



Planning Director Staff Report Hearing on June 22, 2023

County of Ventura • Resource Management Agency

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

MINOR MODIFICATION CASE NO. PL23-0027 TO CONDITIONAL USE PERMIT (CUP) NO. LU11-0143, LOSTUTTER BED AND BREAKFAST

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Minor Modification to CUP No. LU11-0143 for the continued operation and maintenance of a Bed and Breakfast (Case No. PL23-0027).
2. **Applicant/Property Owner:** Robert Lostutter, P.O. Box 1301, Port Hueneme, CA 93044
3. **Applicant's Representative:** Elevated Entitlements, Mr. Kevin Kohan, 280 E. Thousand Oaks Blvd # H, Thousand Oaks, CA 91360
4. **Decision-Making Authority:** Pursuant to the Ventura County Coastal Zoning Ordinance (CZO) (Section 8174-5 and Section 8181-3 et seq.), the Planning Director is the decision-maker for the requested Minor Modification to CUP Case No. PL23-0027.
5. **Project Site Size, Location, and Parcel Number:** The 0.05 acre property is located at 2300 Roosevelt Boulevard, at the intersection of Roosevelt Boulevard and Highland Drive, in the community of Silverstrand Beach, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 206-0-325-245 (Exhibit 2).
6. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Commercial
 - b. Coastal Area Plan Land Use Map Designation: Commercial
 - c. Zoning Designation: CC 20,000 sq. ft. (Coastal Commercial 20,000 square feet minimum lot size).

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

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	CC 20,000 sq. ft.	Undeveloped land and commercial zoned property

Location in Relation to the Project Site	Zoning	Land Uses/Development
East	RBH (Residential Beach Harbor)	Residential beach houses
South	CC 20,000 sq. ft. and RBH	Commercial zoned property and residential
West	CC 20,000 sq. ft. and RBH	Commercial zoned property

9. **History:** On April 2, 1981, CUP No. 4016 was granted for construction of a three-story commercial and residential structure on the subject property. Vehicle (covered parking) is provided at the ground level, the deli use occupied a portion of the second floor, and the residential use occupied the remaining portion of the second floor and the entire third floor. The CUP authorized the deli and residential uses to be conducted for a ten-year period. The CUP expired on April 2, 1991.

Although CUP-4016 expired, use of the three-story structure continued and unpermitted conversions of the subject building were constructed without the benefit of a permit. On December 10, 2004 a Notice of Violation (Case No. ZV02-0009) was issued. On May 5, 2005, a Notice of Noncompliance was recorded on the property. On November 10, 2011, a Notice of Impending Civil Administrative Penalties letter was sent to the property owner.

On December 6, 2011, the property owner submitted a CUP application (Case No. LU11-0143) to abate the outstanding violations and authorize the operation of a new Bed and Breakfast. On June 20, 2013, the Bed and Breakfast was approved by the Planning Commission for a ten-year term.

10. **Project Description:** The applicant requests a Minor Modification to CUP Case No. LU11-0143, be granted for the continued operation and maintenance of a Bed and Breakfast within an existing three-story structure for a 10-year term. The third floor will be occupied by permanent residents. The second floor, which contains one bedroom, will be offered to overnight guests for compensation. Breakfast only will be served to these guests. Required parking for the residential and Bed and Breakfast use is provided by 4 covered parking spaces on the first floor. No ground disturbance, new structures or landscaping is proposed.

In summer 2023, Channel Islands Beach Community Services District (CIBCSD) will temporarily use the second floor for offices. Four administrative staff will use the space to conduct administrative services between the hours of 8:00 am and 5:00 pm, Monday through Friday. Parking for CIBCSD staff will be provided by the four covered parking spaces on the first floor of the structure. Maintenance vehicles will remain at the CIBCSD office site addressed as 353 Santa Monica Drive. Public parking for CIBCSD customers is provided on Roosevelt Boulevard. Upon completion of construction activities at the CIBCSD office site and verification

that CIBCSD has ceased occupation of the structure, the applicant will be required to obtain a Zoning Clearance to resume Bed and Breakfast operations at the project site.

Direct access to parking is a paved driveway via Highland Drive. Water and sewer service is provided by CIBCSD. (Exhibit 3).

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

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

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. The proposed project is exempt from the CEQA Guidelines pursuant to Section 15301 (Existing Facilities). The continued operation and maintenance of a Bed and Breakfast and the temporary use of the structure by CIBSD staff for their administrative offices will occur onsite. In addition, no new development or a change in the existing landscaping will occur as a result of the proposed project. The project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Therefore, no further environmental review is required.

Therefore, this project is categorically exempt pursuant to Section 15301 of the CEQA Guidelines, and the project complies with the requirements of the CEQA Guidelines.

C. CONSISTENCY WITH THE GENERAL PLAN AND COASTAL AREA PLAN

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

D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the Ventura County CZO (Section 8174-4), the proposed use is allowed in the Coastal Commercial 20,000 sq. ft. zone district with the granting of a CUP. Upon the granting of the CUP, the proposed project will comply with this requirement.

The proposed project includes the use of a structure that is subject to the development standards of the Ventura County CZO (Section 8175-2). Table 1 lists the applicable

development standards and a description of whether the proposed project complies with the development standards.

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	20,000 sq. ft.	No. However, there was no minimum lot area requirement for the Coastal Commercial zone in effect at the time the existing structure was permitted in 1981. On February 26, 1987, the Ventura County CZO was amended to include a minimum lot size requirement of 20,000 sq. ft. Ventura County CZO Section 8182-2 (Nonconforming Structures Due Only to Changed Standards) allows the structure to continue if the structure’s nonconformance is due to a revision of the minimum lot size standard. Thus, the existing lot size is consistent with the Ventura County CZO.
Maximum Percentage of Structure Coverage	40 percent	No. The existing structure coverage is approximately 58 percent. However, when the Planning Commission approved CUP No. 4016 in 1981, the Ventura County CZO did not have a maximum building coverage percentage. On February 26, 1987, the Ventura County CZO was amended to limit structure coverage in this zone designation to 40 percent. Ventura County CZO Section 8182-2 (Nonconforming Structures Due Only to Changed Standards) allows the structure to continue if the structure’s nonconformance is due to a revision of the building coverage standard. Therefore, the existing 58 percent building coverage is consistent with the Ventura County CZO.
Front Setback	10 feet	No. The existing structure is set back approximately eight feet from the front property line. However, when the Planning Commission approved CUP No. 4016 in 1981, there was no specific setback standard. As such the existing structure was allowed to be constructed at a distance of eight feet from the front property line. On February 26, 1987, the Ventura County CZO was amended to require a 10 foot front setback requirement. Ventura County CZO Section 8182-2 (Nonconforming Structures Due Only to Changed Standards) allows the structure to continue if the structure’s nonconformance is due to a revision of the development standard. Therefore, the existing front setback is consistent with the Ventura County CZO.

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
Side Setback	As specified by Permit	Yes. The structure is setback 5 feet from the southern property line and approximately 3 feet from northern property line.
Rear Setback	10 feet	Yes. The structure is approximately 12 feet from the rear property line
Maximum Structure Height	35 feet	Yes. The structure is 28 feet in height.

The proposed Bed and Breakfast use is subject to the special use standards of the Ventura County CZO (Sections 8175-5.19 and 8177-2). Table 2 lists the applicable special use standard and a description of whether the proposed project complies with the special use standards.

Table 2 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
Section 8175-5.19.1: The bed-and-breakfast shall contain no more than six guest bedrooms.	Yes. Condition of Approval No. 1 (Exhibit 5) limits the second floor to the Bed and Breakfast use and 1 bedroom.
Section 8175-5.19.2: The bed-and-breakfast shall accommodate no more than 15 guests at any time.	Yes. Condition of Approval No. 16 (Exhibit 5) limits the number of guests to 15 at any time.
Section 8175-5.19.3: No guest shall occupy a bed-and-breakfast inn for more than 30 consecutive days.	Yes. Condition of Approval No. 16 (Exhibit 5) limits guest stays to no more than 30 consecutive days.
Section 8177-2.1: Standards for Coastal Commercial Zone Lighting: There shall be no illumination or glare from commercial sites onto adjacent properties or streets that may be considered either objectionable by adjacent residents or hazardous to motorists. Flashing lights are prohibited.	Yes. The existing lighting plan was approved on June 13, 2016 as a part of CUP No. LU11-0143. All existing lighting is directed downward and does not shine offsite.
Section 8177-2.2: Undergrounding of Utilities: All utility lines shall be placed underground by the developer. This requirement may be waived by the decision-making authority where it would cause undue hardship or constitute an unreasonable requirement, provided such waiver is not in conflict with California Public Utilities Commission regulations. Appurtenant structures and equipment such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets may be placed aboveground.	Yes. All utilities have been placed underground. The applicant will be required to underground all new utilities (Exhibit 5, Condition No. 2).
Section 8177-2.3: Enclosed Structure Requirement: All uses shall be conducted within a completely enclosed structure unless the use is listed in Article 4 as an outdoor use, or one that must be outdoors in order to function.	Yes. All uses are conducted within the existing structure.
Section 8177-2.4: Structure Coverage: No more than 40 percent of the area of any lot in the CC zone shall be covered with structures	No. Refer to the response in Table 1 above.
Section 8177-2.5: Construction Materials: Principal structures constructed of metal are not permitted.	Yes. The existing structure is constructed of wood and concrete.

<p>Accessory structures constructed of metal shall have exterior surfaces of a stainless steel, aluminum, painted or similar finish.</p>	
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E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to determine that the proposed project is consistent with the permit approval standards of the Ventura County CZO (Section 8181-3.5 et seq.). The proposed findings and supporting evidence are as follows:

1. The proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program [Section 8181-3.5.a].

Based on the information and analysis presented in Sections C and D of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program can be made.

2. The proposed development is compatible with the character of surrounding development [Section 8181-3.5.b].

The Bed and Breakfast use has operated in compliance with the conditions of approval for the last 10 years. The project site abuts residential uses to the east, Naval Base Ventura County is located southeast, and the City of Port Hueneme to the south. Commercial uses are located immediately west, north and south of the project site. The continued use of the existing structure as a Bed and Breakfast will not be out of character with the surrounding eclectic mix of existing commercial and residential structures. No exterior modifications to the structure are proposed. All Bed and Breakfast uses and the temporary use of the structure's second floor by CIBCSD staff, will occur within the existing structure. Existing landscaping and exterior lighting will not be altered as a result of the proposed project. Sufficient off-street parking is located within the first floor area of the structure. Temporary on-street public parking for CIBCSD customers is provided on Roosevelt Boulevard. Therefore, the proposed project would not affect the visual character of the area.

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

3. The proposed development, if a conditionally permitted use, is compatible with planned land uses in the general area where the development is to be located [Section 8181-3.5.c].

In accordance with Ventura County CZO Section 8174-5, the continued use of a Bed and Breakfast is allowed in the CC 20,000 sq. ft. zone with a CUP. With the implementation of the standard conditions of Approval (Exhibit 5), the proposed project will continue to be compatible with the surrounding area.

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

4. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses [Section 8181-3.5.d].

No adverse effect on surrounding uses has been identified for the proposed project. No new development, landscaping or exterior lighting is proposed. The applicant will be required to obtain a Zoning Clearance for any new or additions to the existing lighting and landscaping (Exhibit 5, Condition Nos. 17 and 18). The applicant will be subject to a standard condition of approval requiring a contact person for the timely resolution of complaints. The applicant will also be required to maintain the site in a neat and orderly manner so as to not create a visual nuisance (Exhibit 5, Condition Nos. 2 and 14).

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

5. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [Section 8181-3.5.e].

All activities associated with the continued use of the existing Bed and Breakfast would occur within the structure. No new noise would result from the continued use of the Bed and Breakfast. The number of Bed and Breakfast guests is limited to 15 at any time (Exhibit 5, Condition No. 16) and guests are limited to no more than 30 consecutive days onsite. Temporary use of the structure by CIBCSD staff would involve CIBCSD customers visiting the site to pay a bill or ask a question, creating a temporary increase in the number of customers during that time. The traffic generated by CIBCSD's temporary use of the structure will be minimal and would not create an adverse long-term impact to nearby public roads. Sufficient off-street parking is located within the first floor area of the structure. Temporary on-street public parking for CIBCSD customers is provided on Roosevelt Boulevard.

Based on the discussion above, this finding can / cannot be made.

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

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), Ventura County CZO (Section 8181-6.2.1). On June 9, 2023, the Planning Division mailed notice to owners of property within 300 feet and residents within 100 feet of the property on which the project site is located. On June 9, 2023, the Planning Division placed a legal ad in the *Ventura County Star*.

The project site is located within the City of Oxnard's Area of Interest. Therefore, on March 29, 2023, the Planning Division notified the City of Oxnard of the proposed project and requested the City of Oxnard to submit any comments that the City might have on the proposed project. On April 3, 2023, the City of Oxnard provided email correspondence stating no objection regarding the proposed project (Exhibit 6).

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 Section 15301 [Existing Facilities] of the CEQA Guidelines.
3. **MAKE** the required findings to grant a Minor Modification of CUP No. LU11-0143 pursuant to Section 8181-3.5 of the Ventura County CZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** Minor Modification of CUP No. LU11-0143 [Case No. PL23-0027], subject to the conditions of approval (Exhibit 5).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

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

If you have any questions concerning the information presented above, please contact Kristina Boero at (805) 654-2467 or kristina.boero@ventura.org or Jennifer Trunk at (805) 654-2465 or jennifer.trunk@ventura.org.

Prepared by:


Kristina Boero, Senior Planner
Residential Permits Section
Ventura County Planning Division

Reviewed by:


Jennifer Trunk, Manager
Residential Permits Section
Ventura County Planning Division

EXHIBITS

- Exhibit 2 Maps
- Exhibit 3 Project Plans
- Exhibit 4 General Plan Consistency
- Exhibit 5 Conditions of Approval
- Exhibit 6 Correspondence from City of Oxnard



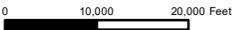
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map created on 06-05-2023

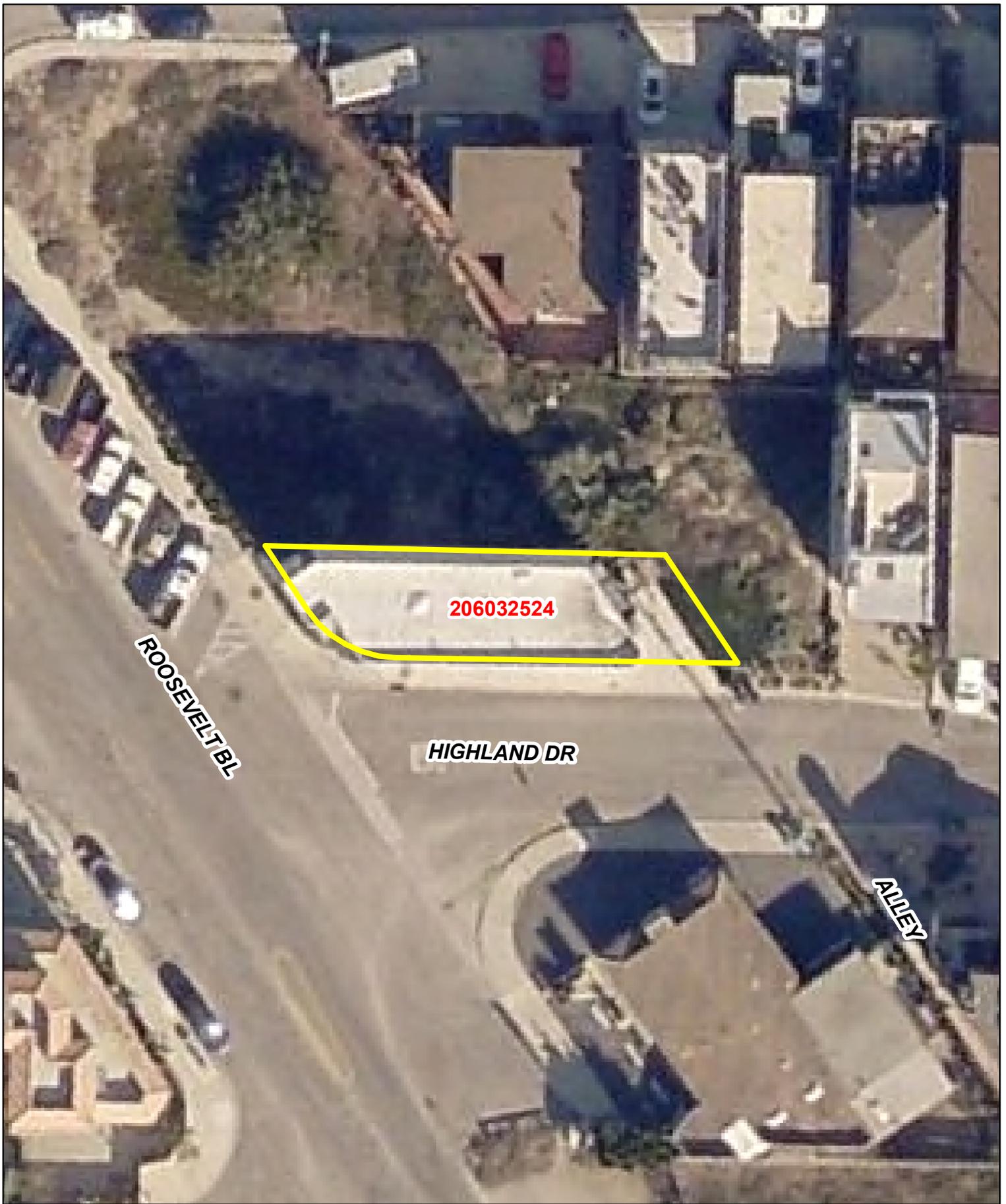


County of Ventura
Planning Director Hearing
Case No. PL23-0027
Exhibit 2 - Maps



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





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ROOSEVELT BL

HIGHLAND DR

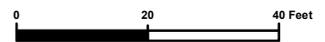
ALLEY



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
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County of Ventura
Planning Director Hearing
PL23-0027
Aerial Photography



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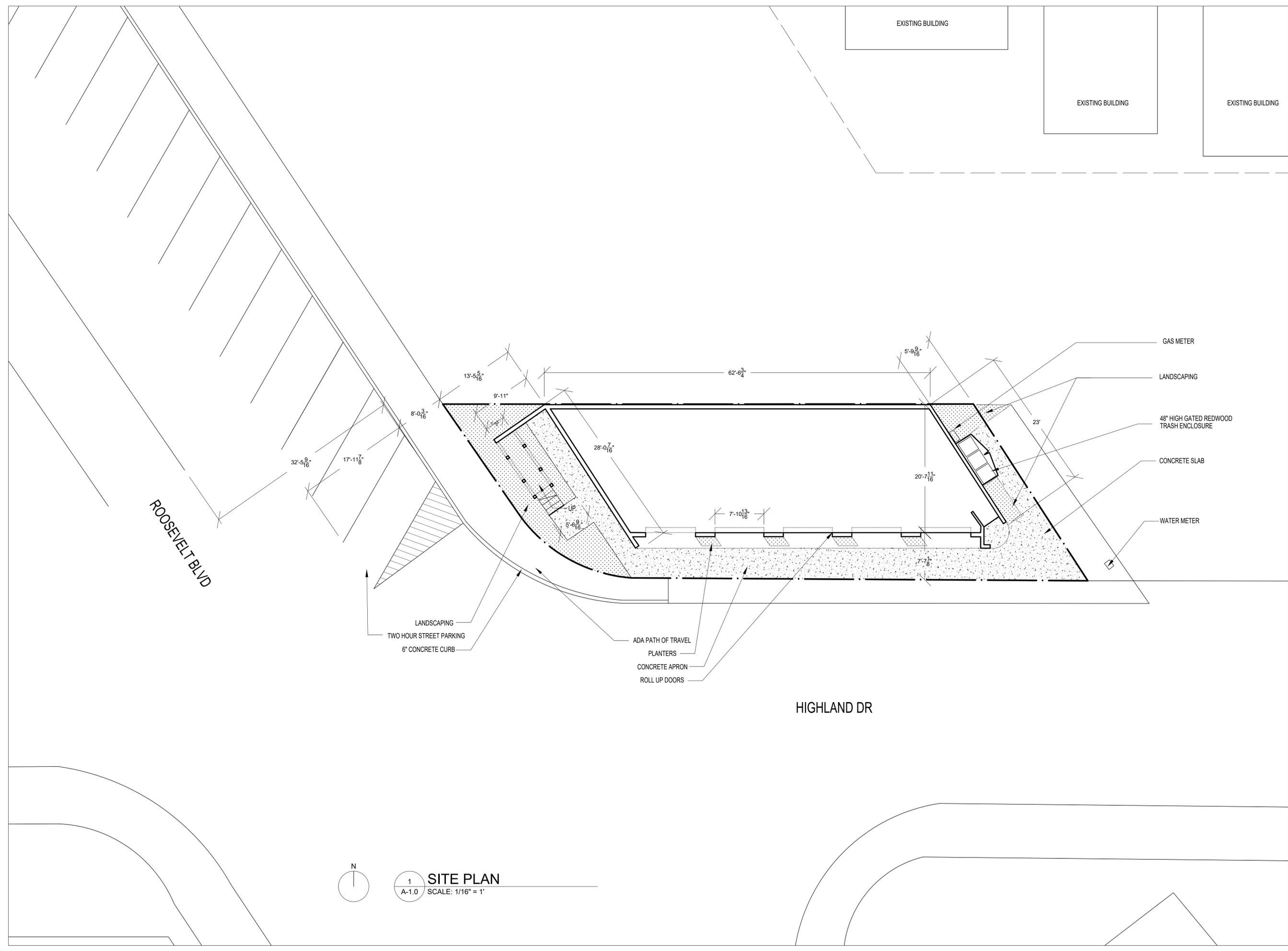
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MINOR MODIFICATION
2300 ROOSEVELT BLVD
OXNARD CA 93035

CLIENT NAME:
ROBERT LOSTUTTER

SHEET NAME:
EXISTING SITE PLAN

DATE: 03.30.2023
DRAWN BY: LEXIE PETERSON
CHECKED BY: BANKHEAD
SCALE: AS SHOWN
REVISION #1:
REVISION #2:
REVISION #3:
REVISION #4:
REVISION #5:
SHEET NUMBER:

A-1.0



1 SITE PLAN
A-1.0 SCALE: 1/16" = 1'

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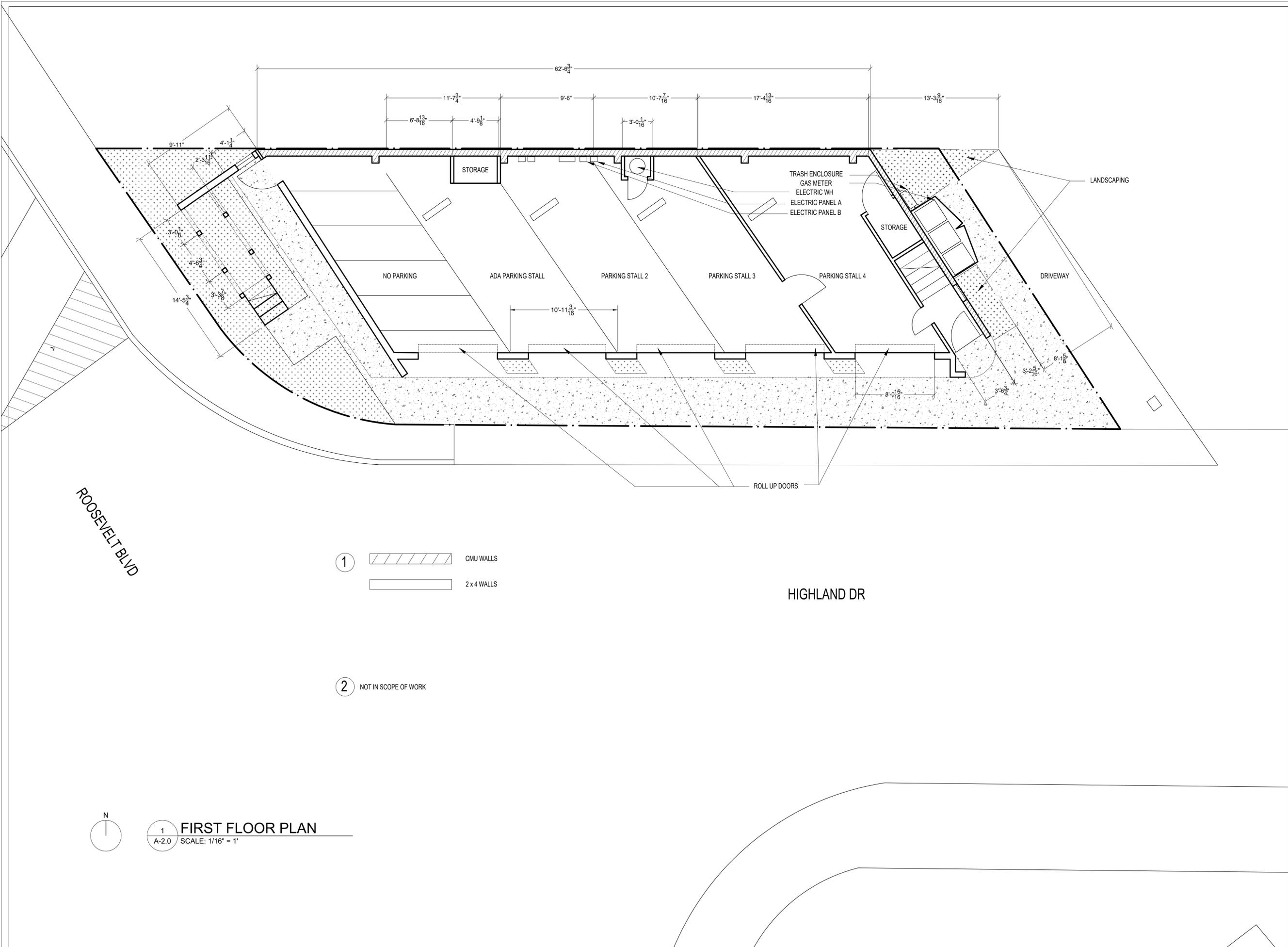
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MINOR MODIFICATION
2300 ROOSEVELT BLVD
OXNARD CA 93035

CLIENT NAME:
ROBERT LOSTUTTER

SHEET NAME:
EXISTING FIRST FLOOR PLAN

DATE: 03.30.2023
DRAWN BY: LEXIE PETERSON
CHECKED BY: BANKHEAD
SCALE: AS SHOWN
REVISION #1:
REVISION #2:
REVISION #3:
REVISION #4:
REVISION #5:
SHEET NUMBER:

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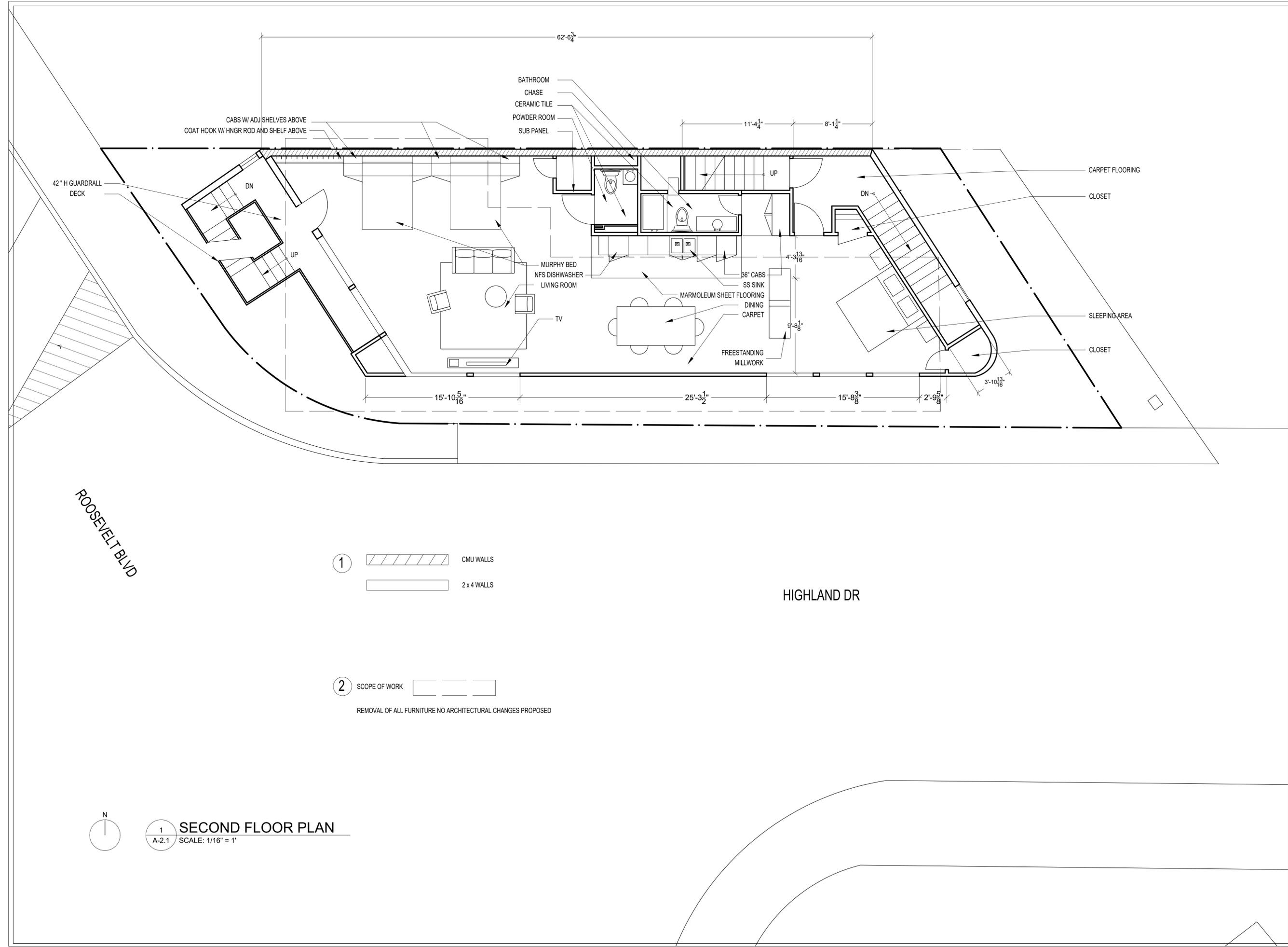
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MINOR MODIFICATION
2300 ROOSEVELT BLVD
OXNARD CA 93035

CLIENT NAME:
ROBERT LOSTUTTER

SHEET NAME:
EXISTING SECOND FLOOR PLAN

DATE: 03.30.2023
DRAWN BY: LEXIE PETERSON
CHECKED BY: BANKHEAD
SCALE: AS SHOWN
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REVISION #2:
REVISION #3:
REVISION #4:
REVISION #5:
SHEET NUMBER:

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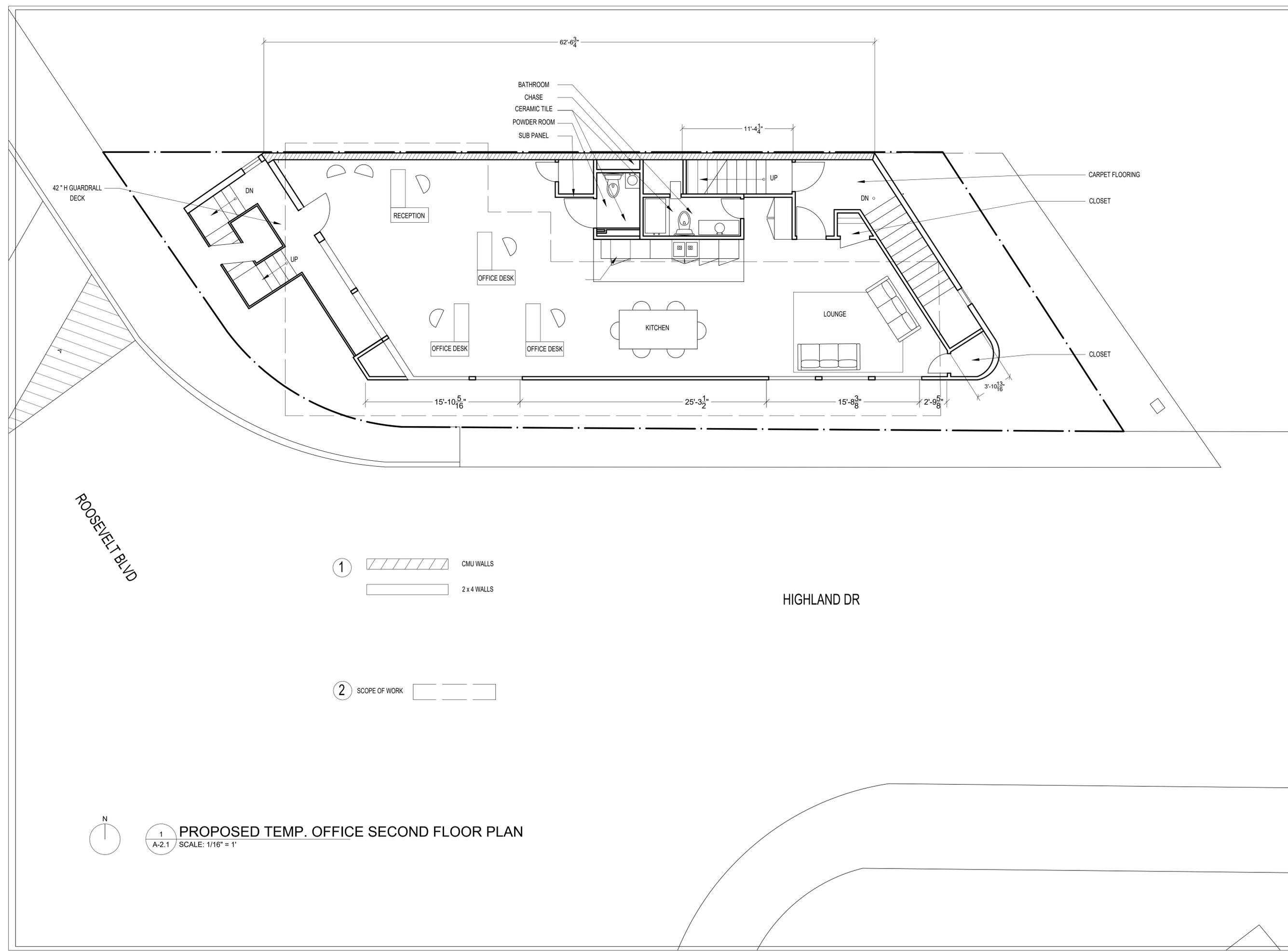
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MINOR MODIFICATION
2300 ROOSEVELT BLVD
OXNARD CA 93035

CLIENT NAME:
ROBERT LOSTUTTER

SHEET NAME:
**PROPOSED 2ND
FLOOR PLAN**

DATE: 03.30.2023
DRAWN BY:
LEXIE PETERSON
CHECKED BY: BANKHEAD
SCALE: AS SHOWN
REVISION #1:
REVISION #2:
REVISION #3:
REVISION #4:
REVISION #5:
SHEET NUMBER:

A-3.0



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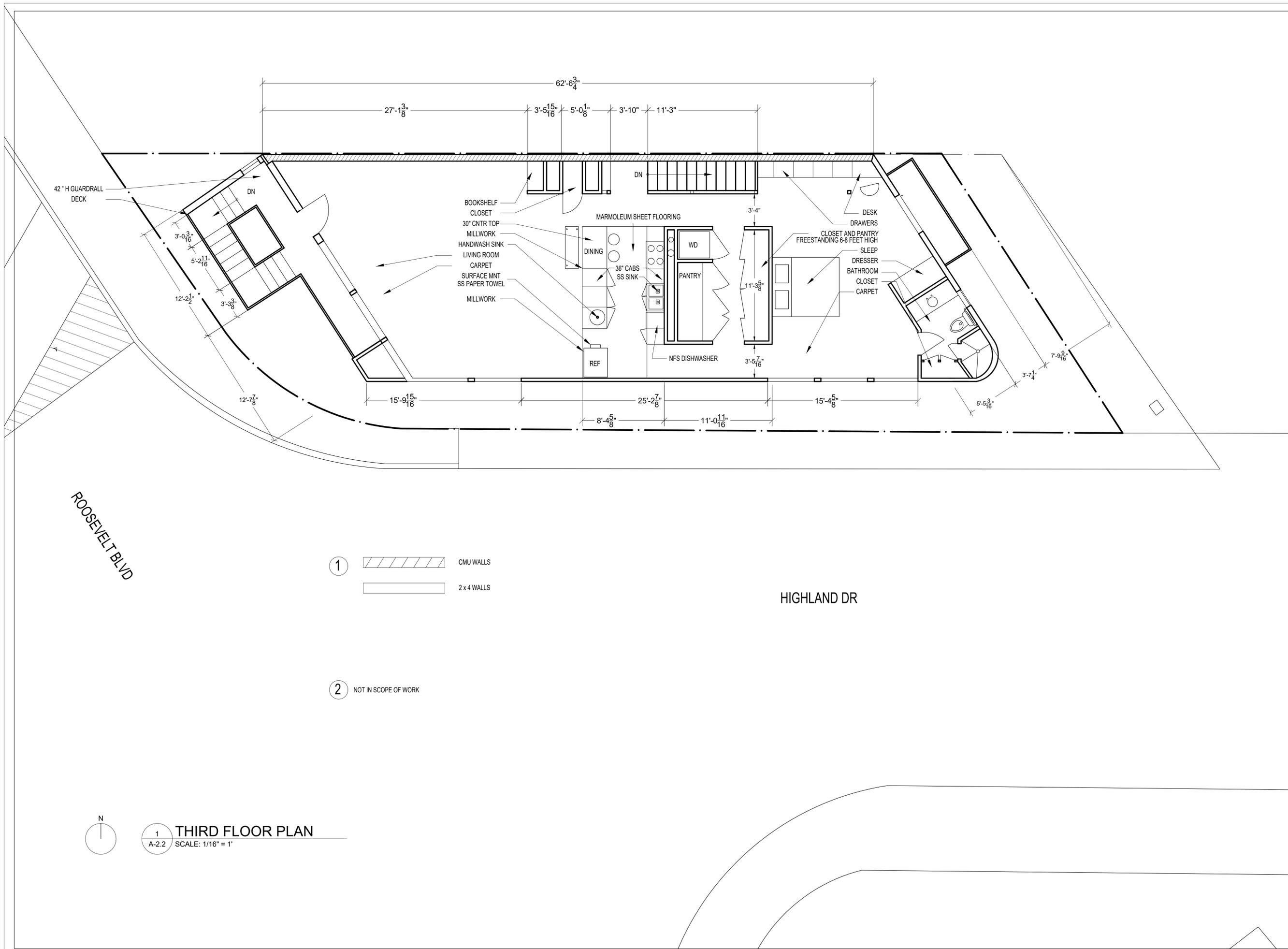
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MINOR MODIFICATION
2300 ROOSEVELT BLVD
OXNARD CA 93035

CLIENT NAME:
ROBERT LOSTUTTER

SHEET NAME:
EXISTING THIRD FLOOR PLAN

DATE: 03.30.2023
DRAWN BY:
LEXIE PETERSON
CHECKED BY: BANKHEAD
SCALE: AS SHOWN
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REVISION #2:
REVISION #3:
REVISION #4:
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SHEET NUMBER:

A-2.2



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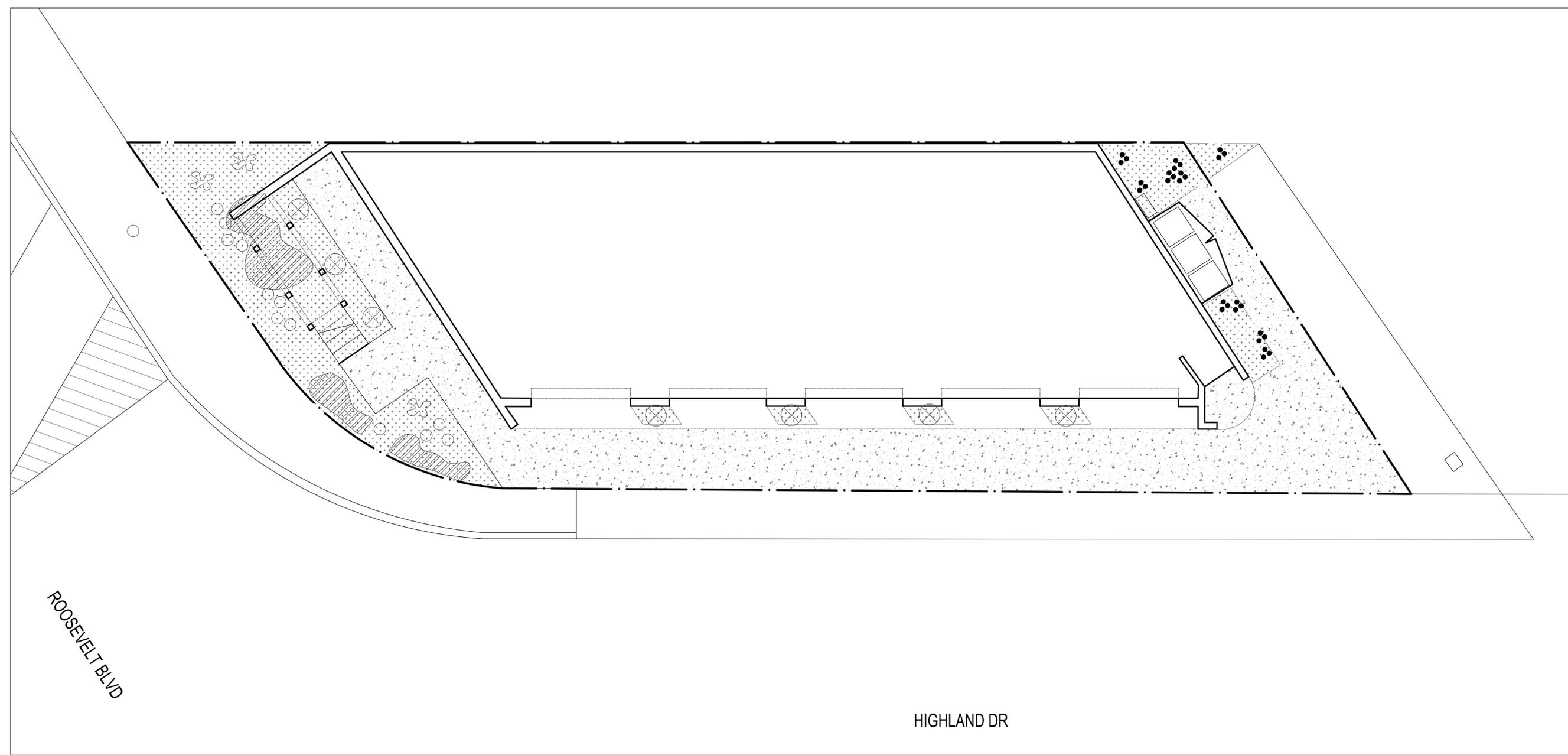
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MINOR MODIFICATION
2300 ROOSEVELT BLVD
OXNARD CA 93035

CLIENT NAME:
ROBERT LOSTUTTER

SHEET NAME:
LANDSCAPE PLAN

DATE: 03.30.2023
DRAWN BY:
LEXIE PETERSON
CHECKED BY: BANKHEAD
SCALE: AS SHOWN
REVISION #1:
REVISION #2:
REVISION #3:
REVISION #4:
REVISION #5:
SHEET NUMBER:

A-4.0



1
A-3.0 **LANDSCAPING SITE PLAN**
SCALE: 1/16" = 1'

PLANTING LEGEND			
SYMBOL	QTY	SIZE	BOTANICAL NAME
	3	5 GAL	STRELITZIA REGINAE
	13		EXISTING ALOE TRANSPLANTED
	7		EXISTING ALOE TO REMAIN
	4" POTS @ 12 O.C.		SEDUM RUPESTRE 'ANGELINA'

MATERIALS LEGEND	
SYMBOL	DESCRIPTION
	PEA GRAVEL
	4"-6" COBBLES
	2"-4" COBBLE ON WEED FABRIC

LANDSCAPING CALCULATION	
TOTAL SITE AREA	54,842 SF
TOTAL LANDSCAPED AREA	8,250 SF
TOTAL PARKING LOT AREA	44,240 SF
NET LOT LANDSCAPED PERCENTAGE REQUIRED	15%
NET LOT LANDSCAPED PERCENTAGE PROVIDED	15%



Exhibit 4 – General Plan Consistency Analysis

County of Ventura • Resource Management Agency

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

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

Finally, the Ventura County Coastal Zoning Ordinance (CZO) (Section 8181-3.5.a) states that in order to be approved, a project must be found consistent with all applicable policies of the Ventura County Coastal Area Plan.

This exhibit provides an evaluation of the proposed project's consistency with applicable policies of the Ventura County General Plan and Coastal Area Plan.

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

Land Use and Community Character Element Policy LU-16.9 Building Orientation and Landscaping: *The County shall encourage discretionary development to be oriented and landscaped to enhance natural lighting, solar access, and passive heating or cooling opportunities to maximize energy efficiency.*

Coastal Act Policy Section 30250(a) - Location; Existing Developed Area: *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it, or where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

Coastal Act Policy Section 30251 - Scenic and Visual Qualities: *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of the surrounding area and, where feasible, to restore and enhance visual quality in visually degraded*

areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The project site is located at the intersection of Roosevelt Boulevard and Highland Drive in the community of Silverstrand Beach. Residential development is located south and east of the project site, and Naval Base Ventura County is southeast of the project site. Kiddie Beach Park is located approximately 0.14 miles northwest of the project site, and Silverstrand Beach is located approximately 0.20 miles west of the project site, respectively. Views of the project site from these coastal recreation areas are blocked by residential and commercial development. The project site has a zoning designation of Coastal Commercial 20,000 square feet (sq. ft.) minimum lot size. The purpose and intent of this zone provides for the development of retail and service commercial uses that are intended to be neighborhood-serving or visitor-serving. Parcels surrounding the project site range in size from 0.05 acres to 0.21 acres and contain commercial uses that include an art gallery, hair salon and real estate office. The project site is 0.05 acres. The existing building is owned by the applicant and the Bed and Breakfast use is allowed with a Conditional Use Permit.

Temporary use of the Bed and Breakfast by CIBCSD administrative staff for offices is a permitted use in the Coastal Commercial zone. CIBCSD is the water and wastewater service provider for this area. The location of the temporary offices provides customers a nearby neighborhood service to pay utility bills, etc. The use of the Bed and Breakfast for offices is temporary and would cease when the administrative office building and site improvements at the CIBCSD property located at 353 Santa Monica Drive, are complete.

No new development, lighting or landscaping is proposed. All activities associated with the proposed project will occur onsite. The structure meets the development standards related to height and setbacks set forth in Section 8175-2 of the Ventura CZO. The maximum building coverage in the CC 20,000 sq. ft. zone is 40 percent. When the Planning Commission approved CUP No. 4016 in 1981, the Ventura County CZO did not have a maximum building coverage percentage for this zone designation. Maximum building coverage in this zone designation was limited to 40 percent when the Ventura County CZO was amended in February 1987. Although the structure exceeds the maximum building coverage allowed for the zone today, the structure is considered non-conforming pursuant to Ventura County CZO Section 8182-2 (Nonconforming Structures Due Only to Changed Standards), which allows continued use of the structure due to a revision of the building coverage standard.

The Channel Islands Beach Community Service District (CIBCSO) provides domestic water and wastewater services for the Silverstrand Beach community including the Bed and Breakfast.

The project site is located within the developed area of Silverstrand Beach. Existing public services (i.e., emergency response times) will not be adversely affected by the proposed project. Fire Station No. 6, located at 2601 Peninsula Road in the City of Oxnard, is about 1.6 miles north of the project site. The distance and response time for fire protection is adequate and will not be adversely affected by the proposed project. Finally, the proposed project will not generate additional long-term traffic on the Regional Road Network and local public roads, and the existing level of service on these roads will not change due to the proposed project. As such, the character of this predominantly residential and commercial community will not be substantially altered with the proposed project.

Existing exterior lighting and landscaping complies with the Coastal Area Plan and General Plan. The applicant will be required to submit an updated landscaping and exterior lighting plan for review and approval by the County prior to any changes to these approved plans during the CUP term (Exhibit 5, Condition Nos. 17 and 18). The landscaping plan must comply with the California Model Water Efficiency Guidelines. The lighting plan must comply with Ventura County CZO Lighting standards (Section 8177-2). The structure was built in 1981 and upgrades were completed in 2016 as part of the Bed and Breakfast CUP, which included replacement of windows and doors in compliance with the state's Title 24 Energy Efficiency Standards (i.e., dual pane windows that limit air leakage and are weather-stripped).

Based on the discussion above, the proposed project is consistent with General Plan Policies LU16.1, LU16.9, and Coastal Act Sections 30250(a) and 30251.

2. **Circulation, Transportation, and Mobility Element Policy CTM-1.1 Vehicle Miles Traveled (VMT) Standards and CEQA Evaluation:** *The County shall require evaluation of County General Plan land use designation changes, zone changes, and discretionary development for their individual (i.e., project-specific) and cumulative transportation impacts based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) pursuant to the methodology and thresholds of significance criteria set forth in the County Initial Study Assessment Guidelines.*

Circulation, Transportation, and Mobility Element Policy CTM-1.3 County Level of Service (LOS) Standards: *The County shall maintain LOS standards for use as part of the County's transportation planning including the traffic impact mitigation fee program, and the County's review and consideration of proposed land use legislation and discretionary development. For purposes of County transportation planning and review and consideration of proposed land use*

legislation and discretionary development, the County shall use the following minimum acceptable Level of Service (LOS) for road segment and intersection design standards within the Regional Road Network and all other County-maintained roadways:

- a. LOS-'C' for all Federal functional classification of Minor Collector (MNC) and Local roadways (L); and*
- b. LOS-'D' for all Federal functional classifications except MNC and L, and Federal and State highways in the unincorporated area, except as otherwise provided in subparagraph (c and d);*
- c. LOS-'E' for State Route 33 between the northerly end of the Ojai Freeway and the city of Ojai, Santa Rosa Road, Moorpark Road north of Santa Rosa Road, State Route 34 north of the city of Camarillo, and State Route 118 between Santa Clara Avenue and the city of Moorpark;*
- d. LOS 'F' for Wendy Drive between Borchard Drive to Lois Avenue; and*
- e. The LOS prescribed by the applicable city for all federal highways, state highways, city thoroughfares and city-maintained local roads located within that city, if the city has formally adopted and is implementing a General Plan policy, ordinance, or a reciprocal agreement with the County regarding development in the city that is intended to improve the LOS of County-maintained local roads and federal and state highways located within the unincorporated area of the county.*
- f. At any intersection between two or more roads, each of which has a prescribed minimum acceptable LOS, the lower LOS of the roads shall be the minimum acceptable LOS for that intersection.*

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

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

The Ventura County Public Works Agency Roads and Transportation Department (PWART) determined that there would not be an increase in the number trips for the Bed and Breakfast use. Therefore, the continued operation and maintenance of the Bed and Breakfast use would not exceed the 110 average daily trips (ADT) threshold adopted by the State Office of Planning and Research regarding vehicle miles traveled (VMT) for office space and residential use. CIBCSD's temporary use of the second floor of the building would not further contribute to ADT for the project site,

based on the short-term nature of the use within the existing building, and existing customers being diverted temporarily to an office that is approximately 0.3 miles from the current CIBCSD offices that are approved to be reconstructed. With this low volume of traffic on local public roads, the existing level of service is not expected to change because of the proposed project does not have the potential to alter the level of safety of roadways and intersections near the project.

Ingress and egress to the site is from Highland Drive. PWART confirmed that access to the site has been met. The Ventura County Fire Protection District (VCFPD) determined that emergency access has also been met.

The Ventura County CZO requires a minimum of 4 parking spaces for the Bed and Breakfast use. Four onsite parking spaces are provided on the first floor of the structure. CIBCSD is proposing to temporarily utilize these 4 onsite parking spaces for administrative staff during their occupation of the building. CIBCSD customers will park in the short term parking spaces on Roosevelt Boulevard. Maintenance vehicles will remain at the CIBCSD office site addressed as 353 Santa Monica Drive.

Based on the above discussion, the proposed project is consistent with General Plan Policies CTM-1.1, CTM-1.3, CTM-2.3, and PFS-11.4.

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

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

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

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

Water Resources Policy WR-3.2 Water Use Efficiency for Discretionary Development: *The County shall require the use of water conservation techniques for discretionary development, as appropriate. Such techniques include low-flow plumbing fixtures in new construction that meet or exceed the California Plumbing Code, use of graywater or reclaimed water for landscaping, retention of stormwater runoff for direct use and/or groundwater recharge, and landscape water efficiency standards that meet or exceed the standards in the California Model Water Efficiency Landscape Ordinance.*

CIBCSO provides domestic water and sewer service to the Silverstrand Beach community and to the project site. Based on water usage information provided by the applicant, water consumption was an average of two hundred seventy five hundred cubic feet (HCF) in the last year¹.

As no new development, landscaping or an increase in the number of guests is proposed, water usage is not anticipated to significantly increase as a result of the proposed project.

Any changes to the proposed landscaping will require the applicant to submit an updated landscape plan and obtain a Zoning Clearance, in accordance with the California Model Water Efficiency Landscape Ordinance (Exhibit 5, Condition No. 17).

Based on the discussion above, the proposed project is consistent with General Plan Policies PFS-1.7, PFS-4.1, COS-1.12, WR-1.11 and WR-3.2.

4. **Public Facilities, Services, and Infrastructure Element Policy PFS-6.5 Stormwater Drainage Facilities:** *The County shall require that stormwater drainage facilities are properly designed, sited, constructed, and maintained to efficiently capture and convey runoff for flood protection and groundwater recharge.*

Public Facilities, Services, and Infrastructure Element Policy PFS-7.4 Discretionary Development Utility Service Line Placement: *The County shall require discretionary development to place new utility service lines underground if feasible. If undergrounding is determined by the County to be infeasible, then new utility service lines shall be placed in parallel to existing utility rights-of-way, if they exist, or sited to minimize their visual impact.*

¹ CIBCSO Water Bill March 2022 to March 2023

Ventura County General Plan Water Resources Element, Compliance with National Pollution Discharge Elimination System (NPDES) Policy ED-39.3: *The County shall require discretionary development to comply with all applicable NPDES (National Pollution Discharge Elimination System) standards to protect surface water quality.*

The proposed project does not involve grading, over-excavation, or re-compaction. No new impervious area is proposed and there will not be any alteration of natural terrain or clearing of vegetation.

The project site is located in Zone X, an area of moderate flood hazard pursuant to the Federal Emergency Management Agency (FEMA) Map Panel 06111C0911F, effective January 29, 2021. The project will not require the development of new flood control facilities nor contributions to funds for the development and/or maintenance of flood control facilities.

There will not be any land disturbance as a result of the proposed project. Therefore, the proposed project complies with the Ventura Countywide Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) Permit.

Finally, all new utility lines will be required to be placed underground (Exhibit 5, Condition No. 2).

Based on the discussion above, the proposed project is consistent with General Plan Policies PFS-6.5, PFS-7.4 and PFS-39.3.

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

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

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

Water Resources Policy WR-3.3 Low-Impact Development: *The County shall require discretionary development to incorporate low impact development design features and best management practices, including integration of stormwater capture facilities, consistent with County's Stormwater Permit.*

Ventura County General Plan Water Resources Element, Groundwater Quality Protection Policy ED-39.1: *In order to protect groundwater quantity, the County shall require discretionary development to not result in any net decrease in the quantity of groundwater, taking into account existing and projected water supply and demand factors (e.g. potable water demand, landscape irrigation, evapotranspiration, recharge). Discretionary development may utilize water offsets (e.g. plumbing fixture retrofits in existing structures) to achieve no decrease in the quantity of groundwater.*

The project overlies the Santa Clara Valley Basin (Oxnard Subbasin), which is not considered an overdrafted basin. CIBCSO obtains 80 percent of its water from two United Water Conservation District wells in the El Rio area of Ventura County and the remainder as imported State Water Project (SWP) water from Calleguas Municipal Water District. These wells are within the Fox Canyon Groundwater Management Agency boundaries. Based on the location of the project site and as no new development is proposed, the project will not directly decrease, either individually or cumulatively, the net quantity of groundwater in an over drafted groundwater basin because the site is not anticipated to consume an increased quantity of water. Surface water will not be utilized as part of the proposed project.

The proposed project does not involve grading, over-excavation, or re-compaction. No new impervious area is proposed and there will not be any alteration of natural terrain or clearing of vegetation. Therefore, there will not be any increase in sediment discharge, debris, waste and other pollutants into surface runoff, drainage systems, surface water bodies, and groundwater.

Based on the discussion above, the proposed project is consistent with General Plan Policies WR-1.2, WR-1.11, WR-1.12, WR-2.2, WR-3.3 and ED-39.1.

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

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

The City of Oxnard Fire Station No. 6 is located 1.6 miles north of the project site. The distance and response time for fire protection is adequate and will not be adversely affected by the proposed project. CIBCSD will continue to provide potable water to the project site. VCFPD has confirmed that the existing fire flow and emergency access to the site from the driveway adjacent to Highland Drive are adequate for the proposed project.

Based on the discussion above, the proposed project is consistent with General Plan Policies PFS-12.3, and PFS-12.4.

7. **Conservation and Open Space Element Policy COS-4.4 Discretionary Development and Tribal, Cultural, Historical, Paleontological, and Archaeological Resource Preservation:** *The County shall require that all discretionary development projects be assessed for potential tribal, cultural, historical, paleontological, and archaeological resources by a qualified professional and shall be designed to protect existing resources. Whenever possible, significant impacts shall be reduced to a less-than-significant level through the application of mitigation and/or extraction of maximum recoverable data. Priority shall be given to measures that avoid resources.*

Coastal Act Section 30244: *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

Coastal Area Plan - Archaeological Resources Policy 4.1.1-1: *Discretionary development shall be reviewed to identify potential locations for sensitive archaeological resources.*

Coastal Area Plan - Paleontology Policy 4.1.2-1: *Discretionary development shall be reviewed to determine the geologic unit(s) to be impacted and paleontological significance of the geologic rock units containing them.*

The project site is not within a mapped sensitive area for Archaeological or Paleontological Resources (RMA GIS, April 2022). The underlying geology is Quaternary Alluvium. No new ground disturbance or landscaping is proposed. As the project site is not within a geologic formation of High, or Moderate to High, impacts to paleontological and archaeological resources is not expected to occur.

Based on the discussion above, the proposed project is consistent with General Plan Conservation and Open Space Policy COS-4.4, Coastal Act Section 30244, and Coastal Area Plan Policies 4.1.1-1, and 4.1.2-1.

8. **Hazards and Safety Element Policy HAZ-1.1 Fire Prevention Design and Practices:** *The County shall continue to require development to incorporate design*

measures that enhance fire protection in areas of high fire risk. This shall include but is not limited to incorporation of fire-resistant structural design, use of fire-resistant landscaping, and fuel modification around the perimeter of structures.

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

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

Coastal Act Policy Section 30253 – Minimization of Adverse Impacts:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazards.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

The proposed project does not involve grading, over-excavation, or re-compaction. No new impervious area is proposed and there will not be any alteration of natural terrain or clearing of vegetation. Therefore, there will not be any increase in soil erosion and downstream sedimentation and pollution.

The site is not located in an Alquist-Priolo Earthquake Fault Zone. However, the site will be subject to ground shaking caused by regionally active faults such as the San Andreas and Santa Ynez faults. The project is also located in an area subject to and susceptible to liquefaction (RMA GIS, April 2022). The County Building and Safety Department determined in 2013 as part of the approval for the Bed and Breakfast CUP that the design and construction of the existing building would not create additional geologic and flood impacts. As no new development or ground disturbance is proposed, geologic, flood, and fire hazards risks will continue to be minimized as a result of the proposed project.

The project site is not located within a high fire hazard area. To comply with the current VCFPD ordinance, the applicant was required to install an automatic fire sprinkler system (underground, overhead) and fire alarm system inside the existing structure (Exhibit 5, Condition Nos. 22 and 23). With the implementation of these conditions of approval, impacts to fire hazards will be minimized.

Based on the discussion above, the proposed project is consistent with General Plan Policies HAZ-4.1, HAZ-4.3, HAZ-4.5, and Coastal Act Policy 30253.

9. Hazards and Safety Element Policy HAZ-9.2 Noise Compatibility Standards:

The County shall review discretionary development for noise compatibility with surrounding uses. The County shall determine noise based on the following standards:

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

Hazards and Safety Element Policy HAZ-9.5 Site and Building Design: *The County shall require discretionary development and County-initiated projects to comply with adopted noise standards through proper site and building design*

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

The Ventura County General Plan considers the proposed project to be a noise-sensitive uses that does not generate new heavy vehicle (e.g., semi-truck or bus) trips on uneven roadways, does not involve the creation of a new transit use, and does not involve the creation of a new commercial or industrial use that involves noise generating activities.

The proposed project is located approximately 5.7 miles south of US Highway 101 and is outside the Community Noise Equivalent Level (CNEL) 60dB(A) noise contour (RMA GIS; April 2022). In addition, the project site is not located near any railroads (nearest railroad is approximately 1.7 miles northeast of the project site) or airports (Oxnard Airport is approximately 3.7 miles north of the project site). Therefore, the proposed project will not be subject to unacceptable levels of noise from these noise generators.

The project site is located in an area of Silverstrand Beach that includes commercial and residential uses. The building was built in 1981 and upgrades to the building were completed in 2016 as part of the Bed and Breakfast CUP, which included replacement of windows and doors in compliance with the state's Title 24 Energy Efficiency Standards (i.e., dual pane windows that limit air leakage and are weather-stripped).

Based on the discussion above, the proposed project is consistent with General Plan Policies HAZ-9.2 and HAZ-9.5.

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

Hazards and Safety Element Policy HAZ-10.11 Air Quality Assessment Guidelines: *In evaluating air quality impacts, the County shall consider total emissions from both stationary and mobile sources, as required by the California Environmental Quality Act. The County shall evaluate discretionary development for air quality impacts using the Air Quality Assessment Guidelines as adopted by the Ventura County Air Pollution Control District (APCD), except that emissions from APCD-permitted sources shall also be included in the analysis. The County shall revise the Initial Study Assessment Guides to implement this policy.*

Hazards and Safety Element Policy HAZ-10.12 Conditions for Air Quality Impacts: *The County shall require that discretionary development that would have*

a significant adverse air quality impact shall only be approved if it is conditioned with all feasible mitigation measures to avoid, minimize or compensate (offset) for the air quality impact. The use of innovative methods and technologies to minimize air pollution impacts shall be encourage in project design.

As no new development or ground disturbance is proposed, the project will not adversely contribute to, conflict or obstruct population growth forecasts or create a new air quality impact.

Based on the discussion above, the proposed project is consistent with Ventura County General Plan Resources Policies HAZ-10.2, HAZ-10.11, HAZ-10.12 and HAZ-10.14.

- 11. Land Use Policy LU-4.4 Nonconforming Parcel Size:** *The County shall not prohibit the use or development of a parcel which is a legal lot for the purposes of the County Subdivision Ordinance, but which fails to meet the minimum parcel size requirements of the applicable land use designation, solely by reason of such failure. However, this policy shall not be construed to permit the division of any parcel into two or more lots if any of the new lots fail to meet the minimum parcel size requirements.*

The subject property is a legal lot [Book 18 of Record Maps, Page 22, Lot 456]. The lot is approximately 2,535 square feet in size. Pursuant to the Ventura County CZO, the minimum lot size requirement of the coastal commercial zone in which the lot is located is 20,000 square feet. However, a substandard size legal lot may be developed consistent with the provision of the Ventura County CZO and the Ventura County Building Code.

Based on the discussion above, the proposed project will be consistent with Policy LU-4.4.

EXHIBIT 5 - CONDITIONS OF APPROVAL FOR MODIFIED CONDITIONAL USE PERMIT (CUP) CASE NO. PL23-0027

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. Project Description

This CUP is based on and limited to compliance with the project description stated in this condition below, Exhibit 3 of the Planning Director hearing on June 22, 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:

This project is granted for the continued operation and maintenance of a Bed and Breakfast within an existing three-story structure for a 10-year term. The third floor is occupied by permanent residents. The second floor, which contains one bedroom, is offered to overnight guests for compensation. Breakfast only will be served to these guests. Required parking for the Bed and Breakfast use is provided by 4 covered parking spaces on the first floor. No ground disturbance, new structures or landscaping is proposed.

In summer 2023, Channel Island Beach Community Service District (CIBCSD) will temporarily use the second floor for offices. Four administrative staff will use the space to conduct administrative services between the hours of 8:00 am and 5:00 pm, Monday through Friday.¹ Parking for CIBCSD staff will be provided by the 4 covered parking spaces on the first floor of the structure.² Maintenance vehicles will remain at the CIBCSD office site addressed as 353 Santa Monica Drive. Public parking for CIBCSD customers is provided on Roosevelt Boulevard. Upon completion of construction activities at the CIBCSD office site and verification that CIBCSD has ceased occupation of the structure, the applicant will be required to obtain a Zoning Clearance to resume bed and breakfast operations at the project site.

¹ On March 3, 2022, the Ventura County Planning Commission approved CUP Case No. PL20-0050 to redevelop the CIBCSD administration facility. During construction CIBCSD will use the Bed and Breakfast for administration offices.

² No parking for the permanent residents is required. The permanent residence will not be occupied while CIBCSD is temporarily using the building.

Conditions for Minor Modification to CUP No. LU11-0143 (Case No. PL23-0027)

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Permittee: Robert Lostutter

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Direct access to the parking is a paved driveway via Highland Drive. Water and sewer service is provided by CIBCSD.

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

2. Site Maintenance

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

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

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 § 8181-5.7 of the Ventura County Coastal Zoning Ordinance (CZO).

3. 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

Conditions for Minor Modification to CUP No. LU11-0143 (Case No. PL23-0027)

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- 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.

4. 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 CZO (Article 13), 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.

5. Time Limits

- a. Use inauguration:

- (1) The approval decision for this CUP becomes effective upon the expiration of the 10 day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for use inauguration) in order to initiate the land uses set forth in Condition No. 1.

Bed and Breakfast Use: Upon completion of construction activities at the CIBCSO office site, addressed at 353 Santa Monica Drive, and verification that CIBCSO has ceased occupation of the structure, the Permittee will be required to obtain a Zoning Clearance for use inauguration to resume Bed and Breakfast operations at the project site.

- (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 pursuant to Ventura County CZO (§ 8181-7.7). The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for use inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement

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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 [*insert actual date which starts after CIBCSD vacates*]. 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 § 8181-10.4 of the Ventura County CZP prior to [*insert actual date which starts after CIBCSD vacates*]; 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 § 8181-5.7 of the Ventura County CZO.

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

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

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

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

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

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

7. 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 maintain a current set of CUP conditions and exhibits at the project site.

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 § 8183-5 of the Ventura County CZO.

8. 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 wet signed "Notice of Land Use Entitlement" form furnished by the Planning Division and the conditions of this CUP, with the deed of the property that is subject to this CUP.

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

Timing: The Permittee shall record the "Notice of Land use Entitlement" form and conditions of this CUP, prior to issuance of a Zoning Clearance for use inauguration.

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

9. 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 CZO (§ 8183-5) related to this CUP. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.
- b. Condition Compliance Account: Pursuant to the requirements of modified CUP No. LU11-0143, the Resource Management Agency created Condition Compliance Case No. CC13-0043 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding modified CUP No. LU11-0143. The Planning Division will continue to use Condition Compliance Case No. CC13-0043 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 9.a (above), and any duly-imposed civil administrative penalties regarding this CUP.

Within 10 calendar days of the effective date of the final decision approving this CUP, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC13-0043, 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.

10. Defense and Indemnification

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- 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.

11. 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.

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

12. 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. 12 above, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

13. 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,

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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 for the operation of bed and breakfast inn.

14. 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 § 8183-5 of the Ventura County CZO.

15. 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)

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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 § 8183-5 of the Ventura County CZO.

16. Bed and Breakfast Operation Limits

Purpose: In order to comply with the requirements of the Ventura County CZO and to ensure compatibility with surrounding commercial and residential uses, it is necessary to limit the operation of the approved bed and breakfast.

Requirements: The operation of the approved use shall be limited by the following requirements of the CZO:

- a. In accordance with § 8175-5.19.2, the bed and breakfast inn shall accommodate no more than 15 guests at any time.
- b. In accordance with § 8175-5.19.3, no guest shall occupy the bed and breakfast inn for more than 30 consecutive days.
- c. In accordance with § 8177-2.1 (Standards for Coastal Commercial Zone - Lighting), there shall be no illumination or lighting glare from commercial sites onto adjacent properties or streets that may be considered either objectionable by adjacent residents or hazardous to motorists. Flashing lights are prohibited.
- d. In order to ensure that the second floor of the structure will not include a second kitchen, the second floor shall not contain a stove, hotplate, or conventional or microwave oven (In accordance with Article 2 - Definitions).

Documentation: When requested by the Planning Director or the Planning Director's designee, the Permittee shall provide documentation (including, but not limited to, copies of the bed and breakfast guest register, photographs, diagrams, etc.) to the Planning Division in order to ensure that operations comply with the requirements of this condition.

Timing: The Permittee shall provide the necessary documentation (described above) to the Planning Division within 72 hours of the Planning Director's or the Planning Director's designee's request. The Permittee shall comply with the operational requirements of this condition 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 § 8183-5 of the Ventura County CZO.

17. Landscaping and Screening

Purpose: To comply with the County's landscaping requirements.

Requirement: The Permittee shall retain a landscape architect to prepare a landscape plan for any new landscaping or changes in the existing landscaping. The plan shall comply with the requirements of this condition and the California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELO) for new landscaping.

Landscaping Objectives: The Permittee must install and maintain any new or changes in the existing landscaping that serves the following functions:

- Ensures compatibility with community character. The Permittee must install landscaping that visually integrates the development with the character of the surrounding community.
- Compliance with the California Department of Water Resources Model Water Efficient Landscape Ordinance. The Permittee must install landscaping that complies with the requirements of the California Department of Water Resources' Model Water Efficient Landscape Ordinance, which is available on-line at: <http://www.water.ca.gov/wateruseefficiency/landscapeordinance/>

Landscaping Design: The Permittee shall design all landscaping such that the landscaping requires minimal amounts of water and uses required water efficiently, in accordance with the water efficiency requirements of the Landscape Design Criteria and the California Department of Water Resources Model Water Efficient Landscape Ordinance, and must achieve the following design objectives:

- a. Use Available Non-Potable Sources of Water. The landscaping must involve the harvesting and/or use of alternative, non-potable sources of water, including stormwater, reclaimed water, and gray water, if available to the Project site.
- b. Protection of Solar Access. The Permittee must design the landscaping to avoid the introduction of vegetation that would now or in the future cast substantial shadow on existing solar collectors or photovoltaic cells or impair the function of a nearby building using passive solar heat collection.
- c. Create Viable Growing Environment. The landscape design must address the needs of the plants to ensure their health, long-term viability, and protection.
- d. A minimum of 10 percent of the subject property area shall be devoted to landscaping pursuant to § 8176-4.2(a)(2) of the Ventura County CZO.

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- e. In accordance with § 8175-3.8.2 (Clear Sight Triangle at Stop-Controlled intersection) of the CZO, the permittee shall provide on the landscape plans a clear sight triangle consistent with the guidelines established by the American Association of State Highway and Transportation Officials. In accordance with § 8175-3.8.3 (Structures and Vegetation Within Clear Sight Triangles) of the Ventura County CZO, the landscape plans shall demonstrate that structures, vegetation, and landscaping on the subject property comply with the following standards:
 - i. Structures and sight-obscuring fences or walls over three feet in height are prohibited within clear sight triangles, except for sign posts, utility poles or structures not exceeding 12 inches in width;
 - ii. Hedges or shrubbery over three feet in height are prohibited within clear sight triangles;
 - iii. The foliage of mature trees shall be trimmed to seven feet above the base of the tree within clear sight triangles. However, bare tree trunks or tree saplings are permitted within clear sight triangles.
- f. **Species Diversity.** The landscape plan must integrate a variety of plant species, heights, colors, and textures, as appropriate given the size of the landscape.
- g. **Fire Resistance.** Plant material installed in the fuel modification zone must be fire resistant.
- h. **Use Non-invasive Plant Species.**

Documentation: The Permittee shall submit a landscape documentation package pursuant to the requirements of § 8178-8 of the Ventura County CZO for any changes to the approved landscape plan and for any new landscaping to the Planning Division for review and approval. A California registered landscape architect (or other qualified individual as approved by the Planning Director) shall prepare the modified landscape plan, demonstrating compliance with the requirements set forth in this condition (above), § 8178-8 (Water Efficient Landscaping Requirements) of the Ventura County CZO. The landscape architect responsible for the work shall stamp the plan. After landscape installation, the Permittee shall submit to Planning Division staff a statement from the project landscape architect that the Permittee installed all landscaping as shown on the approved landscape plan. Prior to installation of the landscaping, the Permittee must obtain the Planning Director's approval of any changes to the landscape plans that affect the character or quantity of the plant material or irrigation system design.

Timing: The Permittee shall obtain a Zoning Clearance for use inauguration prior to the installation of the modified landscaping.

Monitoring and Reporting: Landscaping shall be maintained for the life of the permit. Landscaping approval/installation and verification shall occur after the Permittee submits the Certificate of Completion for the landscape installation. County staff shall then conduct an onsite inspection to verify that the landscaping was installed as required by the approved landscape plan as set forth § 8178-8.9.2(a)(2) or the Ventura County CZO. Monitoring activities, and enforcement activities shall occur according to the procedures set forth in § 8178-8.9.3 or the Ventura County CZO. The Planning Division maintains the landscape plans and statement by the landscape architect in the Project file

18. Lighting Plan

Purpose: To ensure lighting on the subject property is provided in compliance with § 8177-2.1 of the Ventura County CZO and to ensure the following objectives are met that lighting:

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

Requirement: The Permittee shall submit two copies of a lighting plan for any new lighting or changes to existing lighting to the Planning Division for review and approval prior to implementing such plan. The lighting plan must comply with the following:

- a. the lighting plan shall be prepared by an electrical engineer registered by the State of California;
- b. the lighting plan shall include a photometric plan and manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs
- c. the lighting plan shall provide illumination information for all exterior lighting such as parking areas, walkways/driveways, streetscapes, and open spaces proposed throughout the development;
- d. in order to minimize light and glare on the project property, all parking lot lighting, exterior structure light fixtures, and freestanding light standards must be a cut-off type, fully shielded, and downward directed, such that the lighting is projected downward onto the property and does not cast light on any adjacent property or roadway; and,
- e. light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels directed at any neighboring uses. Lighting shall be kept to

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a minimum to maintain the normal night-time light levels in the area, but not inhibit adequate and safe working light levels.

The Permittee shall bear the total cost of the review and approval of the lighting plan. The Permittee shall install all exterior lighting in accordance with the approved lighting plan.

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

Timing: The Permittee shall obtain the Planning Division's approval of the lighting plan prior any changes in the existing exterior lighting standards. The Permittee shall maintain the lighting as approved in the lighting plan for the life of the Project.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved lighting plan in the Project file. The Permittee shall ensure that the lighting is installed according to the approved lighting plan prior to occupancy. 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. Planning Division staff has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8183-5 of the Ventura County CZO.

19. Availability of Parking Spaces

Purpose: To ensure compliance with § 8176-2 of the Ventura County CZO.

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

Documentation: A stamped copy of the approved site plan.

Timing: The Permittee shall install all components of the required parking area as indicated on the approved site plan prior to occupancy, and shall maintain the required parking area as illustrated on the approved site plan for the life of the Project.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved site plan provided by the Permittee in the Project file. The Building and Safety Inspector and Planning Division have the authority to inspect the site to ensure compliance with the approved site plan prior to occupancy. Planning Division staff has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8183-5 of the Ventura County CZO.

20. Trash and Recycling Storage Area

Purpose: In order to comply with § 8175-3.14 of the Ventura County CZO.

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: The Permittee shall submit the following for the Planning Division's review and approval for any new trash and recycling enclosures:

- a. a site plan that identifies the location of the enclosure; and
- b. building elevation plans for the enclosure.

Timing: Prior to any change in the existing trash and storage area, the Permittee shall submit the site and building elevation plans to the Planning Division for review and approval.

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 inspect the site to ensure that the trash enclosures are maintained consistent with the requirements of § 8183-5 of the Ventura County CZO.

Environmental Health Division (EHD) Conditions

21. Commercial/Retail Food Facilities

Purpose: To ensure that food facilities are designed, constructed, and operated in compliance with all applicable State and local Environmental Health Division (EHD) requirements.

Requirement: The Permittee shall have a plan review and/or obtain a Permit to Operate from Ventura County EHD, Community Services Section for the food service operations.

Documentation: Submit the required applications and plans to Ventura County EHD, Community Services Section for food facility plan review and approval.

Timing: Prior to the issuance of the Zoning Clearance for use inauguration, the Permittee shall obtain a Permit to Construct a Food Facility from Ventura County EHD, Community Services Section. Prior to operation of any food facilities included in the project, the Permittee shall obtain a Permit to Operate a Food Facility from Ventura County EHD, Community Services Section.

Monitoring and Reporting: Plan review and construction inspections, as well as routine site inspections to ensure ongoing compliance with regulations related to food facilities, shall be conducted by Ventura County EHD, Community Services staff.

OTHER VENTURA COUNTY AGENCIES

Ventura County Fire Protection District (VCFPD) Conditions

22. Fire Sprinklers

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

Requirement: The Permittee shall be responsible to have an automatic fire sprinkler system (underground, overhead) 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. A System Verification Inspection shall also be conducted by VCFPD.

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

Timing: The Permittee 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 Permittee, and their successors in interest, shall maintain the fire sprinkler system for the life of the development.

23. Fire Alarm

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

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

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

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

Monitoring and Reporting: A copy of the approved fire alarm plans shall be kept on file with the VCFPD. The VCFPD shall conduct on-site inspections to ensure that the fire alarm system is installed according to the approved plans. Unless a modification is

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approved by the VCFPD, the Permittee, and their successors in interest, shall maintain the fire alarm system for the life of the development.

Boero, Kristina

From: Dobrowalski, Jay <jay.dobrowalski@oxnard.org>
Sent: Monday, April 3, 2023 11:37 AM
To: Boero, Kristina
Subject: Re: Request for Comment PL23-0027 Lostutter Bed and Breakfast

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

Hello Kristina,

The City of Oxnard Planning staff have reviewed the materials provided with your email request for outside review regarding Project No. PL23-0027.

Based on the review of those materials, the City does not have comments regarding the project.

Thank you for the opportunity to review the proposed development located near the City of Oxnard.

Sincerely,

Jay Dobrowalski | Planning Supervisor
Community Development Department
[214 S C Street | Oxnard, CA 93030](https://www.oxnard.org)
O: 805.385.3948 | F: 805.385.7417
www.oxnard.org

Online services remain available through our online portal at www.oxnard.org/planning

- General inquiries should be sent via email to Planning@oxnard.org.
- For existing applications, contact your assigned Case Planner by direct email.

On Wed, Mar 29, 2023 at 3:49 PM Boero, Kristina <Kristina.Boero@ventura.org> wrote:

Hey Jay,

Please see the attached information for a new project in the City's Area of Interest. Thanks!

Kristina Roodsari Boero, M.P.P.A. | Senior Planner

Residential Permits Section

kristina.boero@ventura.org

Ventura County Resource Management Agency | Planning Division

P. 805.654.2467 | F. 805.654.2509

800 S. Victoria Ave., L #1740 | Ventura, CA 93009-1740

Visit the Planning Division website at vcrma.org/planning

For online permits and property information, visit [VC Citizen Access](#)

