

**CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING
PROGRAM (MMRP) FOR MAJOR MODIFICATION CONDITIONAL USE PERMIT
(CUP) CASE NO. PL21-0091**

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. Project Description

This Major Modification Conditional Use Permit (CUP) is based on and limited to compliance with the project description stated in this condition below, Exhibits 2 through 6 of the Planning Director hearing on January 12, 2023, and conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

Major Modification to a Conditional Use Permit to extend the life of the existing CUP for an additional 20-year time period, expand the current paintball and airsoft operations previously approved, and add a mud run event area.

Airsoft and Paintball Operations: Expand CUP boundary and parking facilities to increase maximum occupancy from 250 people per day to 450 people per day. Paintball/Airsoft events would not take place on days when mud run events would also be taking place. Hours of operation for Airsoft/Paintball operations would be Saturday and Sunday, 9:00 AM to 4:00 PM.

Mud Run Events: Proposed addition of a mud run event area. Mud run events would be limited to a maximum of 1000 people per day, which include staff and vendors. Participants for the mud run events would choose between 3 time slots per day. Each time slot would be limited to a maximum of 300 participants each day. Ten employees would staff mud run events. Two Emergency Medical Technicians (EMT's) would be on site to provide medical assistance if needed. Vendors, media, and spectators would be limited to 88 per day. Hours of operation for mud run events would be Saturday and Sunday, 7:00 AM to 4:00 PM. Mud run events would be limited to a maximum of 3 per year for a total of 6 days per calendar year.

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

2. Days and Hours of Operation

Purpose: In order to for the proposed use to be compatible with the surrounding agricultural operations and residential dwellings in the area of the project site, it is necessary to limit the days and hours of operation of the approved use.

Requirement: The operation of the approved use shall be limited to:

Paintball/Airsoft Operations	Hours
Saturday & Sunday	9:00 am to 4:00 pm
Reserved weekday and holiday events	9:00 am to 4:00 pm
Mud Run Events	Hours
Saturday and Sunday	7:00 am to 4:00 pm

The Permittee shall post the hours of operation in an obvious location that can be seen by customers and the general public. The signage must be made of weatherproof and permanent material and comply with the *Ventura County Non-Coastal Zoning Ordinance* (Article 10).

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

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

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

3. Site Maintenance

Purpose: To ensure that the modified CUP area is maintained in a neat and orderly manner so as not to create any hazardous conditions or unsightly conditions which are visible from outside the CUP area, the Permittee shall maintain the site in compliance with the CUP conditions of approval.

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

Meshing and Chain Link Fence: The Permittee shall ensure that all paintballs remain on site so that damage on offsite properties will not occur. This shall be accomplished by the installation of mesh material along the 6-foot-high chain link fence that is located on the western property line. Twelve-foot-high meshing shall also be installed and maintained around the parking area. The Permittee shall maintain the meshing around the parking area and the mesh fencing on the chain link fence throughout the life of the permit.

Setback Area: A 50-foot setback area from the western property line shall be maintained throughout the life of the permit. All activities related to the paintball facility shall not occur within the setback area.

Graffiti: All structures, walls and fences open to public view shall remain free of any markings, drawings or signage that does not directly relate to the airsoft and paintball facility, or any markings that do not provide pertinent information about the facility. In the event that any markings, drawings or signage occur onsite that does not directly relate to the facility, the Permittee shall remove or cover the markings, drawings or signage within 24 hours of such occurrence. Paint used to cover the markings shall be of a color that matches adjacent surfaces.

Documentation: The Permittee shall maintain the Project site in compliance with Condition No. 1 and the approved plans for the Project.

Timing: The Permittee shall maintain the Project site in a neat and orderly manner and in compliance with Condition No. 1 throughout the life of the Project.

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

4. CUP Modification

Prior to undertaking any operational or construction-related activity which is not expressly described in these conditions, the Permittee shall first contact the Planning Director to determine if the proposed activity requires a modification of this CUP. The Planning Director may, at the Planning Director's sole discretion, require the Permittee to file a

written and/or mapped description of the proposed activity in order to determine if a CUP modification is required. If a CUP modification is required, the modification shall be subject to:

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

5. Construction Activities

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

6. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and/or commencement of construction and/or operations under this CUP shall constitute the Permittee's formal agreement to comply with all conditions of this CUP. Failure to abide by and comply with any condition of this CUP shall constitute grounds for enforcement action provided in the Ventura County Non-Coastal Zoning Ordinance (Article 14), which shall include, but is not limited to, the following:

- a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- b. Suspension of the permitted land uses (Condition No. 1);
- c. Modification of the CUP conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Revocation of this CUP.

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

7. Time Limits

- a. Use inauguration:

- (1) The approval decision for this CUP becomes effective upon the expiration of the 10-day appeal period following the approval date on which the Planning Director rendered the decision on the Project, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for Use Inauguration in order to initiate the land uses set forth in Condition No. 1.
 - (2) This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for Use Inauguration within one year from the date the approval decision of this CUP becomes effective. The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for Use Inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.
 - (3) Prior to the issuance of the Zoning Clearance for Use Inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for Use Inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.
- b. Permit Life or Operations Period: This CUP will expire on January 12, 2043. The lack of additional notification of the expiration date provided by the County to the Permittee shall not constitute grounds to continue the uses that are authorized by this CUP after the CUP expiration date. The uses authorized by this CUP may continue after the CUP expiration date if:
- (1) The Permittee has filed a permit modification application pursuant to § 8111-6 of the Ventura County Non-Coastal Zoning Ordinance prior to January 12, 2043; and
 - (2) The County decision-maker grants the requested modification.

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

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

Purpose: To ensure compliance with, and notification of, federal, state, and/or local government regulatory agencies that have requirements that pertain to the Project

(Condition No. 1, above) that is the subject of this CUP and the completion of Mitigation and Monitoring Reporting Program.

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

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

Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for Use Inauguration or as dictated by the respective agency.

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

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

Purpose: To ensure full and proper notice of these CUP conditions affecting the use of the subject property.

Requirement: Unless otherwise required by the Planning Director, the Permittee shall notify, in writing, the Property Owner(s) of record, contractors, and all other parties and vendors who regularly conduct activities associated with the Project, of the pertinent conditions of this CUP.

Documentation: The Permittee shall present to the Planning Division staff copies of the conditions, upon Planning Division staff's request.

Timing: Prior to issuance of a Zoning Clearance for Use Inauguration and throughout the life of the Project.

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

10. Recorded Notice of Land Use Entitlement

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

Requirement: The Permittee shall sign, have notarized, and record with the Office of the County Recorder, a “Notice of Land Use Entitlement” form furnished by the Planning Division and the conditions of this CUP, with the deed of the property that is subject to this CUP.

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

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

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

11. Financial Responsibility for Compliance Monitoring and Enforcement

- a. **Cost Responsibilities:** The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Non-Coastal Zoning Ordinance (§ 8114-3) related to this CUP. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.
- b. **Establishment of Revolving Compliance Account:** Pursuant to the requirements of CUP Case No. LU11-0030, the Resource Management Agency created Condition Compliance Case No. CC12-0053 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding CUP Case No. LU11-0030. The Planning Division will continue to use Condition Compliance Case No.

CC12-0053 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 11.a (above), and any duly-imposed civil administrative penalties regarding this CUP Case No. PL21-0091.

Within 10 calendar days of the effective date of the final decision approving this CUP, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC12-0053, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.

- c. Billing Process: The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to timely pay an invoice shall subject the Permittee to late fees and charges set forth in the Planning Division Fee Schedule, and shall be grounds for suspension, modification, or revocation of this CUP. The Permittee shall have the right to challenge any charge or penalty prior to payment.
- d. Inspections: The Permittee, in accepting this Conditional Use Permit, grants permission for County Staff to make unannounced inspections of all, or any, events for condition compliance purposes.

12. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this CUP. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.

- c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this CUP, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.
- d. Neither the issuance of this CUP, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

13. Invalidation of Condition(s)

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

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

14. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for the Project have the option of referring any and all special studies that these conditions require to an independent and

qualified consultant for review and evaluation of issues beyond the expertise or resources of County staff.

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

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 14 below, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

15. Relationship of CUP Conditions, Laws, and Other Entitlements

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

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

The Permittee shall obtain a business tax certificate and regulatory licenses for the operation of the paintball, airsoft, and mud run event center.

16. Contact Person

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

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP.

Documentation: The Permittee shall provide the Planning Director with the contact information (e.g., name and/or position title, address, business and cell phone numbers, and email addresses) of the Permittee's field agent who receives all orders, notices, and communications regarding matters of condition and code compliance at the Project site.

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

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

17. Change of Permittee

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

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

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

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

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

18. Construction Noise

Purpose: In order for this project to comply with the *County of Ventura Construction Noise Threshold Criteria*, the Permittee shall limit the hours of construction noise.

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

Documentation: The Permittee shall post a sign stating these restrictions in a conspicuous on-site location visible to the general public. The sign must provide a telephone number of the site foreman, or other responsibly person that controls activities on the jobsite, for use for complaints from the affected public.

Timing: The sign shall be installed prior to, and throughout site preparation activities. The Permittee shall maintain a "Complaint Log," noting date, time, complainant's name, nature of the complaint, and any corrective action taken.

Monitoring and Reporting: The Permittee shall provide photo documentation showing posting of the required signage to the Planning Division prior to the commencement of site preparation activities.

19. Removal of Facility for Abandonment of Use and/or Expiration of Permit

Purpose: In compliance with §8111-2.8 and §8111-6.2 of the *Ventura County Non-Coastal Zoning Ordinance* and in order to ensure that the use of the subject property remains compatible with existing and potential uses of other property within the general area, the paintball facility shall be removed if this CUP expires or if the facility is abandoned.

Requirement: Upon the expiration of this permit, or abandonment of the use¹, the Permittee shall:

- a. notify the County that the Permittee has discontinued the use of the facility;
- b. remove the facility and all appurtenant structures;

¹ The facility shall be considered to be abandoned if it has not been in use for 12 continuous months.

- c. restore the premises to the conditions existing prior to the issuance of the permit, as nearly as practicable, as determined by the Planning Director;
- d. provide an estimate for the removal cost of the facility, prepared by a licensed contractor; and,
- e. file a financial security in an amount equal to the removal of the facility with the Resource Management Agency's Operations Division.

Documentation: The estimate for the removal cost of the facility and the financial security to remove the facility.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall post a financial security with the County in an amount commensurate with the cost of facility removal. The financial security may be released by the County once the facility is removed. The Permittee shall complete the notification, removal, and restoration activities within 30 days of the expiration of this permit, or abandonment of the use, unless the Permittee requests, and the Planning Director grants (in writing), additional time to do so.

Monitoring and Reporting: Evidence of the payment of the financial security shall be provided to the Planning Division for the project file. The Planning Division has the authority to conduct periodic site inspections to ensure compliance with this condition consistent with the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*. The Planning Division will release the financial security upon receipt of evidence acceptable to the Planning Director that the facility has been removed.

20. Availability of Parking

Purpose: To ensure compliance with all applicable provisions in §8108-3 of the *Ventura County Non-Coastal Zoning Ordinance*, the Permittee shall provide onsite parking for the paintball/airsoft facility and mud run events.

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

Documentation: The Permittee shall provide photo documentation of the condition of the parking area upon request of the Planning Director.

Timing: The Permittee shall provide the photo documentation upon request of the Planning Director at any time during the effective term of this permit.

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

21. Maximum Daily Customer Volume Monitoring

Purpose: In order to ensure that the number of customers of the facility do not exceed 450 people in any one day for paintball/airsoft operations or 300 per time slot for mud run events, (consistent with Condition of Approval No. 1 (Project Description)), additional record keeping and compliance monitoring is required.

Requirement: The Permittee shall monitor and record the number of customers that arrive at or use the facility. The Permittee shall also fund up to three (0 to 3) compliance monitoring inspections per year. These inspections include the periodic inspection mandated by the County Non-Coastal Zoning Ordinance. These monitoring inspections may be unannounced, conducted by County staff or County-managed consultant, and shall assess compliance through an independent count of all customer arrivals and departures on the day of the inspection. Should a disagreement arise, the definition of the term “customer” shall be determined by the Planning Director. The inspections shall be funded by the Permittee through the deposit account established under Condition 11 (Condition Compliance, Enforcement, and Other Responsibilities) of this CUP.

Documentation: The Permittee shall maintain the record of customer counts as a public document available for inspection or copying upon request. A complete copy of this record shall be provided annually to the County Planning Division. The results of the compliance monitoring inspections shall be maintained in the project file.

Timing: Prior to the Zoning Clearance for use inauguration, the Permittee shall submit the compliance review deposit and reimbursement agreement to the Planning Division.

Monitoring and Reporting: County staff shall monitor compliance of this facility with the conditions of approval through site inspections and in response to public complaints. County staff shall maintain a record of the monitoring inspections of the subject facility in the project file.

22. Maximum Daily Customer Volume Notification

Purpose: In order to inform the public that the subject facility is limited to maximum of 450 customers in any one day for paintball/airsoft operations and 300 per time slot for

mud run events, (consistent with Condition of Approval No. 1 (Project Description), the Permittee shall post this limitation on the project site and on any advertising for the facility.

Requirement: The Permittee shall take the following actions to notify the public of the person limit on customers of this facility:

- a. A sign shall be erected at the facility entrance that states: ***“This facility is limited to a maximum number of customers in any one day. Regardless of the time of day or the number of people currently on the site, this facility shall close to new customers once the maximum number has arrived. Advance reservations are encouraged.”***
- b. A notification similar to the sign required in “a” above, shall be affixed to the desk or kiosk or other station where money is collected from customers.
- c. The facility website or any other advertising associated with the subject facility shall prominently display the language specified for the sign in “a” above.

Documentation: The Permittee shall submit a proposed sign design (i.e. size, location and graphics) to the Planning Director for review and approval. The Permittee shall provide photographic documentation that demonstrates the approved sign has been installed and that the other actions listed above have been taken.

Timing: The Permittee shall submit the photographic documentation to the Planning Division prior to the issuance of the Zoning Clearance for Use Inauguration. The above requirements shall remain in effect for the effective term of the Conditional Use Permit.

Monitoring and Reporting: County staff shall monitor compliance of this facility with the conditions of approval through site inspections and in response to public complaints. County staff shall maintain a record of the submitted documentation in the project file.

23. Trash and Recycling Storage Area

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

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

Documentation: A copy of the approved site plan.

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

Monitoring and Reporting: The Planning Division maintains a copy of the approved site plan in the project file. The Planning Division has the authority to inspect the site to ensure that the enclosures are constructed as illustrated on the approved plans prior to occupancy. The Planning Division has the authority to periodically inspecting the site to ensure that the trash enclosures are maintained consistent with the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

Environmental Health Division (EHD) Conditions

24. The storage, handling, and disposal of any potentially hazardous material must be in compliance with applicable state regulations.

PUBLIC WORKS AGENCY (PWA)

Transportation Department Conditions

25. Mitigation Measure Traffic Control Plan

Purpose: In order to ensure public safety during the Mud Run Events, the applicant/permittee shall have an approved Traffic Control Plan (TCP) and Encroachment Permit (EP).

Requirement: The Mud Run Events have the potential to temporarily cause a substantial increase in the traffic on adjacent roads near the Mud Run Events; therefore, the TCP and EP are required.

- a. Contact the VCPWA-RT Permits Section, by phone at (805) 654-2055 or by e-mail at pwa.transpermits@ventura.org, for the requirements of the TCP and EP. The application shall be submitted to the VCPWA-RT.
- b. The applicant/permittee shall provide adequate parking on-site. No parking shall be allowed on any local county public road.
- c. The applicant/permittee shall post temporary "No Parking" signs on Shekell Road two (2) hours before the event, during the event, and two (2) hours after the event.
- d. The maximum number of Mud Run Events is 12 per year.
- e. The maximum number of attendees is 1000 per event. The maximum number of employees is 10 employees per event. The maximum number of service trucks is 1 service truck per event.

- f. The applicant as part of the TCP requirements, the applicant/permittee shall keep a log of the total number of vehicles for each event. The annual average along with all logs shall be included for the following year's renewal of the TCP.
- g. The Traffic Control Plan shall be updated every year and brought up to current standards and safety requirements.
 - I. The Traffic Control Plan shall be prepared by a License Civil Engineer in the State of California, signed, and stamped.
 - II. The TCP shall state the maximum number of people at the site
 - III. Use trained and qualified traffic control officers and/or off-duty safety officers.
 - IV. Use advance warning signs and Changeable Message Signs (CMS).
 - V. Provide each officer with communication devices to control traffic volumes exiting the parking lot on to Shekell Road, Grimes Canyon (SR23), and Broadway Road, creating gaps in traffic to allow for local circulation.
 - VI. The traffic control plan shall include the encroachment permit from both the County of Ventura and Caltrans.
 - VII. Other appropriate measures required by the County Permits Engineer, County Traffic Engineer, and the engineer preparing the TCP.

Documentation: The TCP shall be prepared by a License Civil Engineer in the State of California, signed, and stamped. Annual logs of the total number of vehicles for each event.

Timing: The first TCP shall be completed and approved by VCPWA-RT prior to zoning clearance and issuance of the CUP. Each year the TCP shall be renewed through VCPWA-RT.

Monitoring and Reporting: The VCPWA-RT will review the TCP, and EP application, and supporting documentation. (TD-3, RMA-137)

26. Mitigation Measure Encroachment Permit

Purpose: The current right-of-way width on Shekell Road ranges from 40 to 67 feet wide. An Encroachment Permit is required for any work conducted within the County Road right-of-way, for example but not limited to, signage and material for traffic control, people directing traffic, driveways improvements, road improvements, utility installation,

planter walls, and landscaping and any construction related storage in the County Road right-of-way.

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

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

An Encroachment Permit with Caltrans is required for the traffic control on Grimes Canyon, SR 23. The applicant/permittee shall contact Caltrans and obtain an encroachment permit for at least the needs for the traffic control plan.

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

Timing: This condition shall be met prior to the issuance of the approval of the Traffic Control Plan.

Monitoring and Reporting: The VCPWA-RT will review the application and supporting documentation. The VCPWA-RT Inspectors the traffic control and verify that the plan is performed, and completed, in accordance with the Traffic Control Plan and Encroachment Permit. (TD – 9, RMA – 143)

27. Traffic Impact Mitigation Fee:

Purpose: To address the cumulative adverse impacts of traffic on the Regional Road Network, Ventura County Area Plan Goals and Policies, and Ventura County Ordinance Code, Division 8, Chapter 6, require that the VCPWA-RT collect a Traffic Impact Mitigation Fee (TIMF).

Description of Requirement: The Permittee shall deposit with the VCPWA-RT a TIMF. The TIMF is calculated based on the applicant's information and traffic study. The TIMF may be adjusted for inflation at the time of deposit in accordance with the latest version of the Engineering News Record Construction Cost Index. Based on the applicant's information:

The TIMF due to the County of Ventura will be:

$$\$1,628.25 = 75 \text{ ADT} \times \$21.71^{(2)} / \text{ADT}$$

Increase in ADT

$$75.10 \text{ ADT} = 152.31 \text{ ADT} - 77.21 \text{ ADT}$$

Proposed Total ADT

$$152.31 \text{ ADT}^{(1)} = 118.71 \text{ ADT} + 33.60 \text{ ADT}$$

Paintball

118.71 ADT – 92 event days per year. With 10 employees, 450 attendees, and 0.5 service truck per event day.

Mud Run

33.60 ADT – 12 event days per year. With 10 employees, 1,000 attendees, and 1 service truck per event day.

Existing ADT Paintball

77.21 ADT – 104 event days per year. With 10 employees, 250 attendees, and 0.5 service truck per event day.

Notes:

1. The trips generated by the project shall be used as the baseline level so that the TIMF may be computed for future increases in the trip generation. Based on the applicant's information, the baseline level will be 152.31 average daily trips (ADT) (TD - 4, RMA – 138).
2. County TIMF for the Average Daily Trip in the Moorpark Area District #4.
3. The TIMF due to the City of Moorpark will not be collected. The reciprocal agreement between the City and the County allows for the collection of Traffic Mitigation Fee based on the City's "normal procedures" or based on Traffic Impact Mitigation Fee (TIMF) Program adopted by the City. The City of Moorpark has not confirmed what the "normal procedure" is or adopted a TIMF program. Until either the City Council adopts the required TIMF Program and establishes the rate or the City can provide information showing how the City's normal procedures comply with the requirement to adopt a TIMF Program, the County will discontinue collecting the City reciprocal TIMF for projects approved by the County.

Documentation: The applicant/permittee shall either come to the VCPWA-RT counter or contact the VCPWA-RT Permits Section by phone at (805) 654-2055 or e-mail at pwa.transpermits@ventura.org, fill out the TIMF form, and pay the TIMF. The

applicant/permittee shall provide a copy of the Conditions of Approval for the project. The fee will not be collected without sufficient documentation.

Timing: This condition shall be met prior to the issuance of Zoning Clearance for Use Inauguration, whichever comes first.

Monitoring and Reporting: The VCPWA-RT will review and approve the payment of the TIMF. (TD – 1, RMA – 135)

Watershed Protection District (WPD) Conditions

County Stormwater Program Section

28. Site Layout for Stormwater Protection

Purpose: To ensure that periodic sporting events do not pose a risk to surface water quality through the accidental release of trash or untreated sewage into adjacent watercourses (e.g., the concrete drainage channel running through the site), or the deposition of paintballs in the drainage channel, as required by the County Stormwater Quality Management Ordinance (Ordinance No. 4450) and the Los Angeles Regional Water Quality Control Board NPDES Municipal Stormwater Permit, No. CAS004002 (Permit).

Requirement: The Site Plan shall be revised to re-locate the portable restrooms and trash bins away from on-site drainage channels. The revised Site Plan shall indicate that the portable restrooms and trash bins have been moved to a more suitable location. The Site Plan shall also be revised to include physical barriers to prevent airborne paintballs from entering the drainage channels from adjacent playfields.

Documentation: The revised Site Plan shall indicate the new locations of the portable restrooms and trash bins, which shall be away from on-site drainage channels. The revised Site Plan shall also include details of the location and type of barrier for the physical barrier to protect drainage channels from airborne paintballs.

Timing: Prior to the issuance of a zoning clearance for use inauguration, the revised Site Plans shall be submitted for review and approval by the County Stormwater Program.

Monitoring and Reporting: The final Site Plan shall indicate the new locations of the portable restrooms and trash bins and shall include details on the physical barriers to prevent paintballs from entering the drainage channels running through the site. Review and approval of the revised Site Plan and ongoing compliance verification shall be conducted to verify compliance. (CSP-3)

29. NPDES Stormwater Compliance

Purpose: To ensure that potential stormwater runoff and surface water quality impairments from trash and sediment are eliminated in accordance with the requirements of the County Stormwater Quality Management Ordinance (Ordinance No. 4450), the project shall operate in a manner that ensures spent paintballs, trash, and sediment do not accumulate in the drainage channels running through the site and that trash and paintball debris are not discharged from the site into downstream channels, drains, or watercourses.

Requirement: The operation of the project shall include a “Stormwater Runoff Protection Plan” detailing housekeeping measures to ensure that the drainage channel remains free of trash, paintballs, and excessive accumulation of sediment. This plan shall include a schedule for sweeping or raking of any trash or debris within the channel and adjacent areas after each event and when any trash or sediment accumulates in the channel. The plan shall include scheduled channel inspections to ensure that the length of channel is free of trash and sediment prior to the rainy season (i.e., October 1st) and monthly during the wet season (i.e., between October 1st and April 30th). The plan shall also ensure that any washing of play areas shall be conducted in a manner ensuring that wash water or spent paintballs are not flushed into the drainage channel and that trash bins are kept covered.

Documentation: The applicant shall provide a “Stormwater Runoff Protection Plan” for review and approval by the County Stormwater Program (CSP). The plan shall include an example inspection form and an inspection log to document the required inspections. The operator shall retain the plan on-site for review by County inspectors upon request. The plan shall include documentation of the operator’s acknowledgment of the requirements to prevent the accumulation of spent paintballs, trash, or sediment within the drainage channels running through the site.

Timing: Prior to the issuance of zoning clearance for use inauguration, the applicant shall provide a “Stormwater Runoff Protection Plan” for review and approval by the CSP.

Monitoring and Reporting: The operator shall retain a copy of the “Stormwater Runoff Protection Plan” and all required inspection documentation on-site for compliance verification by County staff, upon request. (CSP-4)

30. Stormwater Development Construction Program

Purpose: To ensure compliance with the Los Angeles Regional Water Quality Control Board NPDES Municipal Stormwater Permit, No. CAS004002 (Permit), the proposed project will be subject to the construction requirements for surface water quality and

storm water runoff, in accordance with Part 4.F., "Development Construction Program", of the Permit.

Requirement: The construction of the proposed project shall meet requirements contained in Part 4.F., "Development Construction Program", of the Permit through the inclusion of an effective combination of construction best management practices (BMPs) during all ground disturbing activities.

Documentation: The Permittee shall submit a completed and signed SW-2 form (Best Management Practices for Construction One Acre and Larger) to the Public Works Agency - County Stormwater Program (CSP) for review and approval, a template for which can be found at <https://www.onestoppermits.vcrma.org/departments/stormwater-program>.

Timing: The above listed item shall be submitted to the CSP for review and approval prior to issuance of a zoning clearance for use inauguration.

Monitoring and Reporting: The CSP will review the submitted materials for consistency with the Permit. CSP inspectors will conduct inspections during construction to ensure effective installation of the required BMPs. (CSP-1)

31. State Construction Stormwater General Permit

Purpose: To ensure compliance with all water quality provisions in NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, No. CAS000002 (CGP).

Requirement: Proper filing of all compliance documents required under the CGP.

Documentation: The Permittee shall prepare and submit the following items to the Public Works Agency - County Stormwater Program (CSP) for review:

- I. A current notice of intent, in accordance with the State Water Resources Control Board requirements under the CGP;
- II. A current Stormwater Pollution Prevention Plan (SWPPP), in accordance with the State Water Resources Control Board requirements under the CGP; and
- III. A change of information (COI) form and a copy of the modified SWPPP at any time a transfer of ownership takes place for the entire development or portions of the common plan of development where construction activities are still on-going.

Timing: The above listed items (i and ii) shall be submitted to CSP staff for review prior

to issuance of a zoning clearance for use inauguration. In addition, if applicable, a COI form and a copy of the modified SWPPP (iii) shall be submitted anytime during project duration that a transfer of ownership takes place.

Monitoring and Reporting: CSP staff will review the submitted materials for consistency with the CGP. The current and site-specific SWPPP shall be kept on-site for periodic review by the CSP inspectors. (CSP-2).

OTHER VENTURA COUNTY AGENCIES

Agricultural Commissioner's Office Conditions

32. Notification and Response

Purpose: In order to minimize potential conflicts between a non-agricultural event use and adjacent agricultural operations, the Permittee shall provide notification of all temporary events.

Requirement: The Permittee shall notify the owner(s) of each agriculturally-zoned property located within 300 feet of the project parcel of all temporary events to be held at the proposed facility.

Documentation: The Permittee shall provide a written schedule of planned temporary events to the owners of all adjacent agriculturally-zoned land. This schedule shall specify the date, time, type and attendance of each event. The Permittee shall maintain a record of all events held at the facility to be made available to the County Planning Division upon request.

Timing: The required schedule shall be regularly updated such that notice is provided a minimum of 30 days prior to each event.

Monitoring: In accordance with the Non-Coastal Zoning Ordinance, the Planning Division will periodically review the operation of the permitted facility for compliance with the terms and conditions of the conditional use permit. The Planning Division has the authority to initiate enforcement actions if a lack of compliance is identified through public complaints or discovered during required periodic review.

33. Scheduling of Pesticide Applications

The Permittee shall establish regular communication and a schedule with neighboring/adjacent growers that will allow for the scheduling of pesticide applications and of paintball facility operations. For communication to occur, the Permittee must provide the following contact information to adjacent growers. Home phone, business phone, office phone, cellular phones, e-mail addresses, and any other form of contact information that will allow for immediate communication.

34. Pesticide Application and Paintball Operation

When the Permittee is notified of a scheduled pesticide application, the Permittee shall notify the Agricultural Commissioner's Office of the scheduled application and of its completion. The Permittee must then arrange that all paintball facilities activities either do not occur during that time or occur in playing fields farthest from the property line separating the adjacent growers and the paintball facility.

35. Right to Farm Ordinance Acknowledgement

The Permittee shall have all paintball employees and all visitors/customers sign a acknowledging the Right to Farm Ordinance.

36. Screening of facility from Adjacent Growers

The Permittee shall install and maintain a black mesh screening, accepted by the Agricultural Commissioner and Planning Division, onto the chain link fence separating the proposed paintball facility and adjacent growers. The mesh screening shall cover the length and height of the fence line which separates the properties. The intent of the mesh screening is to prevent any paintball materials from crossing over into the adjacent orchards/properties.

37. Conduct

The Permittee shall, prior to and during any paintball facility activity, advise his customers of the importance of preventing the throwing or shooting of paintballs over/through the fence into the adjacent orchards. If such activity were to occur, the paintball facility reserves the right to take whatever action necessary to prevent such activity from occurring up to and including expulsion from the paintball facility grounds.

38. Ecoli Testing of Water Truck Water

Purpose: To ensure that water used in connection with dust suppression is not contaminated with ecoli, in accordance with the U.S. Food and Drug Administration's Food Safety Modernization Act (FSMA) objective to prevent contamination of the U.S. food supply.

Requirement: Fugitive dust during concrete and asphalt removal and to control dust on any lose dirt areas, a watering truck or equivalent means, will be uses as needed. Prior to application of water for dust suppression, the water used for dust suppression shall be tested for ecoli.

Documentation: The Permittee shall provide to Ventura County Resource Management Agency Planning and the Agricultural commissioner's Office, water quality tests prepared by a qualified lab indicating the absence or presence of ecoli. The Permittee shall keep the water quality tests onsite.

Timing: The Permittee shall provide the final water quality tests to Ventura County Resource Management Planning and Agricultural Commissioner's Office prior to Zoning Clearance for use inauguration.

Monitoring and Reporting: The County Building Inspector, Public Works Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition.

Ventura County Air Pollution Control District (APCD) Conditions

39. Discharge of Air Contaminants

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: Permittee 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.

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

Ventura County Fire Protection District (VCFPD) Conditions

40. Access Road Widths, Multi-Family, Commercial or Industrial

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance, the Permittee shall provide access to the site.

Requirement: The Permittee shall provide a minimum paved width of 25 feet for all on-site driveways. Parking is prohibited on the required width of any driveway less than 36 feet in width.

Documentation: The Permittee shall submit an access plan to the VCFPD for review and approval prior to the issuance of the Zoning Clearance for Use Inauguration.

Timing: All required access shall be installed before the start of combustible construction.

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

41. 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, the Permittee shall install access road gates.

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

Documentation: The Permittee shall submit gate plans to the VCFPD for approval before the installation of any access gates. The submittal shall include a copy of zoning clearance issued by the Planning Division.

Timing: The access road gates shall be installed prior to the issuance of the Zoning Clearance for Use Inauguration.

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

42. Hazard Abatement

Purpose: To ensure compliance with Ventura County Fire Protection District Ordinance regarding hazard abatement.

Requirement: The Permittee shall have all grass or brush adjacent to structure's site footprint cleared for a distance of 100 feet or to the property line if less than 100 feet. All grass and brush shall be removed a distance of 10 feet on each side of all access road(s)/driveway(s) within the project. The Fire District may require the entire parcel to be cleared. Note: A Notice to Abate Fire Hazard may be recorded against the parcel.

Documentation: A signed copy of the Ventura County Fire Protection District's Form #126 "Requirement for Construction" or the "Notice to Abate" issued under the Fire District's Fire Hazard Reduction Program.

Timing: The Permittee shall remove all grass and brush as outlined by the Ventura County Fire Protection District's Fire Hazard Reduction Program guidelines before the start of construction on any structure.

Monitoring and Reporting: The VCFPD shall conduct on-site inspections to ensure compliance with this condition.

43. Fire Department Clearance

Purpose: To inform the Permittee of all VCFPD requirements applicable to the proposed project.

Requirement: The Permittee shall complete a VCFPD Form #126 "Requirements for Construction." for any new structures or additions to existing structures before issuance of the Zoning Clearance for Use Inauguration.

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

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration, the submitted VCFPD Form #126 Application must be approved by the Fire Prevention Bureau.

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

44. Prefabricated Sea Cargo / Metal Storage Containers

Purpose: The Permittee shall obtain the required permits for the sea cargo containers.

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

Documentation: The Permittee shall submit a signed copy of the VCFPD's approved project plans with VCFPD.

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

Monitoring and Reporting: A copy of the approval shall be kept on file with the VCFPD. The VCFPD shall conduct a final inspection to ensure that the prefabricated sea cargo/metal storage containers are installed according to the approval. Unless a

modification is approved by the VCFPD, the Permittee, and his successors in interest, shall maintain the approved use and installation of the prefabricated sea cargo/metal storage containers for the life of the project.

45. Inspection Authority

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

46. Collection and Loading Areas for Refuse and Recyclables

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

Requirement: The Permittee must adhere to the County's *Space Allocation Guidelines* which include the minimum space required for refuse and recycling bins, and guidelines for aesthetic, gated trash enclosures if required.

Documentation: The Permittee's site plan must indicate the location of a trash area/enclosure of adequate size to meet the needs of the project.

Timing: Prior to issuance of a Zoning Clearance for use inauguration, the Permittee must submit a site plan to the IWMD for review and approval.

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