night lights can be mitigated, and noise impacts are not expected since only one a single-family residence is proposed.

Therefore, impacts to wildlife movement are considered to be **No Impact** with implementation of the Mitigation Measures listed below.

Cumulative Impacts

No cumulative impacts to wildlife movement corridors are anticipated.

6 Mitigation Measures

The Mitigation Measures proposed in this section are intended to reduce, if not eliminate impacts of the proposed project. They are based on our general survey, a review of aerial photographs, and a literature review for sensitive habitats and special status species. These measures were developed in reference to the County's *Initial Study Assessment Guidelines* (Ventura County, 2011) and the *Standards for Initial Study Biological Assessments* (Ventura County Resource Management Agency, 2012).

MM BIO-1 Nesting birds

Purpose: Most nesting birds are protected by state and federal laws. Vegetation clearing, including brush removal, tree trimming, or tree removal may impact nesting birds. However, vegetation clearing is not planned or anticipated for this project. If this changes, mitigations such as a nesting bird survey may be required for work during the nesting bird season.

Requirement: None currently; subject to change if vegetation removal occurs during the nesting season.

Documentation: If nesting bird surveys are required, a qualified biologist will submit a nesting bird survey report to the County within 30 days of the survey.

Timing: If required, nesting bird surveys should be conducted within 30 days of vegetation clearing during the nesting bird season (Jan 1 – Sept. 1).

Monitoring and Reporting: A qualified biologist will monitor any active bird nests and submit a nesting bird survey report to the County within 30 days of the survey.

Mapped Information: n/a

MM BIO-2 Special Status Plant and Animal Species

Purpose: This section of the Ventura River may contain aquatic species such as Southern steelhead and California red-legged frog. The Southern California/Central California Coast Ecologically Significant Unit of mountain lion (*Puma concolor*) is a candidate as a threatened or endangered species under the California Endangered Species Act (CDFW, 2024). Mountain lion likely use the Ventura River as a corridor for movement and habitat connectivity.

Requirement

MM BIO-2a: For aquatic and semi-aquatic species, maintain a setback (from top-of-bank) on the west bank of the Ventura River. For mountain lion (*Puma concolor*), implement MM BIO-4b and MM BIO-5 to maintain the integrity of the Ventura River wildlife movement corridor.

MM BIO-2b: Outdoor night-lighting regulations that address fixture brightness and shielding apply to new development. Some outdoor lights need to be turned off between 10:00 pm and sunrise or when people are no longer present, except for *essential lighting* (e.g., those used for walkways), which can be left on.

Documentation: Per County request.

Timing: Outdoor night lighting in compliance with County regulations installed at time of construction.

Monitoring and Reporting: Per County request.

Mapped Information: Figure 7, M-1

MM BIO-3 Sensitive Plant Communities

Purpose: The intentional planting of **invasive plants** is prohibited unless they are being planted as commercial agricultural crops or grown as commercial nursery stock. An “invasive plant” is any species of plant included on the California Invasive Plant Council *Invasive Plant Checklist for California Landscaping*. During our survey, no sensitive plant communities or invasive plants were identified within the project footprint or on the entire parcel. Avoid disturbing white sagebrush in the southeastern corner of the property (outside of the development footprint).

Requirement: Please do not plant any new non-agricultural invasive plants.

Documentation: Per County request.

Timing: n/a

Monitoring and Reporting: Per County request.

Mapped Information: n/a

MM BIO-4 Waters and Wetlands

Purpose: The proposed project is located near the west bank of the Ventura River. While the project footprint is well away from the bank, certain mitigation measures are recommended to minimize impacts from construction an occupied residence (e.g. lighting) to this major drainage and wildlife corridor.

Requirement:

MM BIO-4a: Implement a setback from top-of-bank along the west bank of the Ventura River. This buffer will serve as mitigation to protect the drainage from development impacts. See **Figure 7**.

MM BIO-4b: Bright outdoor night lights pointed toward the Ventura River may impact riparian and aquatic wildlife. Therefore, all outdoor lighting should be the lowest intensity possible, and aimed away from the river. See the County’s *Habitat Connectivity and Wildlife Corridor Ordinance 4537* regulations for detailed lighting requirements. Outdoor lighting plans should be included in the project site plans, as applicable.

MM BIO-4c: Development within a *surface water feature* may require a discretionary permit. No such permit is anticipated for this project since the development footprint is west of the Ventura River setback.

Documentation: Clear placement and labeling of the Ventura River setback on all site plans, where applicable. Other documentation per County request

Timing: The setback shall be marked in the field before construction begins.

Monitoring and Reporting: County to confirm the required elements above are included in the site plans.

Mapped Information: Figure 7, Mitigation Map, MM-1 for the Ventura River setback.

MM BIO-5 Wildlife Movement

Purpose: The Parcel is located within a Ventura County designated wildlife corridor and is subject to the County's *Habitat Connectivity and Wildlife Corridor Ordinance 4537* regulations (Ventura County Resource Management Agency, 2019).

Requirement: Implement a disturbance-free setback from the Ventura River west bank (top-of-bank) to help protect the wildlife corridor. In addition, no fencing will be installed across the river or parallel to the river within the setback. Implementing MM BIO-4b (above) will offset wildlife movement impacts from night lighting.

Documentation: Within the project footprint, the Ventura River setback boundary should be clearly marked on all site plans and construction blueprints. Outdoor lighting plans should also be included in the site plans.

Timing: Where needed for reference, the setback boundary should be clearly marked in the field before construction begins.

Monitoring and Reporting: County to confirm the required elements above are included in the site plans.

Mapped Information: Figure 7, Mitigation Map, MM-1 for the Ventura River setback.



Figure 7. Mitigation Map. M-1 is the 50 ft setback (orange).

7 Conclusion

This report has identified potential and existing biological resources on the subject Parcel. The Ventura River is an important resource adjacent to the property. The river is a likely wildlife corridor for several mid- to large mammals, including the Southern California/Central California Coast Ecologically Significant Unit of mountain lion (*Puma concolor*) – a candidate species under the California Endangered Species Act . Potential impacts of the project have been analyzed, and mitigation measures will result in no, or less than significant impacts to these resources.

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Appendix A Survey Area Photos



Photo 1 (Map Key P1). The Survey Area and site of the proposed residence. Note commercial olive trees on the left, coast live oak on the right. View looking northeast.



Photo 2 (Map Key P2). Commercial olives within the Survey Area near the proposed residence, southwest corner of the Parcel. View looking west.



Photo 3 (Map Key P3). Ventura River surface flow, pool depth 1-2 ft. Feb. 21, 2025. View looking north.



Photo 4 (Map Key P4). Native habitat in the southeast corner of the Parcel. View looking north.

EXHIBIT 7 - CONSISTENCY WITH THE GENERAL PLAN FOR TENTATIVE PARCEL MAP NO. PL25-0061, GONZALEZ

The approval of the tentative parcel map and recordation of a parcel map bring the property into compliance with the Subdivision Map Act. Pursuant to the California Government Code Section 66499.35(b), a local agency may impose any conditions that would have been applicable to the division of the property at the time the applicant acquired his or her interest therein. The illegal subdivision of the lot was identified in 1967 and the illegal subdivider transferred ownership to another in 1975. The June 17, 1963, General Plan and June 1973 Open Space and Conservation General Plan Elements were in effect when the illegal subdivider transferred ownership to another in 1977.

Evaluated below is the consistency of the proposed subdivision with the applicable policies of the June 17, 1963, General Plan and June 1973 Open Space and Conservation General Plan Elements. Note, although the project site is located within the Ojai Valley Area Plan boundary, the Area Plan was not adopted until 1989.

- 1. 1963 General Plan Policy Objective:** *To accommodate the anticipated surge of population growth in such a manner as to afford maximum conveniences and amenities in both urban and agricultural ways of life. To foster local community identity, and to minimize urban sprawl, congestion and decay.*

Staff Response: The proposed request includes the legalization of the 14.35-acre lot. Development is not proposed, and the size of the lot will not change as a result of the proposed subdivision. The uses that were allowed under the 1963 General Plan and 1973 Conservation and Open Space Elements anticipate growth by adopting development standards and subdivision designs that minimize urban sprawl, congestion and decay. In this case, the residential density of the Rural Exclusive 10-acre zone of one dwelling unit per 10 acres was the means of implementing this policy. Based on the above discussion, the project is consistent with this General Plan Policy / Objective.

- 2. 1963 General Plan Policy Objective:** *To maintain a sound and diversified economic base composed of a balance of: A. Industry, B. Commerce, C. Agricultural production, D. Recreation services.*

Staff Response: The project site is in an open space area that supports a variety of recreational, residential and agricultural type uses. For instance, Forest Home camp is immediately west of the project site and provides recreational opportunities for adults and youth. Lake Casitas Recreation area is about 2.9 miles west of the site and provides recreational amenities for the public. The site has been used for animal husbandry for over 40 years and agriculture for the past 4 years. The proposed subdivision and reasonably foreseeable development will continue to support these General Plan agriculture and recreation policies. Industrial and commercial uses are along North Ventura Avenue, more than 5 miles east of the project site. These types

of uses are not allowed to occur on open space zoned land. The proposed legalization of the lot will not adversely affect these uses as no new development is proposed at this time. Based on the above discussion, the project is consistent with this General Plan Policy / Objective.

- 3. 1963 General Plan Policy Objective:** *To group urban development in communities in order that urban services may be provided at minimum community expense.*

1963 General Plan Policy Objective: *To encourage development of a wide choice of different living environments as offered by the variety in the natural character of the County.*

Staff Response: According to the County of Ventura Resource Management Agency GIS Viewer (2024) urban areas with residential uses are located immediately north of the project site, and about 0.15 miles south of the project site. Both areas are connected to the public sewer system operated by Ojai Valley Sanitation and domestic water is provided by the Ventura River Water District. The proposed legalization of the lot will not be adversely affected, as these service providers have indicated that they have the capacity to provide water and sewer connection to the project site, pending approval from the Ventura Local Action Formation Commission (LAFCo) for annexation into their respective districts.

Although the site has been used for animal husbandry for over 40 years and agriculture for the past 4 years, future development of the site could include a variety of recreational, residential and agricultural type uses, such as a single-family dwelling or continued agricultural use of the property. Based on the above discussion, the project is consistent with these General Plan Policies / Objectives.

- 4. 1963 General Plan Policy Objective:** *To provide community facilities that would stimulate an active community cultural life.*

Staff Response: The proposed legalization of the lot would not conflict with an existing or proposed community facilities. Lake Casitas Recreation area is about 2.9 miles west of the site and also provides recreational amenities for the public. The Oak View Community Center is also about 1.9 miles southeast of the project site. There are also various public trails, schools, and parks within 2 miles of the project site. Future development of the site could include a variety of recreational, residential and agricultural type uses, such as a single-family dwelling or continued agricultural use of the property, which would not adversely impact these community facilities. Based on the above discussion, the project is consistent with this General Plan Policy / Objective.

- 5. 1963 General Plan Policy Objective:** *Conservation of valuable resources of: A. Scenic areas, B. Open space for future needs, C. Prime agricultural land.*

1973 General Plan Open Space Element Objective: *Examine open space areas as shown on site plans in order to maintain the acceptable environmental balance between buildable areas and open space.*

1973 General Plan Open Space Element Objective: *Study land areas in general as to open space possibilities with retention of agricultural land use where possible.*

Staff Response: The project site is not located within an identified scenic resource area or within the Scenic Resource Protection overlay zone. The project site is also not on prime agricultural land. The project site is located in an open space area that supports a variety of recreational, residential and agricultural type uses. Although the site has been used for animal husbandry for over 40 years and agriculture for the past 4 years, future development of the site could include a variety of recreational, residential and agricultural type uses, such as a single family dwelling or continued agricultural use of the property. Based on the above discussion, the project is consistent with these General Plan Policy / Objective.

- 6. 1963 General Plan Policy Objective:** *To stimulate greater citizen awareness of County growth problems and opportunities, and greater participation in the action programs that recognize these matters.*

Staff Response: The project site is located within the Ojai Valley Municipal Advisory Council (OVMAC) review area, which is overseen by Ventura County Board of Supervisor's District 1 Board Office. The intent of the OVMAC is to increase citizen participation in County government on issues pertaining to the unincorporated portions of the Ojai Valley. The MAC reviews and comments on land use and development issues and County public works projects in the unincorporated areas of the Ojai Valley. On July 16, 2025, the project was sent to the District 1 Board office for review and comment. The Board Office declined to bring the proposed project before the OVMAC. Based on the above discussion, the project is consistent with this General Plan Policy / Objective.

- 7. 1973 General Plan Open Space Element Objective:** *Examine seismic hazard areas, mudslide, landslide and earthquake faults for possible relation to project area site.*

Staff Response: The site is not located within an identified landslide area. According to Resource Management Agency GIS (2024), a fault is located in the southeast corner of the property adjacent to the Ventura River. Future development of the site would be more than 500 feet to the northwest of the fault line (Exhibit 3). The project site is in an area susceptible to liquefaction. The western bank of the river has a dry-stack rock levee constructed by the U.S. Army Corps of Engineers and there is an existing gap in the levee approximately 380 feet downstream of the north property line, which allows sheet flow drainage to enter the Ventura River and prevents the accumulation of mud and debris onsite. The levee also prevents high river waters from breaching the levee. Therefore, future development of the site will be protected from

flooding onsite. In addition, road drainage from upslope is directed through four inlet structures located at the road gutter, which limits runoff and debris from entering the site. Based on these existing design protections and the location of future development adjacent to Burnham Road, the potential for a mudslide to adversely impact the site is negligible. Based on the above discussion, the project is consistent with this General Plan Policy / Objective.

CIVIL ENGINEERING CONCEPT AND DESIGN COMMENTARY FOR PROPOSED DEVELOPMENT

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SECTION 1 EXISTING SITE AND HYDROLOGY ASSESSMENT

The proposed development site is a 14.35 acre parcel of undeveloped land located within the Ventura River watershed, 10,566 feet downstream of Precipitation Station 218 (Meiner's Oaks-County Fire Station). It shares a 1,450 foot long border with the Western bank of the river. The Eastern boundary line of the property/ Western bank of the river has a dry-stack rock levee constructed by the U.S. Army Corps of Engineers and the levee remains intact. An existing gap in the levee occurs approximately 380 feet downstream of the North property line which allows sheetflow drainage to enter the river but has a lapping levee which prevents high river waters from breaching the levee.

Approximately 128,202 sq. ft. (2.94 ac.) of the property is designated regulatory floodway. Burnham Road abuts the property to the West. Road drainage from upslope is directed through four inlet structures located at the road gutter. Beginning from the North end of the property they are an 18"x 36" drop inlet connected to a 24" diameter corrugated metal pipe (CMP), a 24"x 24" drop inlet connected to a 16" CMP, a 24"x 24" drop inlet connected to a 16" CMP, and an 18"x 30" drop inlet connected to a 24" CMP. All storm drains discharge water onto the project site at the toe of the road embankment.

North and South of the project site are residential uses. Current use of the property is agricultural nursery overflow storage. No public access or sales occur on the property. Previous uses on the property included livestock boarding. Livestock pens and shelters remain on the property but are not used.

Run-on from the storm drains from Burnham Rd. would be assumed to contain petroleum based chemicals and hydro-carbons and is not being detained to allow percolation into the aquifer.

Site topography is flat to gently sloping to the South and the elevation is approximately eight to ten feet above the adjacent riverbed. The current landowner has owned and observed the property for over a decade and has not experienced any breaching of the levee even through the recent historically high rainfall years.

Although the soil type found on and beneath the property can generally be described as Group A alluvium mixed with river cobbles providing high percolation and infiltration rates, potential pollutants from run-on referenced above could risk adverse impact to the aquifer and therefore is not being detained or retained onsite to allow absorption into the ground.

SECTION 2. PROPOSED SITE DESIGN CONCEPT

Site development has been designed to achieve the maximum separation distance possible between proposed structures and the Ventura River. Proposed grading is required to meet County Base Flood Elevation (BFE) plus 1 foot requirement and to avoid the need for impervious road surfaces due to slope limitations only.

SECTION 3. PROPOSED IMPERMEABLE SURFACES

Proposed design minimizes impermeable surfaces to the maximum extent feasible. All driveway surfaces are to be permeable gravel on road base. Driveway slopes have been modified to meet Ventura County Fire Development Standards without the need of paved surfaces. Per the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures (2011), existing impervious surfaces have been calculated as 3,300 square feet of existing livestock pens. Proposed development includes 16,560 square feet of roof surface, 1,642 square feet of decks and patios and 1,040 square feet of swimming pool surface. Runoff from a 0.75" storm event is calculated as 1,427 cubic feet.

SECTION 4. PROPOSED DRAINAGE DESIGN CONCEPT

To reduce the Effective Impervious Area (EIA) to less than or equal to 5%, the proposed design retains 95% of impervious runoff onsite (1,356 cubic feet or 10,141 gallons). This is achieved through the use of a rain harvesting system with three underground storage tanks of 5,000 gallons each.

Rock-lined channels will convey the run-on from Burnham Road downstream of the proposed development and back to the historical path presently followed. Detention of the water is not considered suitable per discussions above.

Additional infiltration of suitable permeable runoff is provided via a FloWell infiltration well with an EZflow French drain by NDS. All detention and retention devices will utilize overflow drains to rip-rap outfalls to disperse and slow flow into the historical flow pattern. All inlet structures will be provided with "Drains to Ocean" warnings per County standards.

Runoff from permeable driveway surfaces is to be treated by two bio-filtration fields provided with plants to filter, slow and absorb runoff.

SECTION 5. POTENTIAL SOURCES OF POLLUTANTS

Bacterial pollutants are not anticipated as the proposed development will be connected to the existing public sewer system. Chemical pollutants from insect control, fertilizers, etc. are anticipated to be low as the agricultural use of the property is for large trees, not insect-vulnerable fruits or vegetables. Runoff from swimming pool splash-over and proposed lawn area is to be diverted from the rain harvesting devices and allowed to sheet-flow to historical drainage pattern. Lawn area has been used sparingly with a coverage of 930 square feet or 0.15% of the property. Sediment will be limited by the use of rock-lined channels, bio-filtration channels and rip-rap velocity reducers.

SECTION 6. PROPOSED GRADING

As discussed above, grading has been limited to the extent feasible. Where possible, proposed development has been sited in areas where BFE plus 1 foot is obtainable without removal and recompaction of the existing soils. Due to the site's proximity to the river bed, high concentrations of river cobbles are anticipated to be encountered during grading operations. To facilitate proper engineered fill the cobble-bearing soils will require removal and separation of the cobbles in preparation of fill operations. The river cobbles may be retained on site and used for rock channels and landscape features however it is expected that the volume loss will require the import of 4,045 cubic yards of soil.

The only other feature requiring grading will be the entrance driveway which presently exceeds the slope limit for unpaved driveways per Ventura County Fire Development Standards.

SECTION 7. SUMMARY AND CONCLUSION

Based on the above design approach concepts and review and adherence to the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures, Low Impact Development (LID) guidelines, Best Management Practices and following of standard practices for development, we feel that the proposed design development package adequately mitigates possible adverse impacts of the proposed development to surrounding resources, habitats and biology.

Sincerely,

Mark D. Braun, CE
Braun and Associates, Inc. Civil Engineer