



Planning Director Staff Report Hearing on June 9, 2022

County of Ventura • Resource Management Agency

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OJAI RETREAT MINOR MODIFICATION TO CONDITIONAL USE PERMIT (CUP) NO. 3527, CASE NO. PL21-0018

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Minor Modification of Conditional Use Permit (CUP) 3527 to allow the continued use of the existing retreat for a 20-year period (Case No. PL21-0018).
2. **Applicant:** Ulrich Brugger, 160 Besant Road, Ojai, CA 93023
3. **Property Owner:** Neil Kreitman, 160 Besant Road LLC, PO Box 1868, Ojai, CA 93024
4. **Applicant's Representative:** Ben Turner, Onyx Creative, 2300 Knoll Drive, Ste. A, Ventura, CA 93003
5. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-4 and Section 8111-1.2 et seq.), the Planning Director is the decision-maker for the requested Minor Modification to a CUP.
6. **Project Site Size, Location, and Parcel Number:** The 5-acre project site is located at 160 Besant Road, approximately 0.4 miles south of the intersection of Lomita Avenue, and 0.2 miles south of the Existing Community of Meiners Oaks, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 017-0-260-060 (Exhibit 2).
7. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Rural
 - b. Ojai Valley Area Plan Land Use Map Designation: Rural Residential, 5-10 acres
 - c. Zoning Designation: Rural Agricultural, 5-acre minimum parcel size (RA-5 ac.); Temporary Rental Unit Regulation (TRU) Overlay Zone; and Dark Sky (DKS) Overlay Zone

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

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	RA-20 ac. / TRU / DKS	Private K-12 school
East	RE-5 ac. / TRU / DKS	Single-family dwellings and accessory structures
South	OS-40 ac. / TRU / DKS, and RE-2 ac. / TRU / DKS	Vacant Single-family dwellings and accessory structures
West	RA-20 ac. / TRU / DKS	Private K-12 school

9. History: The Ventura County Planning Commission originally granted CUP No. 3527 in June 1975 to allow the operation of an educational institution (Radix Institute) for a period of five years. A permit adjustment was granted in 1977 to permit the addition of a second floor and balcony to an existing structure.

Five-year permit time extensions were granted in 1980 and 1985. During this time, the facility changed its name to the Ojai Institute / Retreat. In 1990, Modification No. 1 to CUP No. 3527 was granted for a permit time extension to 10 years.

In June 1995, the Board of Supervisors adopted Ordinance No. 4092, which established development standards for retreats. Prior to this, retreats were not a recognized land use. The retreat standards are now codified as Section 8107-18 of the Non-Coastal Zoning Ordinance (NCZO). These standards limit the number of guests and the floor area dedicated to sleeping areas and other uses.

The Planning Director approved Modification No. 2 of CUP No. 3527 in September 2000. Under this modification, the facility was to be permitted to operate as a retreat as allowed under the amended NCZO, rather than an educational institution, with a permit time extension for 10 years. Permit Adjustment No. LU04-0097 was granted in 2004 to allow the construction of a second bathroom and kitchenette to an existing cottage. In 2007, Permit Adjustment No. LU07-0053 was granted to for interior renovations in Building C.

The Planning Director granted Modification No. 3 (File No. LU10-0038) in November 2010 for a permit time extension for 10 years and specifying the frequency and capacity of special seminars, conferences, lectures, or similar gatherings.

As noted in Section D of this report, the existing facility currently exceeds the maximum square footage allowed under NCZO Section 8107-18 for areas not dedicated to sleeping or restroom uses (“other areas”). These areas were legally established under CUP No. 3527 prior to the square footage limitation coming into effect in 1995. As a result, the facility is considered to be legal non-conforming as to other areas. NCZO Section 8113-1 allows owners to continue to use and maintain legal non-conforming structures.

Two additional sheds had been established on the property since the last modification was granted in 2010 (identified as Buildings K and L). These sheds are counted towards “other areas,” as regulated under NCZO Section 8107-18. Because the sheds would have caused an expansion of a legal non-conforming use, they could not be authorized under the CUP. These sheds were removed in 2021 pursuant to Zoning Clearance No. ZC-1331.

In February 2022, Zoning Clearance No. ZC22-0096 was approved, which authorized the addition of a bathroom to the Topa Topa Room (“sleeping area”) from a portion of the Quiet Room (“other area”). This resulted in reduction of other area by 33 sq. ft., bringing the use closer to conformance with NCZO Section 8107-18.

10. Project Description: Minor Modification to CUP No. 3527 for the continued use of the existing retreat for a 20-year period. The request also includes adding a new four-cubic-yard green waste enclosure in the overflow parking area. No new structures or development are proposed. The existing facility contains six buildings and is limited to 20 overnight guests. No increase in occupancy is proposed.

The applicant also requests the continued operation of onsite events, which were authorized under a previous CUP Modification. These events include the following:

- Type 1 (Monthly): Gatherings of up to 80 day-use persons, not including staff and overnight guests, are permitted on one weekend per month. These events are limited to Saturdays and Sundays between the hours of 8:00 am and 10:00 pm.
- Type 2 (Weekly): Gatherings of up to 40 day-use persons, not including staff and overnight guests, are permitted every weekend of the year except those weekends when Type 1 gatherings (above) are being held. These events are limited to Saturdays and Sundays between the hours of 8:00 am and 10:00 pm.
- Type 3 (Special Events): The Permittee may request permission to hold special events where attendance will be more than 80 persons, but less than 150 persons. A special event may be allowed up to four times per calendar year at the discretion of the Planning Director. Any request for such an event must be submitted in writing to the Planning Division at least 60 days prior to the proposed date of the event. Special events are limited to the hours of 8:00 am to 10:00 pm.

The CUP project site includes the following existing structures, inclusive of both retreat and non-retreat uses:

Building	Sleeping / Restroom Area (sq. ft.)	Other Area (sq. ft.)	Total Area (sq. ft.)
A	465	595	1,060
B	644	0	644
C	897	0	897
D	528	0	528
E <i>Basement</i>	0	118	118
<i>Lower floor</i>	630	1,719	2,349
<i>Upper floor¹</i>	579	383	962
F	0	171	171
Storage Sheds - (G, H, I, and J)	0	480	480
Total	3,743	3,466	7,209

Water will continue to be provided by the Meiners Oaks County Water District. An existing pump and tank system will continue to provide increased water pressure for the facility. Wastewater will continue to be handled using onsite wastewater treatment systems (OWTS) comprised of five septic tanks, three seepage pits, and eight leach fields. Access to the site is provided by way of Besant Road, a paved private road leading to Lomita Avenue, a paved County road. A secondary access driveway connects the project site to Tico Road. (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 involves the continued operation of an existing retreat for a period of 20 years. No new development is proposed. Therefore, the project is determined not to have a significant effect on the environment pursuant to CEQA Guidelines Section 15301 (Existing Facilities). Further, 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.

¹ Upper floor figures reflect 33 sq. ft. transferred from “Other Area” to “Sleeping / Restroom Area” under Zoning Clearance ZC22-0096. This Zoning Clearance authorized conversion of a portion of the Quiet Room, which is designated as “Other Area” to a bathroom for the Topa Topa Room, which is designated as “Sleeping / Restroom Area.”

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

C. CONSISTENCY WITH THE GENERAL PLAN

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

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

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

Staff evaluation for consistency of the proposed project with the applicable policies of the Ventura County General Plan *Goals, Policies and Programs* and *Ojai Valley Area Plan* is provided in Exhibit 5. This analysis concludes the project is consistent with all applicable general plan and area plan policies.

D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the Ventura County NCZO (Section 8105-4), the proposed use is allowed in the Rural Agricultural 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 buildings/structures that are subject to the development standards of the Ventura County NCZO (Section 8106-1.1). 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)	1 acre	Yes (5 acres)
Maximum Percentage of Building Coverage	25 percent	Yes (2.8 percent)
Front Setback	20 feet	Yes (250+ feet)
Side Setback	5 feet	Yes (5 feet)
Rear Setback	15 feet	Yes (125 feet)
Maximum Building Height	25 feet	Yes (25 feet)
Minimum Parking	As determined by decision-making body	Yes. (14 designated parking spaces, with overflow parking accommodating up to 51 spaces)
Maximum Number of Attached Signs	1	Yes. (1)

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
Maximum Number of Freestanding Signs	1	Yes. (1)

The proposed retreat is subject to the special use standards of the Ventura County NCZO (Section 8107-18). 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?
<p>Section 8107-18.1 – Minimum Lot Size The minimum lot size for a retreat is 5 acres.</p>	Yes. The subject property is 5 acres.
<p>Section 8107-18.2 – Accommodations A retreat shall not have sleeping accommodations for more than 20 people, inclusive of staff and guests.</p>	Yes. The proposed project will not provide sleeping accommodations for more than 20 people. See Exhibit 4, Condition No. 1.
<p>Section 8107-18.3 – Length of Stay Retreat guests shall be limited to a stay of no more than a total</p>	Yes. Retreat guests will be limited to stays of no longer than 60 days in a calendar year. See Exhibit 4, Condition No. 1.
<p>Section 8107-18.4a – Floor Area – Sleeping Accommodations Floor area shall be limited to a maximum of 200 square feet for each overnight guest, for sleeping and restroom facilities.</p>	Yes. The proposed project does not exceed 200 sq. ft. per guest. Under this standard, the maximum permissible square footage for 20 persons would be 4,000 sq. ft. The facility presently has 3,743 sq. ft. dedicated to sleeping and restroom facilities.
<p>Section 8107-18.4b – Floor Area – Other Facilities Floor area shall be limited to a maximum of 2,000 square feet for all other buildings (other than structures for animals), such as kitchen and dining areas, conference rooms, storage, and the like.</p>	<p>No. The existing retreat is legal non-conforming with respect to floor area for other facilities. Approximately 3,466 sq. ft. is dedicated to other facilities, which exceeds the maximum of 2,000 sq. ft.</p> <p>As discussed in Section A.9, above, the Conditional Use Permit originally authorized the facility as an educational institution in 1975. In 1995, the Board of Supervisors adopted modifications to the NCZO which established a new use, retreats. This included limiting the floor area dedicated to sleeping, restrooms, and other uses. In 2000, when the CUP's operation period was extended, the facility was permitted as a retreat.</p> <p>Because the facility was legally established prior to the limitation on floor area, it is considered to be legal non-conforming. Pursuant to Section 8113-5.3 non-conforming uses which are non-amortized are allowed to continue, provided that no additions or enlargements are made to the structure housing the non-conforming use. As a result, the facility</p>

Table 2 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
	may continue operating with 3,466 sq. ft. dedicated to uses other than sleeping and restrooms.
<p>Section 8107-18.5 – Height No retreat structures shall exceed a height of 25 feet, unless authorized by the use permit.</p>	Yes. Retreat structures are no taller than 25 feet.
<p>Section 8107-18.6 – Recreational Facilities A retreat may include minor accessory recreational facilities such as horse facilities, equestrian trails, hot tubs, one swimming pool, and one tennis court.</p>	Yes. The facility includes a garden, patio, and walking path.
<p>Section 8107-18.7 – Setbacks and Screening Structures related to a retreat shall be set back at least 100 feet from public roads. Foliage and natural topography shall be used to the maximum extent feasible for screening of retreat structures from public rights-of-way and from residential uses on adjacent properties.</p>	Yes. The nearest public road (Loma Drive) is approximately 850 feet southwest of Building D. Dense oaks and ornamental vegetation prevent the project site from being seen from any of the adjacent public roads: Loma Drive, Tico Road, and Lomita Avenue.
<p>Section 8107-18.8 – Lighting Lighting for nighttime activities shall be directed away from adjacent properties.</p>	Yes. The proposed project is in the Dark Sky Overlay Zone, which includes strict lighting standards that are designed to prevent light trespass. The project is conditioned to comply with the Dark Sky Overlay Zone standards (Exhibit 4, Condition No. 22).

The proposed project is located within a Temporary Rental Unit Regulation Overlay Zone and, therefore, is subject to the standards of the Ventura County NCZO (Section 8109-4.6). These standards address the renting of a dwelling for periods of less than 30 consecutive days. Under the TRU standards, temporary rentals of dwelling units are prohibited, except for historic structures and homeshare uses. The project involves extending the permitting time frame for a retreat, as authorized under NCZO Section 8107-18. As such, the standards of Section 8109-4.6 that regulate short-term rentals and homeshares do not apply to the project.

The proposed project is located within a Dark Sky Overlay Zone and, therefore, is subject to the standards of the Ventura County NCZO (Section 8109-4.7). Table 3 lists the applicable Dark Sky Overlay Zone standards and a description of whether the proposed project complies with those standards.

Table 3 – Dark Sky Overlay Zone Standards Consistency Analysis

Overlay Zone Standard	Complies?
<p>Section 8109-4.7.2.b – Existing Non-Essential Luminaires Outdoor non-essential luminaires installed as of November 1, 2018 that do not comply with any standard or requirement may remain in use until replaced. Luminaires with adjustable mountings shall be directed downward.</p>	Yes. The applicant has provided a lighting plan documenting existing lighting, all of which was installed prior to November 1, 2018. The light fixtures that have adjustable mountings (e.g., wall-mounted pedestrian lights) have been directed downward.

Table 3 – Dark Sky Overlay Zone Standards Consistency Analysis

Overlay Zone Standard	Complies?
<p>Lighting shall be turned off during dark hours (i.e., after 10 pm).</p>	
<p>Section 8109-4.7.2.c – Existing Essential Luminaires</p> <p>Outdoor essential luminaires installed as of November 1, 2018, that do not comply with any standard or requirement may remain in use until replaced. Luminaires with adjustable mountings shall be directed downwards.</p>	<p>Yes. The applicant has provided a lighting plan documenting existing lighting, all of which was installed prior to November 1, 2018. The light fixtures that have adjustable mountings (e.g., wall-mounted pedestrian lights) have been directed downward.</p>
<p>Section 8109-4.7.3 – Prohibited Lighting</p> <p>Luminaires along the perimeter of a lot are prohibited, except where needed for security/safety purposes. Lights that blink, flash, rotate, or have intermittent fading or strobe light illumination are also prohibited.</p>	<p>Yes. There is no existing or proposed lighting along the perimeter of the property. No blinking or flashing lights are existing or proposed.</p>
<p>Section 8109-4.7.4.a – Shielding and Direction</p> <p>All outdoor luminaires shall be fully shielded and directed downward to avoid light trespass. Lights at building entrances and under eaves may be partially shielded.</p>	<p>Yes. This requirement applies only to luminaires installed or replaced after November 1, 2018. Lighting on the project site has been in place prior to November 1, 2018. This lighting may be maintained pursuant to Section 8109-4.7.2.</p> <p>When light fixtures that are not fully shielded or directed downward are replaced, they must be replaced with fixtures that are fully shielded. The project has been conditioned to ensure compliance with Dark Sky Overlay Zone standards upon replacement of any lighting fixtures (Exhibit 4, Condition No. 22).</p>
<p>Section 8109-4.7.4.b – Lighting Color</p> <p>Color temperature shall not exceed 3,000 Kelvin.</p>	<p>Yes. This requirement applies only to luminaires installed or replaced after November 1, 2018. Lighting on the project site has been in place prior to November 1, 2018. This lighting may be maintained pursuant to Section 8109-4.7.2.</p> <p>When light fixtures are replaced, they must be replaced with fixtures that have a color temperature of no greater than 3,000 Kelvin. The project has been conditioned to ensure compliance with Dark Sky Overlay Zone standards upon replacement of any lighting fixtures (Exhibit 4, Condition No. 22).</p>
<p>Section 8109-4.7.4.c – Maximum Lumens per Luminaire.</p> <p>Each luminaire shall have a maximum output of 850 lumens, except for security lighting and outdoor recreational facility lighting.</p>	<p>Yes. This requirement applies only to luminaires installed or replaced after November 1, 2018. Lighting on the project site has been in place prior to November 1, 2018. This lighting may be maintained pursuant to Section 8109-4.7.2.</p> <p>When light fixtures (other than security or recreational facility lighting) are replaced, they must be replaced with fixtures that have a maximum output of 850 lumens. The project has been conditioned to ensure compliance with Dark Sky Overlay Zone standards</p>

Table 3 – Dark Sky Overlay Zone Standards Consistency Analysis

Overlay Zone Standard	Complies?
	upon replacement of any lighting fixtures (Exhibit 4, Condition No. 22).
<p>Section 8109-4.7.4.d – Dark Hours All outdoor luminaires except for essential luminaires shall be turned off from 10:00 p.m. until sunrise.</p>	Yes. The project has been conditioned to ensure that non-essential lighting is turned off by 10:00 p.m. (Exhibit 4, Condition No. 22).
<p>Section 8109-4.7.4.e – Security Lighting Security lighting shall not exceed 2,600 lumens per luminaire. Where a fixture exceeds 850 lumens, it must be connected to motion sensors with timers programmed to turn the lights off after 10 minutes. Security lighting associated with security cameras may exceed 3,000 Kelvin but shall be the minimum necessary for effective operation.</p>	<p>Yes. This requirement applies only to luminaires installed or replaced after November 1, 2018. Lighting on the project site has been in place prior to November 1, 2018. This lighting may be maintained pursuant to Section 8109-4.7.2.</p> <p>When security lighting is replaced, it must be replaced with fixtures that have a maximum output of 2,600 lumens. Any fixtures that exceed 850 lumens would also need to be hooked up to a motion sensor and timer. The project has been conditioned to ensure compliance with Dark Sky Overlay Zone standards upon replacement of any lighting fixtures (Exhibit 4, Condition No. 22).</p>
<p>Section 8109-4.7.4.f – Parking Area Lighting Parking area lighting shall comply with Section 8108-5.12</p>	Yes. Parking area lighting is sufficient to meet the standards in Section 8108-5.12.
<p>Section 8109-4.7.4.i – Allowable Light Trespass Quantitative light trespass in the RA zone shall not exceed 0.1 foot-candles at the property line.</p>	Yes. The project has been conditioned to meet this standard (Exhibit 4, Condition No. 22).

E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO. The ability to make the required findings is evaluated below.

- 1. The proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code [Sections 8111-1.2.1.1a.a and 8111-1.2.1.1b.a].**

Based on the information and analysis presented in Sections C and D of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code can be made.

- 2. The proposed development is compatible with the character of surrounding, legally established development [Section 8111-1.2.1.1a.b].**

The proposed project includes the continued use of a retreat with sleeping facilities. The retreat will be open year-round and can accept a maximum of 20 overnight users, including both guests and staff). The retreat can also host weekly events with up to 40 guests, monthly events with up to 80 guests, and special events of up to 150 guests (if authorized by the Planning Director).

The CUP project site is in the Ojai Valley. The Ojai Valley Area Plan designates the surrounding area as Rural Residential. Adjacent development includes single-family dwellings on large lots (between 2 and 5 acres) and a private K-12 school (Oak Grove School). No new development is proposed on the project site. As discussed in Section D, Table 1 of this staff report (above), existing development complies with all applicable standards for the RA zone.

The facility has been in operation since 1975. The proposed project does not include a change in use or operations that has the potential to create any land use conflicts with surrounding residential and institutional development. Additionally, the proposal will not generate additional traffic or introduce new physical development that is incompatible with the neighborhood character. Thus, the proposed project will continue to be compatible with the character of surrounding development.

As discussed in Exhibit 5, Item No. 15 (Noise), a noise study was conducted for the proposed project (Noise Impact Assessment; Acoustics Report, Inc.; July 28, 2021; attached as Exhibit 6). The noise study took measurements from three neighboring single-family residences and a school. Based on these measurements, the acoustical consultant has recommended incorporation of several measures to ensure that noise levels during events do not exceed the maximum acceptable noise limits set forth in Hazards and Safety Element Policy HAZ-9.2. Recommended measures include designating a staff member or sound system operator to serve as a “decibel officer” during events. The decibel officer will monitor noise levels throughout the event and make adjustments as necessary. Additionally, amplified sound would end by 10:00 pm. The recommended measures from the noise study have been incorporated into a condition of approval (Exhibit 4, Condition No. 25). Based on the conclusions of the noise study, noise levels are not expected to exceed General Plan thresholds. Therefore, the proposed project is compatible with the rural character of the surrounding legally established development.

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

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

The proposed project involves the continued operation of a retreat with sleeping facilities. No new development or grading is proposed. The retreat is currently served by a parking lot that provides 14 designated spaces. Additional parking

can be accommodated onsite for special events without restricting public safety access. Meiners Oaks County Water District supplies water to the project site and wastewater is handled through onsite wastewater treatment systems. To ensure that the proposed project will not adversely affect surrounding uses, the applicant will be required to designate a contact person for timely resolution of complaints related to events (Exhibit 4, Condition No. 15).

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

4. The proposed use can coexist in relative proximity, and is not expected to unduly interfere with, the existing land uses of the surrounding area as determined based on the following land use factors:

(a) Whether the proposed use would generate offsite noise louder than ambient noise levels by considering: (1) the volume and times of day such noise would be generated; (2) the proximity of the proposed use to the nearest offsite noise sensitive receptors such as dwellings, schools, hospitals, nursing homes, and libraries; (3) the topography of the surrounding area likely to affect how noise travels; and (4) the existence of other nearby uses likely to generate offsite noise at similar times; and

(b) Whether the proposed use would generate vehicular traffic affecting the level of service of a road segment or intersection located within one mile of the proposed use as determined pursuant to Section 27a(1), “Transportation & Circulation – Roads and Highways – Levels of Service (LOS)” of the County’s Initial Study Assessment Guidelines, as such section may be amended or renumbered [Section 8111-1.2.1b.b].

The retreat and associated outdoor events can coexist with surrounding rural residential and institutional development because the facility has historically operated in a manner that is compatible with surrounding development and will continue to be restricted on event capacity, frequency, and time of operation. Additionally, the project will not result in the generation of any additional traffic beyond baseline conditions and the existing roadway network is sufficient to handle the demand associated with events.

The project is not expected to result in a significant generation of noise. The facility has been in continuous operation since 1975 and has been authorized to hold events since 2000. Monthly and weekly events are restricted to Saturdays and Sundays between the hours of 8:00 am and 10:00 pm. Weekly events would have up to 40 participants and monthly events up to 80 participants. The Planning Director may authorize up to two special events with up to 150 participants per calendar year. The applicant is proposing to continue holding events with the same frequency and capacity limits as currently authorized. The applicant will also implement the recommendations of the noise study (Exhibit 6). This will include designating a staff member or sound engineer (i.e., a “decibel officer”) to monitor

and adjust sound levels, limiting sound output to 85 dB, and ceasing amplified sound by 10:00 pm (Exhibit 3, Condition No. 25). The noise study further confirms that amplified sound levels at nearby sensitive receptors will remain below the maximum level of 50 dB(A) Leq1H, as required by General Plan Policy HAZ-9.2. Based on these limitations, the operation of the facility is expected to be compatible with surrounding land uses.

The project will not affect the Level of Service for area roadways and intersections as it is not expected to generate new vehicle trips. The project would extend the operation time of an existing retreat facility. The applicant does not propose to intensify or otherwise increase operations. As such, the project will not result in additional traffic generation beyond baseline conditions. Existing roadways serving the project site include Lomita Avenue, a public road, and Besant Road, a paved private road. Emergency secondary access is provided to Tico Road, a public road. These roads provide sufficient physical access to handle retreat and event-related traffic.

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 8111-1.2.1.1a.d].

The continued use and operation of the project site as a retreat with sleeping facilities is allowed in the RA-5 ac. zone with the granting of a CUP. There are no open violations on file. As indicated in Section B of this staff report, no significant environmental effects have been identified.

Adequate public resources and infrastructure exist to continue to serve the retreat facility. The existing connection to Meiners Oaks County Water District will continue to provide water to the site. Existing onsite wastewater treatment systems will continue to handle wastewater. The project site is less than one mile from the nearest fire station (Fire Station No. 22, 466 South La Luna Avenue). Additionally, access to the site meets fire safety standards and there are two fire hydrants onsite.

As discussed in Exhibit 5, Item No. 15 (Noise), the project will be required to incorporate measures to ensure that neighboring sensitive receptors do not experience noise that exceeds General Plan limitations. Measures include designating a “decibel officer” to monitor sound output and ceasing amplified sound by 10:00 pm (Exhibit 4, Condition No. 25). Therefore, the proposed project will not be detrimental to the public interest, health, safety, convenience or welfare.

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

6. The proposed use would not be detrimental to public health and safety as determined based on the following land use factors:

- (a) Whether public and private roads and driveways used to access the site of the proposed use can safely accommodate all vehicular traffic associated with the proposed use, including emergency vehicles, and meet all applicable requirements of the Ventura County Fire Code; and**
- (b) Whether the proposed use or site of the proposed use would create risk of harm to persons, nearby properties, or the environment based on fire hazards, geologic hazards, flood hazards, hazardous materials, or increased risk of vandalism or trespass that cannot be controlled through reasonable event security [Section 8111-1.2.1b.c].**

The project would not be detrimental to public health and safety, because road access is sufficient to accommodate the use, and the project would not exacerbate any risk factors associated with fire hazards, geologic hazards, flood hazards, hazardous materials, or crime. As discussed in the General Plan consistency analysis (Exhibit 5), Item Nos. 5 and 12, road access to the site (Lomita Avenue to Besant Road) is sufficient to support the traffic generated by the retreat and event uses. Additionally, the project site has a paved secondary access road to Tico Road. The access roads meet Ventura County Fire Protection District (VCFPD) standards.

Operation of the retreat would not expose people to hazardous conditions. The project site is outside of a high fire hazard severity zone. The project site is not in a flood hazard area or an area susceptible to landslide or liquefaction. The project does not involve the use or storage of hazardous materials. Vandalism and trespass have not been issues in the past, and continued operation of the retreat facility is not expected to increase the risk of these crimes occurring.

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

- 7. The proposed development, if allowed by a Conditional Use Permit, is compatible with existing and potential land uses in the general area where the development is to be located [Section 8111-1.2.1.1a.e].**

The proposed project includes the continued use and operation of a retreat with sleeping facilities. The proposed project is subject to a CUP in accordance with NCZO Section 8105-4. The subject site and surrounding areas are primarily located within the RA zone. Existing land uses include single-family dwellings and a private K-12 school. Retreats are a permissible land use in the RA zone with the granting of a CUP.

The facility has been in operation since 1975. Originally, it was permitted as an educational institution. In 2000, with the granting of Modification No. 2 to CUP No. 3527, the facility was formally converted to a retreat in accordance with the provisions of NCZO Section 8107-18. All retreat structures are existing.

As discussed in Sections C and D of this staff report, the proposed project will be compatible with the rural surroundings. To ensure events taking place at the facility are compatible with the surrounding land uses, the applicant has been required to designate an onsite contact person to resolve complaints (Exhibit 4, Condition No. 17). Therefore, the project will be compatible with existing and potential land uses where the proposed project is located.

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

8. The proposed development will occur on a legal lot [Sections 8111-1.2.1a.f and 8111-1.2.1b.d].

The subject property was comprised of two lots, both of which were legally created by conveyances². The conveyances were made in 1927, 1930, and 1940, and pre-dated the local subdivision ordinance. The two parcels were merged to create the subject parcel by Lot Line Adjustment SD10-0023, which was recorded on August 24, 2010, as Instrument No. 20100824-00126512-0.

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

9. The proposed development is approved in accordance with the California Environmental Quality Act and all other applicable laws [Sections 8111-1.2.1a.g and 8111-1.2.1b.e].

As discussed in Section B of this staff report (above), the proposed project is categorically exempt from environmental review pursuant to CEQA Guidelines Section 15301 (Class 1, Existing Facilities). The continued use and operation of the project will not have any significant effect on the environment. No new development and no changes to the existing structures are proposed. Further the project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Therefore, the proposed project can be approved in accordance with CEQA.

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

10. Development within any overlay zone having specific development standards must comply with such standards [Section 8111-1.2.1.4 and Article 9].

As discussed in section D of this staff report (above), the proposed project complies with all applicable standards of the Dark Sky Overlay Zone and the Temporary Rental Unit Regulation (TRU) Overlay Zone. The project has been

² See Book 128, Page 480 of Official Records (April 21, 1927); Book 313, Page 415 of Official Records (May 22, 1930); and Book 628, Page 155 of Official Records (December 4, 1940).

conditioned to provide a final lighting plan in compliance with Dark Sky (DKS) Overlay Zone standards (Exhibit 4, Condition of Approval No. 22).

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

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

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), Ventura County NCZO (Section 8111-3.1). On May 27, 2022, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located. On May 27, 2022, the Planning Division placed a legal ad in the *Ventura County Star* and *Ojai Valley News*. As of the date of this document, no comments have been received.

The project site is located within the City of Ojai's Sphere of Influence / Area of Interest. Therefore, on March 10, 2021 the Planning Division notified the City of Ojai of the proposed project and requested the City of Ojai to submit any comments that the City might have on the proposed project. As of the date of publication of this staff report, the City of Ojai has not provided any comments on this project.

G. RECOMMENDED ACTIONS

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

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, 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 a CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** Minor Modification of CUP 3527 (Case No. PL21-0018), subject to the conditions of approval (Exhibit 4).
5. **SPECIFY** that the Clerk of the Planning Division / Commission [or Clerk of the Board of Supervisors] 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.

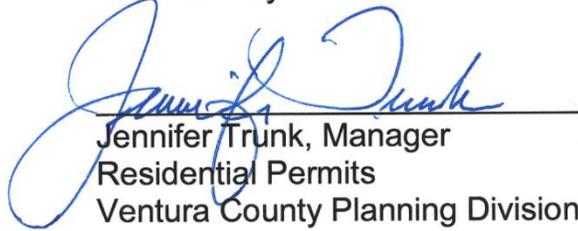
If you have any questions concerning the information presented above, please contact Michael Conger at (805) 654-5038 or Michael.Conger@ventura.org.

Prepared by:



Michael T. Conger, AICP, Case Planner
Residential Permits
Ventura County Planning Division

Reviewed by:



Jennifer Trunk, Manager
Residential Permits
Ventura County Planning Division

EXHIBITS

- Exhibit 2 Maps
- Exhibit 3 Plans
- Exhibit 4 Conditions of Approval
- Exhibit 5 General Plan Consistency Analysis
- Exhibit 6 Noise Study



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



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
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**County of Ventura
Planning Director Hearing
Case No. PL21-0018
Exhibit 2 - Maps**



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Ventura County, California
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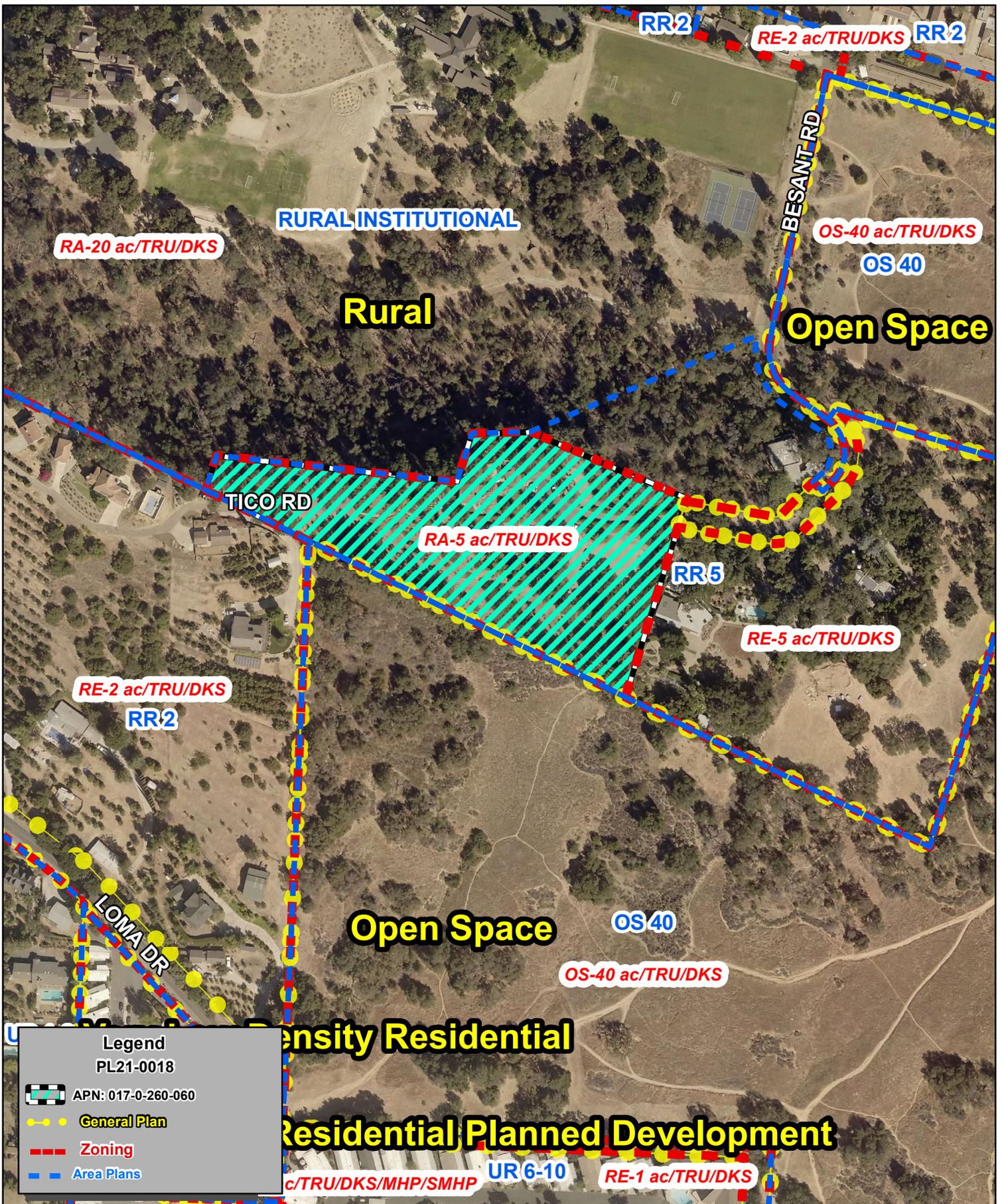


County of Ventura
Planning Director Hearing
PL21-0018
Aerial Photography



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Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
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County of Ventura
 Planning Director Hearing
 PL21-0018
 General Plan & Zoning Map



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**J.E. ARMSTRONG
ARCHITECT, INC**
LICENSE C22059
2300 KNOLL DRIVE, SUITE A
VENTURA, CA. 93003
805-644-8180



PROJECT TITLE:

THE OJAI RETREAT & INN
160 BESANT RD, OJAI,
CA 93023
APN: 017-0-260-060

SHEET TITLE:

(E) SITE PLAN

FOR PERMIT

REVISIONS:

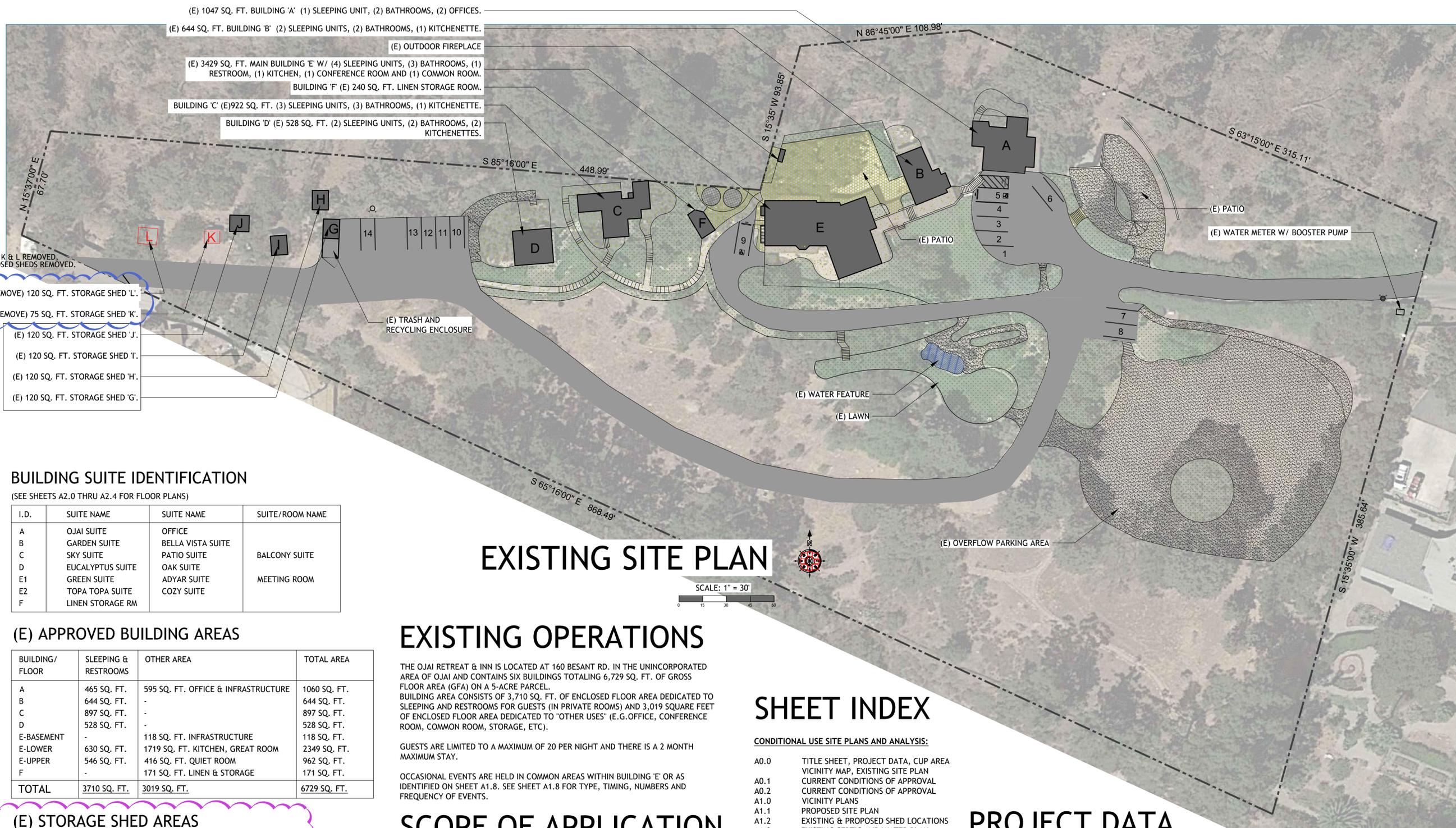
1	07-20-21	INCOMPLETE ITEMS
2	09-24-21	INCOMPLETE ITEMS
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DATE: 09-28-21	DRAWN BY: J. ARMSTRONG
PROJECT #: 1918	REVIEWED BY: J. ARMSTRONG

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A0.0



- (E) 1047 SQ. FT. BUILDING 'A' (1) SLEEPING UNIT, (2) BATHROOMS, (2) OFFICES.
- (E) 644 SQ. FT. BUILDING 'B' (2) SLEEPING UNITS, (2) BATHROOMS, (1) KITCHENETTE.
- (E) 3429 SQ. FT. MAIN BUILDING 'E' W/ (4) SLEEPING UNITS, (3) BATHROOMS, (1) RESTROOM, (1) KITCHEN, (1) CONFERENCE ROOM AND (1) COMMON ROOM.
- BUILDING 'F' (E) 240 SQ. FT. LINEN STORAGE ROOM.
- BUILDING 'C' (E) 922 SQ. FT. (3) SLEEPING UNITS, (3) BATHROOMS, (1) KITCHENETTE.
- BUILDING 'D' (E) 528 SQ. FT. (2) SLEEPING UNITS, (2) BATHROOMS, (2) KITCHENETTES.

- SHEDS K & L REMOVED. PROPOSED SHEDS REMOVED.
- (REMOVE) 120 SQ. FT. STORAGE SHED 'L'.
- (REMOVE) 75 SQ. FT. STORAGE SHED 'K'.
- (E) 120 SQ. FT. STORAGE SHED 'J'.
- (E) 120 SQ. FT. STORAGE SHED 'I'.
- (E) 120 SQ. FT. STORAGE SHED 'H'.
- (E) 120 SQ. FT. STORAGE SHED 'G'.

BUILDING SUITE IDENTIFICATION

(SEE SHEETS A2.0 THRU A2.4 FOR FLOOR PLANS)

I.D.	SUITE NAME	SUITE NAME	SUITE/ROOM NAME
A	OJAI SUITE	OFFICE	
B	GARDEN SUITE	BELLA VISTA SUITE	
C	SKY SUITE	PATIO SUITE	BALCONY SUITE
D	EUCALYPTUS SUITE	OAK SUITE	
E1	GREEN SUITE	ADYAR SUITE	MEETING ROOM
E2	TOPA TOPA SUITE	COZY SUITE	
F	LINEN STORAGE RM		

(E) APPROVED BUILDING AREAS

BUILDING/ FLOOR	SLEEPING & RESTROOMS	OTHER AREA	TOTAL AREA
A	465 SQ. FT.	595 SQ. FT. OFFICE & INFRASTRUCTURE	1060 SQ. FT.
B	644 SQ. FT.	-	644 SQ. FT.
C	897 SQ. FT.	-	897 SQ. FT.
D	528 SQ. FT.	-	528 SQ. FT.
E-BASEMENT	-	118 SQ. FT. INFRASTRUCTURE	118 SQ. FT.
E-LOWER	630 SQ. FT.	1719 SQ. FT. KITCHEN, GREAT ROOM	2349 SQ. FT.
E-UPPER	546 SQ. FT.	416 SQ. FT. QUIET ROOM	962 SQ. FT.
F	-	171 SQ. FT. LINEN & STORAGE	171 SQ. FT.
TOTAL	3710 SQ. FT.	3019 SQ. FT.	6729 SQ. FT.

(E) STORAGE SHED AREAS

SHED	AREA	USE
G	120 SQ. FT.	HOUSEKEEPING SUPPLIES
H	120 SQ. FT.	HOUSEKEEPING SUPPLIES
I	120 SQ. FT.	MAINTENANCE SUPPLIES/TOOLS
J	120 SQ. FT.	MAINTENANCE SUPPLIES/TOOLS
TOTAL	480 SQ. FT.	

SHEDS K & L REMOVED, PROPOSED SHEDS REMOVED.

PARKING

EXISTING PARKING INCLUDES 10 STANDARD SPACES PLUS TWO ACCESSIBLE SPACES IDENTIFIED AS SPOTS 5 AND 9 (WHICH REQUIRE UPGRADING TO MEET CURRENT STANDARDS). THE REMAINDER OF PARKING SPACES ARE FOR EVENTS AND ARE FOUND AT THE OVERFLOW PARKING AREA (NOT DESIGNATED BY MARKINGS) TO INCREASE THE TOTAL TO 65 SPACES.

EXISTING OPERATIONS

THE OJAI RETREAT & INN IS LOCATED AT 160 BESANT RD. IN THE UNINCORPORATED AREA OF OJAI AND CONTAINS SIX BUILDINGS TOTALING 6,729 SQ. FT. OF GROSS FLOOR AREA (GFA) ON A 5-ACRE PARCEL. BUILDING AREA CONSISTS OF 3,710 SQ. FT. OF ENCLOSED FLOOR AREA DEDICATED TO SLEEPING AND RESTROOMS FOR GUESTS (IN PRIVATE ROOMS) AND 3,019 SQUARE FEET OF ENCLOSED FLOOR AREA DEDICATED TO "OTHER USES" (E.G. OFFICE, CONFERENCE ROOM, COMMON ROOM, STORAGE, ETC).

GUESTS ARE LIMITED TO A MAXIMUM OF 20 PER NIGHT AND THERE IS A 2 MONTH MAXIMUM STAY.

OCCASIONAL EVENTS ARE HELD IN COMMON AREAS WITHIN BUILDING 'E' OR AS IDENTIFIED ON SHEET A1.8. SEE SHEET A1.8 FOR TYPE, TIMING, NUMBERS AND FREQUENCY OF EVENTS.

SCOPE OF APPLICATION

THE OJAI RETREAT & INN REQUEST A MINOR MODIFICATION TO CUP 3527 TO EXTEND THE PERMIT AN ADDITIONAL 25 YEARS.

THE CURRENT ENTITLEMENT ALLOWS SIX BUILDINGS AND 20 OVERNIGHT GUESTS. WATER IS PROVIDED BY THE MEINERS OAKS WATER DISTRICT. WATER PRESSURE IS INCREASED AT THE SUBJECT PROPERTY BY A PUMP AND TANK SYSTEM. WASTE WATER IS HANDLE BY AN ON-SITE SEPTIC SYSTEM WITH 5 SEPTIC TANKS. ACCESS TO THE SITE IS PROVIDED BY A PAVED DRIVEWAY VIA LOMITA AVENUE WITH A SECONDARY FIRE ACCESS DRIVEWAY VIA TICO ROAD.

CHANGES REQUESTED INCLUDE REMOVING ONE 120 SQUARE FOOT STORAGE SHEDS AND ONE 75 SQUARE FOOT SHED.

ALSO REQUESTED IS PERMISSION FOR A NEW 4 CUBIC YARD GREEN WASTE ENCLOSURE AS SHOWN ON A1.1 IN THE OVERFLOW PARKING.

A PART OF THIS APPLICATION IS TO UPGRADE THE TWO ACCESSIBLE SPACES WHICH ARE NOT COMPLIANT WITH CURRENT CODE.

SHEDS K & L REMOVED, PROPOSED SHEDS REMOVED.

SHEET INDEX

CONDITIONAL USE SITE PLANS AND ANALYSIS:

- A0.0 TITLE SHEET, PROJECT DATA, CUP AREA VICINITY MAP, EXISTING SITE PLAN
- A0.1 CURRENT CONDITIONS OF APPROVAL
- A0.2 CURRENT CONDITIONS OF APPROVAL
- A1.0 VICINITY PLANS
- A1.1 PROPOSED SITE PLAN
- A1.2 EXISTING & PROPOSED SHED LOCATIONS
- A1.3 EXISTING SEPTIC AND WATER PLAN
- A1.4 FIRE ACCESS PLAN
- A1.5 LIGHTING PLAN
- A1.6 SIGNAGE PLAN PART 1
- A1.7 SIGNAGE PLAN PART 2
- A1.8 EVENT LOCATION PLAN

(E) FLOOR PLANS AND ELEVATIONS:

- A2.0 SHED PLAN AND ELEVATIONS
- A2.2 BUILDING 'A' AND 'B' PLAN AND ELEV.
- A2.3 BUILDING 'C', 'D' AND 'F' PLAN AND ELEV.
- A2.4 BUILDING 'E' PLAN AND ELEVATIONS

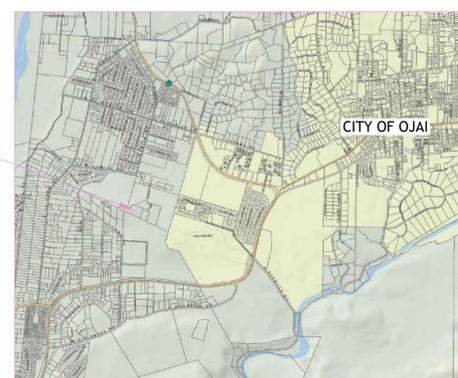
LEGEND:

- (E) PERMEABLE PAVED PATIO
- (E) CONCRETE FLATWORK
- (E) LANDSCAPING
- (E) IMPERMEABLE DRIVES
- (E) PERMEABLE SURFACE

PROJECT DATA

ZONING: RA-5 RURAL AGRICULTURAL
 ZONING OVERLAY: TEMPORARY RENTAL UNITS & DARK SKYS
 ZONING PERMITS: CUP 3527
 APN: 017-0-260-060
 LOT SIZE: 5 ACRES
 ADDRESS: 160 BESANT ROAD, OJAI, CA

VICINITY MAP



County of Ventura
 Planning Director Hearing
 Case No. PL21-0018
 Exhibit 3 - Plans



**J.E. ARMSTRONG
ARCHITECT, INC**
LICENSE C22059
2300 KNOLL DRIVE, SUITE A
VENTURA, CA. 93003
805-644-8180



PROJECT TITLE:

**THE OJAI RETREAT & INN
160 BESANT RD, OJAI,
CA 93023
APN: 017-0-260-060**

SHEET TITLE:

**(E)
CONDITIONS
OF APPROVAL**

FOR PERMIT

REVISIONS:

1	
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DATE: 09-24-21 DRAWN BY:
PROJECT #: 1918 REVIEWED BY:
J. ARMSTRONG

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A0.1

CONDITIONS FOR LU10-0038 HEARING: October 28, 2010
OWNER/APPLICANT: Ojai Retreat APPROVAL: November 1, 2010
LOCATION: 160 Besant Road PAGE: 1 of 13

**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP)
CASE NO. LU10-0038**

Project History and Description

Conditional Use Permit, (CUP) No. 3527 was granted to the Radix Institute (an educational institute) by the Planning Commission on June 19, 1975 for a 5-year effective term. On June 19, 1980, a 5-year extension was granted to June 19, 1985. Sometime during this period the operation was renamed the Ojai Institute/Retreat. In 1990 Mod.1 to CUP 3527 was filed, extending the permit to June 14, 1995. According to County archives, the permit was then extended to an expiration date of June 16, 2000. On September 27, 2000, Mod.2 was approved to extend the permit for 10 years to August 24, 2010.

The requested permit modification would extend the operating permit for an additional 10 years.

Resource Management Agency Conditions

Planning Division

1. Project Description:

This Permit is granted for the use of the land as a Retreat with sleeping facilities for no more than twenty (20) people, including resident staff and guests, in conformance with Section 8107-18 of the Non-Coastal Zoning Ordinance. Retreat guests shall be limited to a stay of no more than 80 days in a calendar year. Up to four (4) staff members are authorized to reside full-time on the subject site. All uses, buildings and structures, parking areas, landscape areas, roadways, and driveways on the subject property shall be in conformance with the approved Site Plan (Exhibit 3).

There is no limit on hours of operation of daily retreat activities for staff and overnight guests. Special seminars, conferences, lectures, or similar gatherings are limited as follows:

- Type 1. Gatherings of up to 80 day-use persons, not including staff and overnight guests, are permitted on one weekend per month Saturday and Sunday, 8:00 A.M. – 10:00 P.M.
- Type 2. Gatherings of up to 40 day-use persons, not including staff and overnight guests, are permitted every weekend of the year, Saturday and Sunday, 8:00 A.M. – 10:00 P.M. excepting those weekends during the year when Type 1 gatherings (above) are being held.

CONDITIONS FOR LU10-0038 HEARING: October 28, 2010
OWNER/APPLICANT: Ojai Retreat APPROVAL: November 1, 2010
LOCATION: 160 Besant Road PAGE: 5 of 13

5. Consolidation of All Approved Exhibits, Conditions, and Permits: Prior to the issuance of a Use Inauguration Zoning Clearance, the Permittee shall provide the following in a form approved by the Planning Director:

- a. The final project description;
- b. All exhibits of the staff report, dated October 28, 2010, that was prepared for this project;
- c. The conditions of this CUP;
- d. Documentation to verify that all of the requirements of the conditions/programs that are required prior to issuance of a Use Inauguration Zoning Clearance have been satisfied; and,
- e. Documentation to verify that all other entitlements and conditions imposed by any other agencies have been obtained or satisfied.

Within 30 days of any subsequent modifications of a permit or submission of an application for any permit, the applicable materials in revised form shall be submitted to the Planning Director.

6. Notice of CUP Requirements and Retention of CUP Conditions On-Site: Unless otherwise required by the Planning Director, the Owner(s) of record, the contractors, and all other parties and vendors regularly dealing with the daily operation of the proposed activities shall be informed, in writing, by the Permittee of the pertinent conditions of this CUP. A current set of CUP conditions and exhibits shall be retained at the site; the CUP conditions and exhibits shall be provided on-site prior to issuance of a Use Inauguration Zoning Clearance and shall be maintained on-site until expiration of this CUP.

7. Condition Compliance, Enforcement, and Other Responsibilities:

a. **Cost Responsibilities:** The Permittee shall bear the full costs of all staff time, materials costs, or consultant costs associated with the approval of studies, generation of studies or reports, on-going permit compliance, and monitoring programs by establishing a revolving compliance account as described below in Condition 9.b. Specifically, the Permittee shall bear the full costs of the following:

- (1) **Condition Compliance,** which is defined herein to include, but is not limited to, the staff time, materials costs, or consultant costs associated with the approval of studies, generation of studies or reports, ongoing permit condition compliance review, and CEQA Mitigation Monitoring/other monitoring programs; and,

CONDITIONS FOR LU10-0038 HEARING: October 28, 2010
OWNER/APPLICANT: Ojai Retreat APPROVAL: November 1, 2010
LOCATION: 160 Besant Road PAGE: 2 of 13

At no time shall Type 1 and Type 2 gatherings be held on the same weekend day.

Type 3. The permittee may request permission to hold special events where attendance will be more than 80 persons but less than 150 persons. Such a special event may be allowed, at the discretion of the Planning Director. Any request for such an event must be submitted in writing to the Planning Division at least 60 days prior to the proposed date of the event.

The CUP boundary will contain the following existing and proposed structures, inclusive of both retreat and non-retreat structures:

RETREAT STRUCTURES	SQUARE FEET
Main Building (w/945 s.f. 2 nd floor)	3224
Offices, storage and utility rooms	863
Sleeping units	3559
RETREAT TOTAL	7646

This permit and attendant conditions supersedes all previous permits and conditions issued to the subject site. Upon use inauguration of this permit modification (LU10-0038), all previous permits and conditions will become null and void.

2. The terms and conditions of approval of this permit shall supercede those of all previous permits issued for the subject site and operation. Upon use inauguration of this permit modification (LU10-0038), all previous permits and conditions will become null and void.

3. **Acceptance of Conditions and Schedule of Enforcement Responses:** The Permittee's acceptance of this CUP and commencement of operations under this CUP shall be deemed to be acceptance by the Permittee of all conditions of this CUP. Failure to abide by and faithfully comply with any conditions for the granting of this CUP shall constitute grounds for the implementation of enforcement procedures as provided in the *Ventura County Non-Coastal Zoning Ordinance* (2010, Article 14), which include, but are not limited to, the following actions:

CONDITIONS FOR LU10-0038 HEARING: October 28, 2010
OWNER/APPLICANT: Ojai Retreat APPROVAL: November 1, 2010
LOCATION: 160 Besant Road PAGE: 6 of 13

(2) Monitoring and enforcement costs, and any related fines or penalties assessed pursuant to the provisions of the Ventura County Ordinance Code, as it may be amended (Condition 9.c, below).

b. **Monitoring and Enforcement Costs:** The *Ventura County Non-Coastal Zoning Ordinance* (2010, §8114-3.4) requires the Permittee, or the Permittee's successors-in-interest, to bear the full costs incurred by the County or its contractors for the inspection and monitoring, and for enforcement activities related to the resolution of confirmed violations. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections, public reports, penalty hearings, forfeiture of securities, and suspension of this CUP. Costs will be billed at the contract rates in effect at the time enforcement actions are required. The Permittee shall be billed for said fees and penalties pursuant to the *Ventura County Non-Coastal Zoning Ordinance* (2010, §8114-3.4), as it may be amended.

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

8. Defense and Indemnity:

a. As a condition of issuance and use of this CUP, including adjustment, modification, or renewal of this CUP, the Permittee agrees to:

(1) Defend, at the Permittee's sole expense, any action brought against the County by a third party challenging either its decision to issue this CUP or the manner in which the County is interpreting or enforcing the conditions of this CUP; and,

(2) Indemnify the County against any settlements, awards, or judgments, including attorney's fees, arising out of, or resulting from, any such action. Upon demand from the County, the Permittee shall reimburse the County for any court costs and/or attorney's fees which the County may be required by a court to pay as a result of any such action the Permittee defended or had control of the defense of the suit. The County may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.

CONDITIONS FOR LU10-0038 HEARING: October 28, 2010
OWNER/APPLICANT: Ojai Retreat APPROVAL: November 1, 2010
LOCATION: 160 Besant Road PAGE: 3 of 13

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

It is the Permittee's or the Permittee's successors-in-interest's responsibility to be aware of, and to comply with, the CUP conditions and the rules and regulations of all jurisdictions having authority over the uses described herein.

3. Time Limits:

a. Use Inauguration:

(1) The decision on this CUP becomes effective upon the expiration of the decision's appeal period, or when any appeals filed regarding the decision on this CUP are resolved. After the decision on this CUP becomes effective, the Permittee must obtain a Use Inauguration Zoning Clearance in order to inaugurate the uses provided in Condition No. 1 (Project description).

(2) This CUP shall expire and become null and void if the Use Inauguration Zone Clearance has not been issued within 180 days from the granting of this CUP. The Planning Director may grant one extension of time to obtain the Use Inauguration Zoning Clearance if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to inaugurate the permitted land use, and the Permittee has requested the extension in writing prior to the one year expiration date.

(3) Prior to the issuance of the Use Inauguration Zoning Clearance, all fees and charges billed to that date by any County agency, as well as all fines, penalties, and surties, must be paid in full. After issuance of the Use Inauguration Zoning Clearance, any final billed processing fees must be paid within 30 days of the billing date or this CUP is subject to revocation.

b. **Operations Period:** This CUP shall expire on **August 24, 2020**. Failure of the County to provide additional notification to the Permittee of the expiration date shall not constitute grounds for continuance of this CUP

CONDITIONS FOR LU10-0038 HEARING: October 28, 2010
OWNER/APPLICANT: Ojai Retreat APPROVAL: November 1, 2010
LOCATION: 160 Besant Road PAGE: 7 of 13

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

c. Except with respect to the County's sole negligence or intentional misconduct, the Permittee shall indemnify, defend, and hold harmless the County, its officers, agents, and employees from any and all claims, demands, costs, and expenses, including attorney's fees, judgments, or liabilities arising out of the construction, maintenance, or operations described in Condition No. 1 (Permitted Land Uses), as it may be subsequently modified pursuant to the conditions of this CUP.

9. **Invalidation of Condition(s):** If any of the conditions or limitations of this CUP are held to be invalid, that holding shall not invalidate any of the remaining conditions or limitations set forth. In the event that any condition contained herein is determined to be in conflict with any other condition contained herein, then where principles of law do not provide to the contrary, the conditions most protective of public health and safety and natural environmental resources shall prevail to the extent feasible, as determined by the Planning Director.

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

If any condition is invalidated by a court of law, and said invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, the project may be reviewed, at the discretion of the Planning Director, by the Planning Commission and substitute feasible conditions/mitigation measures may be imposed to adequately address the subject matter of the invalidated condition. The determination of adequacy shall be made by the Planning Commission. If the Planning Commission cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

10. **Consultant Review of Information and Consultant Work:** The County and all other permitting agencies shall have the option of referring any and all special

CONDITIONS FOR LU10-0038 HEARING: October 28, 2010
OWNER/APPLICANT: Ojai Retreat APPROVAL: November 1, 2010
LOCATION: 160 Besant Road PAGE: 4 of 13

after the expiration date. The Planning Director may grant a time extension for this CUP for an additional ten (10) years, provided that:

(1) The Permittee files an application for a modification to this CUP that is deemed complete prior to the expiration date. The Permittee is encouraged to contact the Planning Division at least six months prior to the expiration date to determine the type of modification application that is required to allow the extension. If the Permittee submits an appropriate modification application prior to the expiration date, this CUP may continue in force until action is taken on the modification, and on any appeals.

(2) The Permittee can demonstrate that the Permittee has continuously complied with all conditions of this CUP.

(3) The Permittee can demonstrate that the permitted uses remain compatible with the land uses in the general area.

(4) The Permittee can demonstrate that the permitted uses comply with the CUP approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director.

(5) The Planning Director reviews the modification application and provides a written determination of the decision on the requested time extension for this CUP.

4. **CUP Modification:** Prior to undertaking any operational or construction-related activity which is not expressly described in these conditions or applicable exhibits, the Permittee shall contact the Planning Director to determine if the activity requires a modification of this CUP. The Planning Director may, at the Planning Director's discretion, require that the Permittee file a written and/or mapped description of the proposed activity prior to rendering a decision on whether a CUP modification is required. If a CUP modification is required, the modification shall be subject to:

a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and,

b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, §21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000-15387), as amended from time to time.

CONDITIONS FOR LU10-0038 HEARING: October 28, 2010
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LOCATION: 160 Besant Road PAGE: 8 of 13

studies that may be required by these conditions to an independent and qualified consultant for review and evaluation of issues beyond the expertise or manpower of County staff.

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this CUP, the County shall confer in writing with the Permittee regarding the necessary work for which to be contracted, as well as the costs of such work. Whenever feasible, the lowest bidder will be used. Any decisions made by staff 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, provided the consultant and the proposed scope-of-work are acceptable to the County. However, the County retains the right to hire its own consultants to evaluate any work undertaken by the operator or consultants under the contract to the operator.

11. **Relationship of CUP Conditions, Laws and Other Permits:** The design, maintenance, and operation of the CUP area and facilities thereon shall comply with all applicable requirements and enactments of Federal, State, and County authorities, as amended, and all such requirements and enactments shall by reference become conditions of this CUP. In the event of conflicts between various requirements, the more restrictive requirements shall apply. In the event that any CUP condition contained herein is determined to be in conflict with any other CUP condition contained herein, then where 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, as determined by the Planning Director.

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, or any lawful rules or regulations or orders of an authorized governmental agency. Neither the issuance 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.

12. **Contact Person:** Prior to the issuance of the Use Inauguration Zoning Clearance, the Permittee shall provide the Planning Director with the contact information (e.g., name and/or position title, address, phone number, mailing and email addresses, and business and cell phone numbers) of the Permittee's field agent and other representatives who receive all orders, notices, and communications regarding matters of condition and code compliance at the CUP site. There always shall be a contact person designated by the Permittee. If deemed necessary by the Planning Director, one contact person shall be available via telecommunication, 24 hours a day, to respond to complaints by citizens and the County. If the address or phone number of the Permittee's agent should change,

CONDITIONS FOR LU10-0038
OWNER/APPLICANT: Ojai Retreat
LOCATION: 160 Besant Road

HEARING: October 28, 2010
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assess the find and provide recommendations on the proper disposition of the site; and,

(4) Obtain the Planning Director's written concurrence of the recommended disposition before resuming development.

22. **Proprietary Information:** Proprietary information and/or trade secrets which are required to be submitted shall be so identified by the Permittee, submitted separately from the other required materials, and confidentially maintained by the public agencies having access to it. Such information shall be requested on an as needed basis only by the applicable County agency or department head.

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

24. **Business License:** Prior to the issuance of a Use Inauguration Zoning Clearance, the Permittee shall demonstrate to the satisfaction of the Planning Director that the Permittee has a temporary or permanent Ventura County Business License Tax Certificate, or is exempt from such requirements. The Permittee shall maintain a current Tax Certificate and prominently display it at the place of business until this CUP expires.

Environmental Health Division

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

26. Prior to the issuance of a Zone Clearance for use inauguration, the permittee shall obtain a Waste Discharge Report/determination of exemption from the Los Angeles Regional Water Quality Control Board or written authorization from the Los Angeles Regional Water Quality Control Board for the Ventura County

"Proprietary information" means information which the County determines would reveal such things as production, reserves, manufacturing processes and patented formulas, or rate of depletion of the operations of the Permittee. Any information which is not proprietary is a matter of public record.

CONDITIONS FOR LU10-0038
OWNER/APPLICANT: Ojai Retreat
LOCATION: 160 Besant Road

HEARING: October 28, 2010
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PAGE: 11 of 13

21. **Archaeological and Paleontological Resources:** In the event that archaeological or paleontological remains or artifacts are encountered during ground disturbance or construction activities, the Permittee shall implement the following procedures:

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

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

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

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

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

- (1) Cease operations and assure the preservation of the area in which the discovery was made;
- (2) Notify the Planning Director in writing, within three days of the discovery;
- (3) Obtain the services of a County-approved paleontologist who shall

CONDITIONS FOR LU10-0038
OWNER/APPLICANT: Ojai Retreat
LOCATION: 160 Besant Road

HEARING: October 28, 2010
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17. **Change of Ownership:** At least 10 calendar days prior to the effective date of the change of property ownership, or of lessee(s) or operator(s) of the permitted uses, there shall be filed, 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). A final statement that a transfer of ownership has occurred shall be provided to the Planning Director within 15 calendar days of the transfer. The statement shall include the following:

- (a) Any changes in 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 company officer(s) from the initial notice;
- (b) A letter from the new property owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP; and,
- (c) The effective date and time of the transfer.

18. **Landscape Plan:** If the Planning Director deems it reasonable and necessary, the permittee may be required to perform future landscaping or screening of portions of the permit area. If determined necessary, Landscaping and Irrigation Plans shall be prepared in accordance with the Ventura County Landscape Design Criteria and submitted to the Planning Director for approval. The permittee shall bear the full cost of plan review and final inspection. Said plans shall ensure that landscaping and/or screening is done in a manner consistent with the natural character of the area and shall incorporate native and/or drought-tolerant plant materials.

19. **Site Lighting:** On site lighting shall at all times achieve the following objectives:

- (a) Avoid interferences with reasonable use of adjoining properties;
- (b) Minimize on-site and eliminate off-site glare;
- (c) Provide adequate on-site lighting for security; and,
- (d) Provide lighting devices that are compatible with the design of the permitted facility and minimize energy consumption.

20. **Sign Program:** Prior to the issuance of a Use Inauguration Zoning Clearance, a Sign Program shall be submitted to the Planning Division for review and approval by the Planning Director. The Sign Program shall comply with Chapter 1, Article 10 of the Ventura County Ordinance Code and applicable Area Plan.

CONDITIONS FOR LU10-0038
OWNER/APPLICANT: Ojai Retreat
LOCATION: 160 Besant Road

HEARING: October 28, 2010
APPROVAL: November 1, 2010
PAGE: 9 of 13

or the responsibility is assigned to another person or position, the Permittee shall provide the Planning Director with the new information within three calendar days.

13. **Resolution of Complaints:** The following process shall be used to resolve complaints related to the project:

- a. The Permittee shall post the phone number for the designated Contact Person as identified pursuant to Condition No. 13 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about an event as it is occurring may directly contact the Contact Person.
- b. If a written complaint is received by the County, Planning staff will contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation.
- c. If, following a complaint investigation, a violation of Ventura County Code or a condition of this permit is confirmed, enforcement actions pursuant to Section 8114-3 of the Non-Coastal Zoning Ordinance will be initiated.

14. **Reporting of Major Incidents:** The Permittee shall immediately notify the Planning Director by telephone, email, FAX, and/or voicemail of any incidents (e.g., fires, explosions, spills, landslides, or slope failures) that could pose a hazard to life or property inside or outside the CUP area. Upon request of any County agency, the Permittee shall provide a written report of any incident within seven calendar days that shall include, but not be limited to, a description of the facts of the incident, the corrective measures used, and the steps taken to prevent a recurrence of the incident.

15. **Correspondence from Other Agencies and Jurisdictions:** Copies of all correspondence, reports, or information related to land use and environmental issues covered by this CUP which are received by the Permittee from, or sent by the Permittee to, other State or local jurisdictions or agencies shall be provided to the Planning Division within five calendar days of their receipt/issuance.

16. **Site Maintenance:** The CUP area shall be maintained in a neat and orderly manner so as not to create any hazardous condition, or unsightly conditions which are visible from outside the CUP area on surrounding properties or from any public right-of-way. All equipment and facilities not explicitly permitted in Condition No. 1 (Permitted Land Uses) shall be removed from the site prior to the issuance of a Use Inauguration Zoning Clearance. Only equipment, materials, and structures which comply with Condition No. 1 (Permitted Land Uses), or are authorized by any subsequent amendments to this CUP, shall be stored on the property during the life of this CUP.

CONDITIONS FOR LU10-0038
OWNER/APPLICANT: Ojai Retreat
LOCATION: 160 Besant Road

HEARING: October 28, 2010
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Environmental Health Division to issue appropriate permits.

27. Prior to the issuance of a Zone Clearance for use inauguration, the permittee shall complete the Environmental Health Division permits (#ON17943 and #ON17046) for the repair and certification of the Main Building septic system for the addition of the restroom.

28. Prior to inauguration of special events allowed under the CUP, the permittee shall contact EHD and obtain any necessary permits for temporary food facilities.

Ventura County Fire Protection District (VCFPD) Conditions

29. Prior to issuance of a Building Permit, building plans of all A, E, I, H, R-1 or R-2 occupancies shall be submitted, with payment for plan check, to the Fire District for review and approval. A complete set of building plans shall be submitted for plan review by the Fire District. These plans shall be submitted, with payment for plan check, to the Fire District for review and approval prior to obtaining a building permit.

30. Fire extinguishers shall be installed in accordance with the Uniform Fire Code. The placement of extinguishers shall be subject to review by the Fire District.

31. All grass or brush exposing any structure(s) to fire hazards shall be cleared for a distance of 100 feet prior to construction of any structure and shall be maintained in accordance with VCFPD Ordinance.

32. Prior to issuance of a Building Permit for any new structures or additions to existing structures, applicant shall obtain VCFD Form #126 "Requirements for Construction."

33. If required by the Fire Protection District, a fire alarm system shall be installed in all buildings in accordance with California Building and Fire Code requirements

34. Plans for any required fire alarm system shall be submitted, with payment for plan check, to the Fire District for review and approval prior to installation.

35. A minimum fire flow of 500 gallons per minute is required at this location.

END OF CONDITIONS



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LICENSE C22059
2300 KNOLL DRIVE, SUITE A
VENTURA, CA. 93003
805-644-8180



PROJECT TITLE:
THE OJAI RETREAT & INN
160 BESANT RD, OJAI,
CA 93023
APN: 017-0-260-060

SHEET TITLE:

(E)
CONDITIONS
OF APPROVAL

FOR PERMIT

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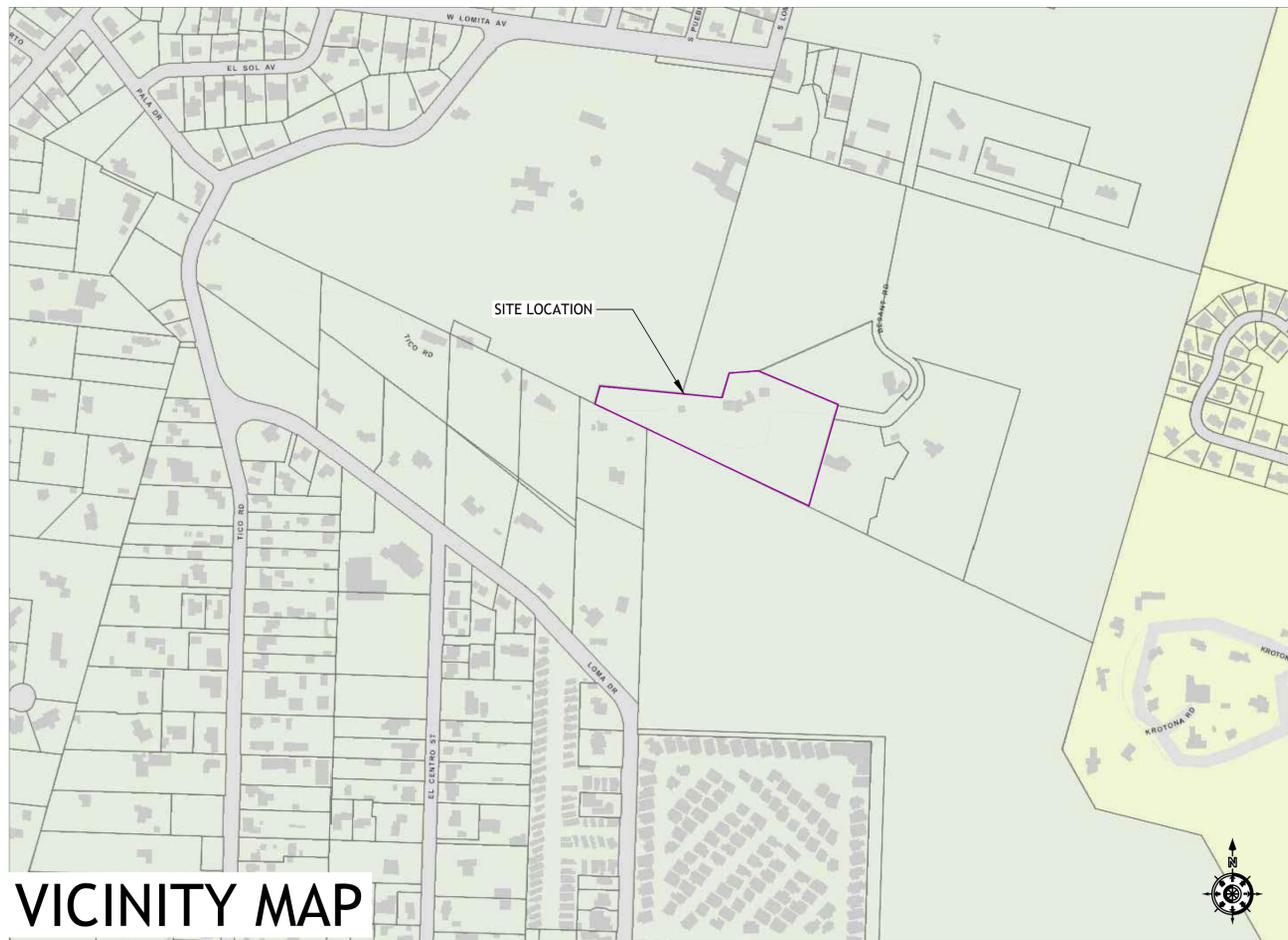
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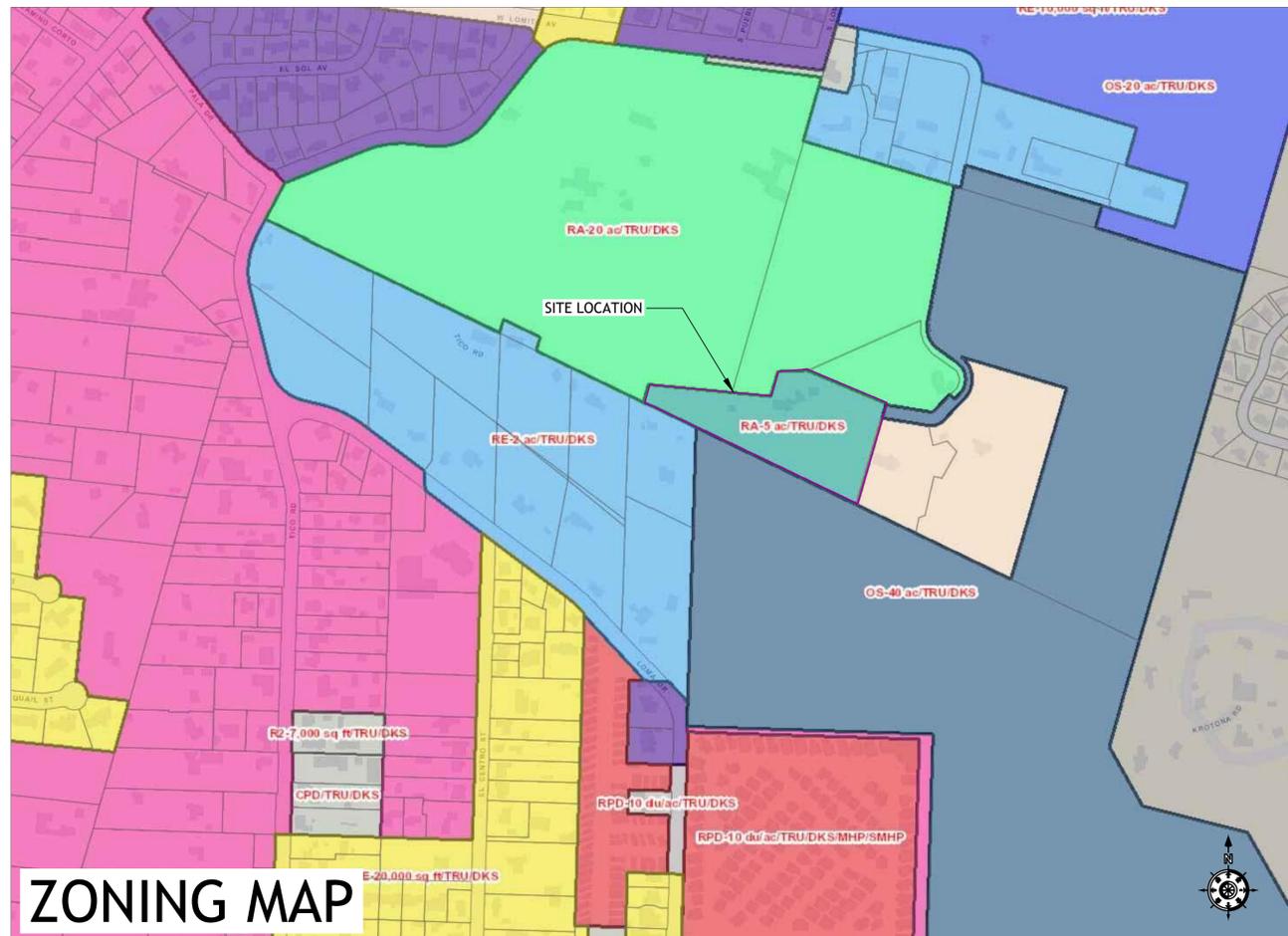
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VICINITY MAP



ZONING MAP



AERIAL VICINITY



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VICINITY
MAPS

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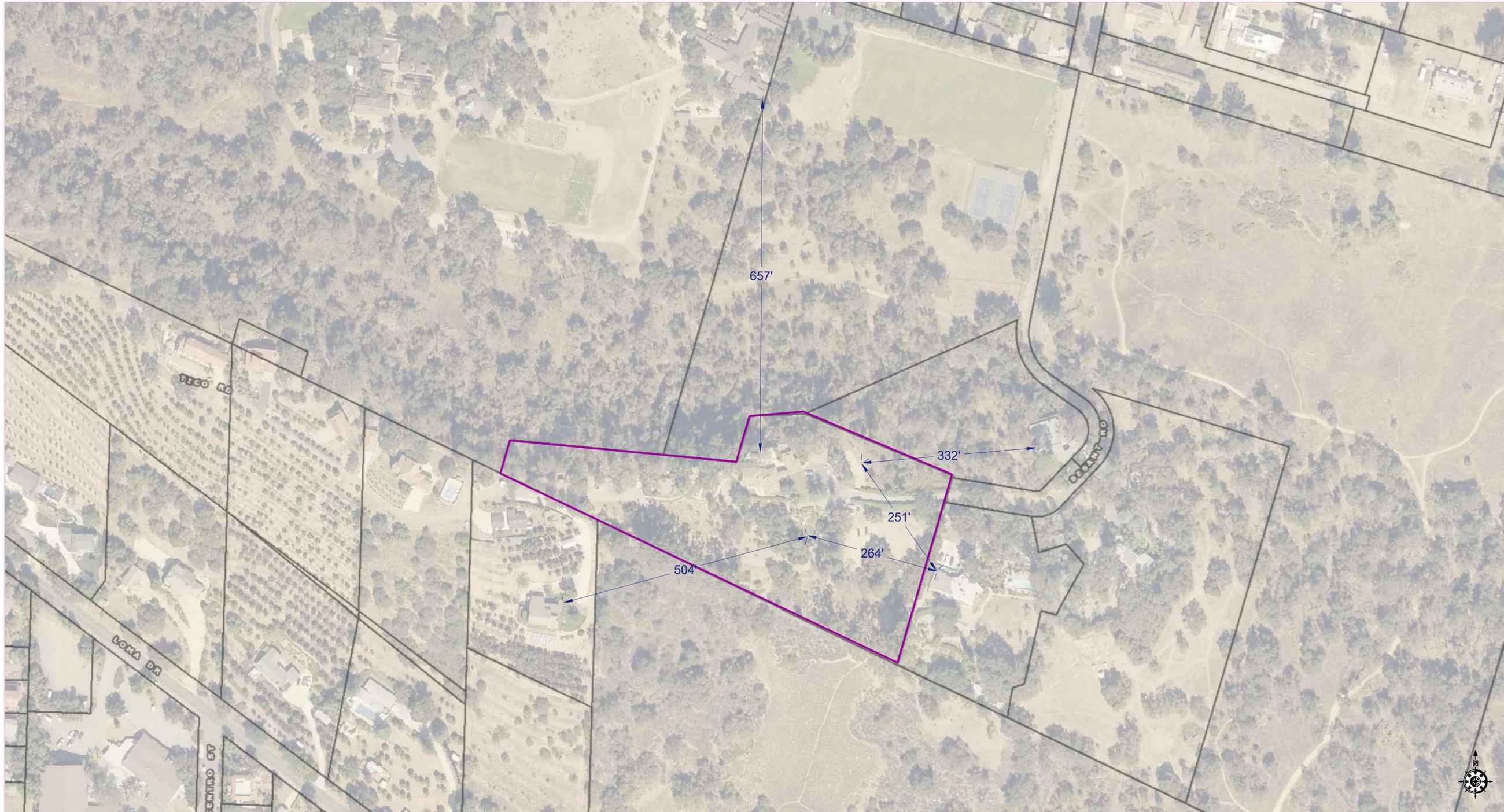
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AERIAL VICINITY w/ NEARBY STRUCTURES



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**SOUND STUDY
MAP**

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SHEET TITLE:

(N) SITE PLAN

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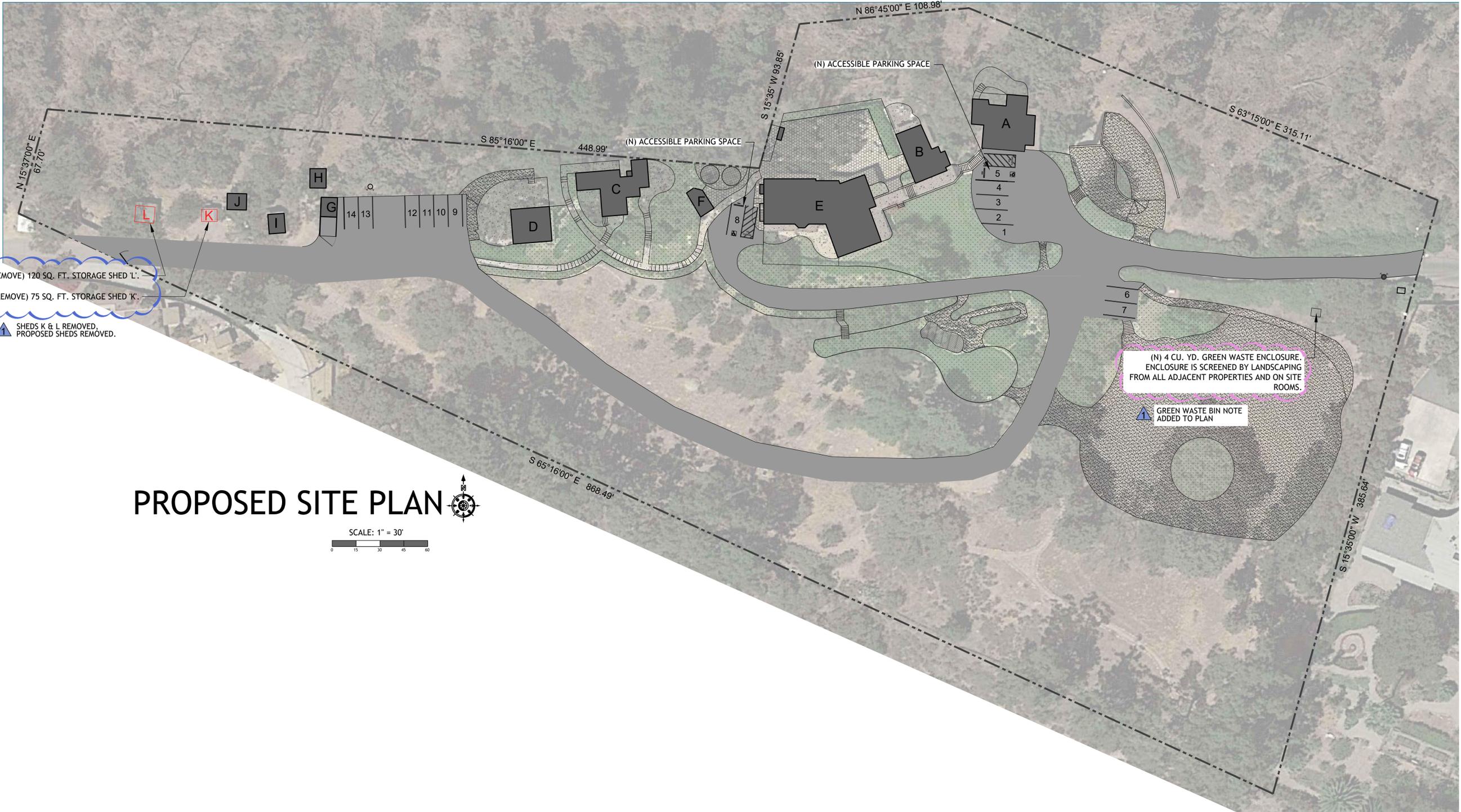
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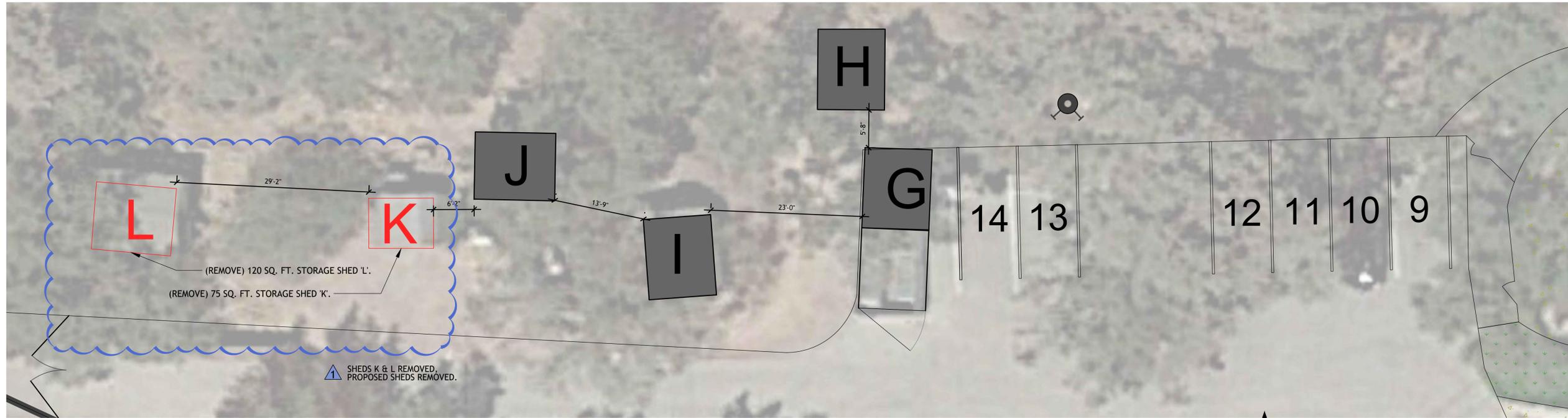
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PROPOSED SITE PLAN

SCALE: 1" = 30'



(REMOVE) 120 SQ. FT. STORAGE SHED 'L'.
 (REMOVE) 75 SQ. FT. STORAGE SHED 'K'.

1 SHEDS K & L REMOVED.
 PROPOSED SHEDS REMOVED.

EXISTING STORAGE SHED AREA

NOTE: SEE SHEET A2.0/A2.1 FOR STORAGE SHED ELEVATIONS AND FLOORPLANS



SCALE: 1/8" = 1'-0"



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SHEET TITLE:

STORAGE SHEDS

FOR PERMIT

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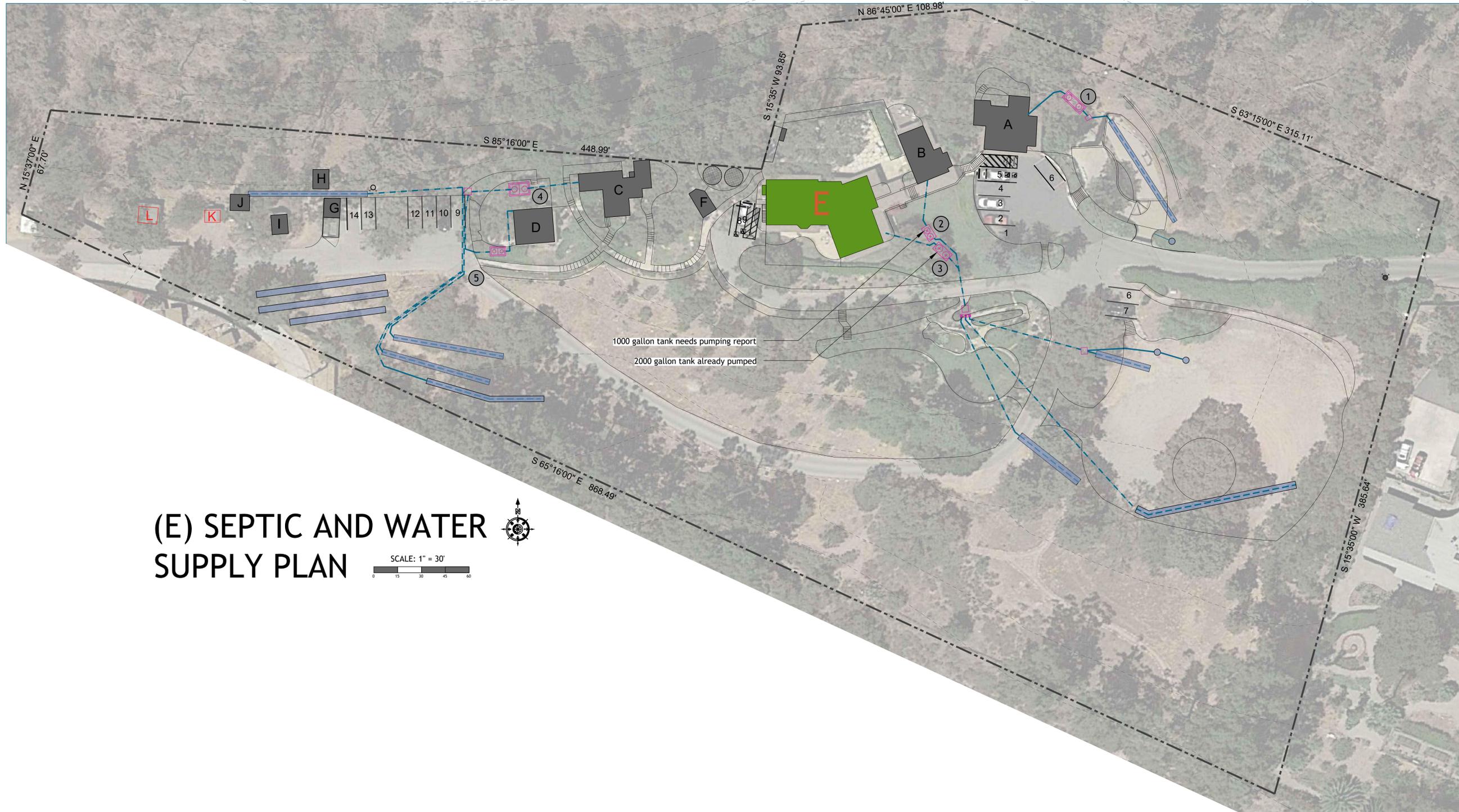
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(E) SEPTIC AND WATER SUPPLY PLAN

SCALE: 1" = 30'



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 CA 93023
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SHEET TITLE:

(E) SEPTIC & WATER PLAN

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**FIRE ACCESS
AND WATER
SUPPLY PLAN**

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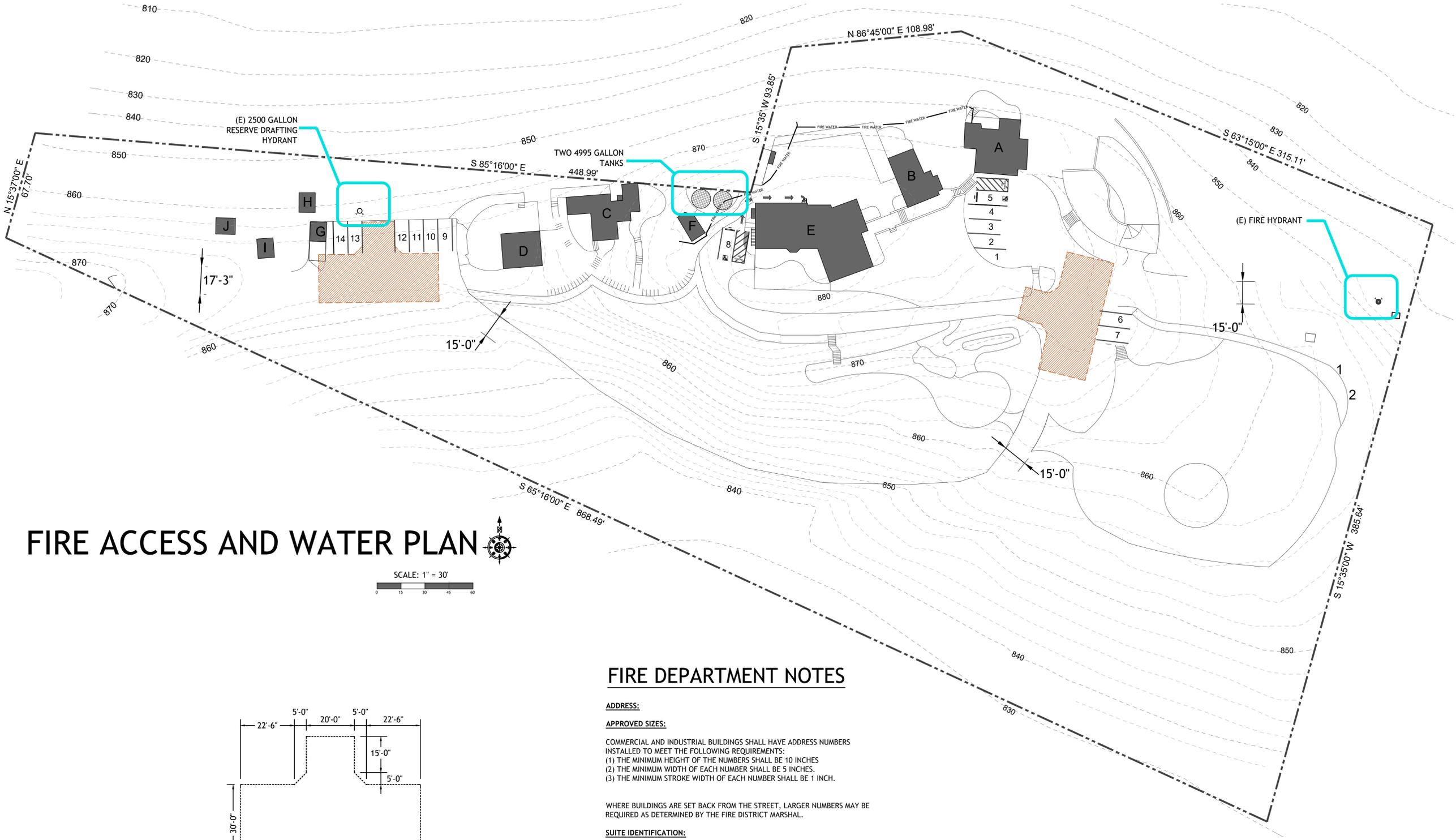
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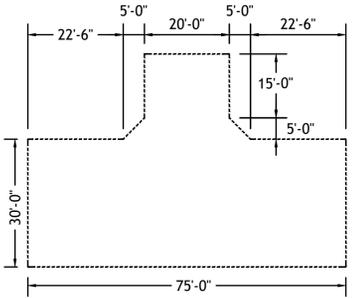
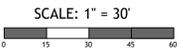
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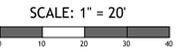
A1.4



FIRE ACCESS AND WATER PLAN



DETAIL 'A' - VCFD TRUCK TURNAROUND PER VCFD STD. 501



FIRE DEPARTMENT NOTES

ADDRESS:

APPROVED SIZES:

COMMERCIAL AND INDUSTRIAL BUILDINGS SHALL HAVE ADDRESS NUMBERS INSTALLED TO MEET THE FOLLOWING REQUIREMENTS:

- (1) THE MINIMUM HEIGHT OF THE NUMBERS SHALL BE 10 INCHES
- (2) THE MINIMUM WIDTH OF EACH NUMBER SHALL BE 5 INCHES.
- (3) THE MINIMUM STROKE WIDTH OF EACH NUMBER SHALL BE 1 INCH.

WHERE BUILDINGS ARE SET BACK FROM THE STREET, LARGER NUMBERS MAY BE REQUIRED AS DETERMINED BY THE FIRE DISTRICT MARSHAL.

SUITE IDENTIFICATION:

EACH SUITE SHALL HAVE ITS SUITE NUMBERS POSTED ABOVE OR ADJACENT TO THE ENTRANCE DOOR. MULTI-UNIT BUILDINGS WITH REAR DOORS SHALL ALSO PROVIDE SUITE NUMBERS ABOVE OR ADJACENT TO EACH REAR DOOR. IF THE SUITE DOOR IS NORMALLY CLOSED, THE SUITE NUMBERS MAY BE PLACED ON THE DOOR.

TRASH AND RECYCLING CONTAINERS:

ALL CONTAINERS SHALL BE A MINIMUM OF 6' AWAY FROM BUILDINGS AND OUT FROM UNDERNEATH ROOF EAVES.



EXTERIOR LIGHTING PLAN

SCALE: 1" = 30'
 0 15 30 45 60

LIGHTING LEGEND



PARKING AREA
PEDESTRIAN LIGHTS
120 V
12 WATT FLUORESCENT



PEDESTRIAN LIGHTS
WALL MOUNT UNDER EAVE
120 V
MOTION SENSOR



DRIVEWAYS AND FOOT
PATHS
3 TIER LANDSCAPE SPIKE
12 V
20 WATT



SOLAR POWERED
WATERFALL LIGHT
& SIGN ILLUMINATION
SPIKE MOUNT



DRIVEWAY ENTRY LIGHT
POST MOUNT
120 V
LED 12 WATT
2700K



TYPE 1



TYPE 2

DRIVEWAYS AND FOOT
PATHS
3 TIER LANDSCAPE SPIKE
12 V
20 WATT



PORCH
WALL MOUNT
120 V
12 WATT FLUORESCENT



PARKING AREA &
PEDESTRIAN LIGHTS
120 V
12 WATT FLUORESCENT



PATIO LIGHT
LOW POST MOUNT
12 V
LED



LOCATION

'ROPE' LIGHT - HIGH
EFFICACY SOLAR EVENT
TEMPORARY LIGHTING.
TOP OF WALL
120 V
LED



'MARKET' LIGHTS - HIGH
EFFICACY SOLAR EVENT
TEMPORARY LIGHTING.
EXACT LAYOUT CHANGES
PER EVENT.



SOLAR PANEL TO POWER
TEMPORARY LIGHTING



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805-644-8180



PROJECT TITLE:
THE OJAI RETREAT & INN
 160 BESANT RD, OJAI,
 CA 93023
 APN: 017-0-260-060

SHEET TITLE:

LIGHTING PLAN

FOR PERMIT

REVISIONS:

1	07-20-21 ADDED EVENT ITEMS
2	
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A1.5

SIGN EXHIBITS



1. WELCOME SIGN



1. ENLARGED



2. OFFICE SIGN



3. OFFICE/PARKING SIGN



3. ENLARGED



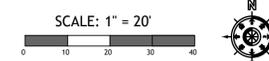
4. OVERFLOW PARKING



5. OVERFLOW PARKING



SIGNS: ON PROPERTY SITE PLAN



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APN: 017-0-260-060

SHEET TITLE:

**SIGNS ON
PROPERTY**

FOR PERMIT

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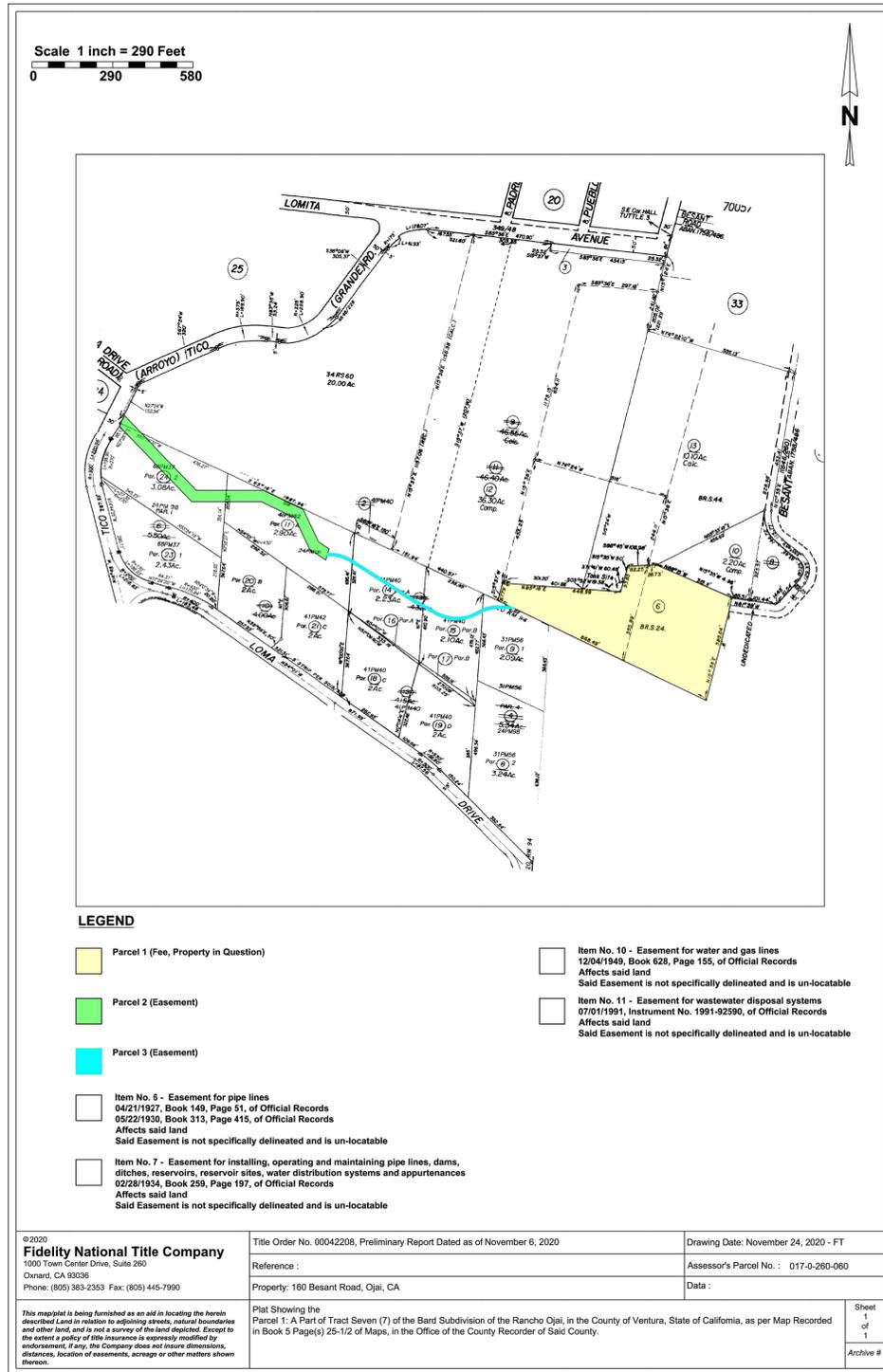
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EXISTING EASEMENTS



SIGN EXHIBITS



A: BESANT TURN



B: BESANT TURN



C: DIRECTION SIGN



D: AAA SIGN



E: ADDRESS SIGN



SIGNS: PROPERTY ACCESS PLAN



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CA 93023
APN: 017-0-260-060**

SHEET TITLE:

SIGN PLAN - OFF PROPERTY

FOR PERMIT

REVISIONS:

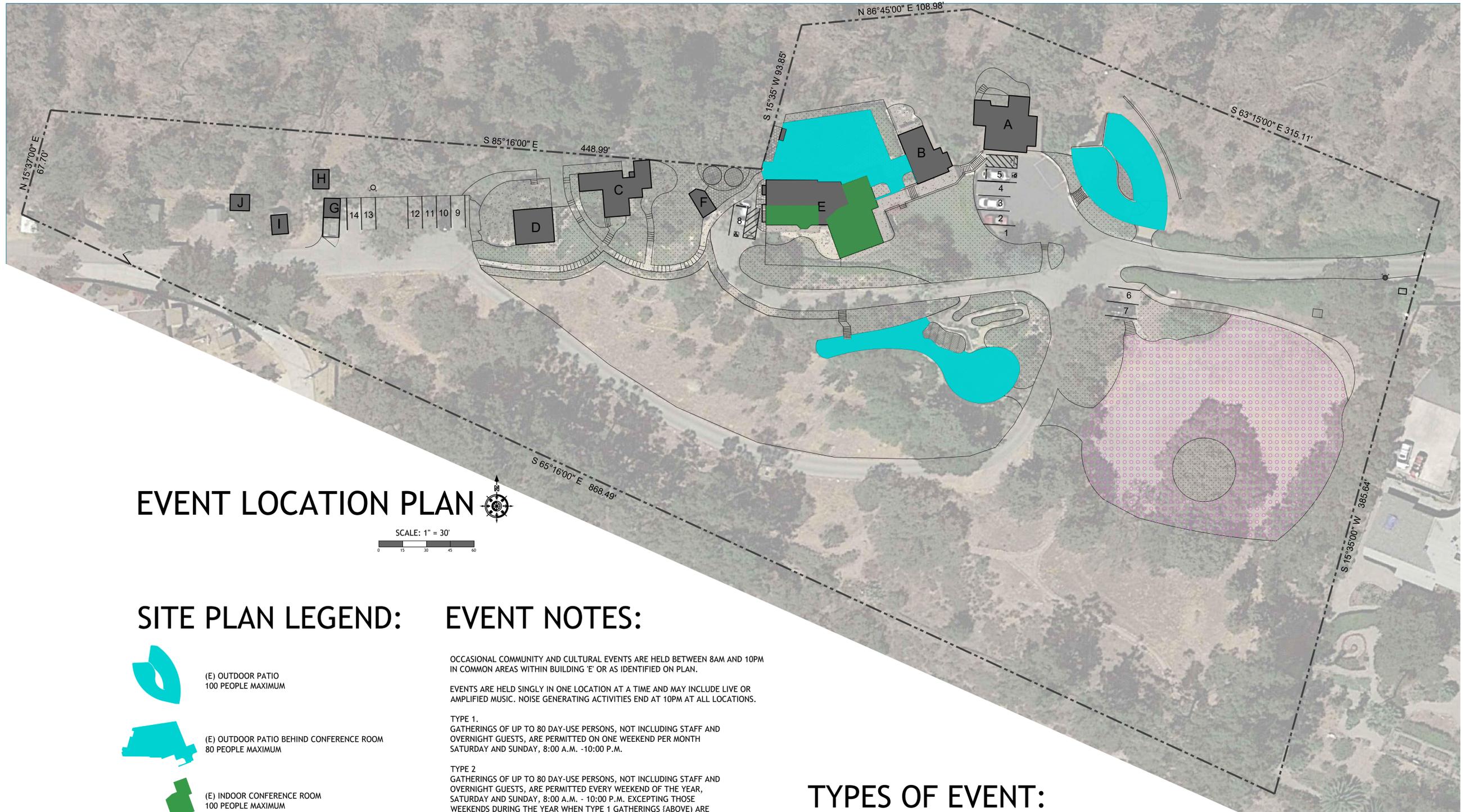
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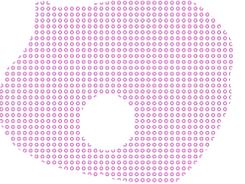
A1.7



EVENT LOCATION PLAN

SCALE: 1" = 30'

SITE PLAN LEGEND:

-  (E) OUTDOOR PATIO
100 PEOPLE MAXIMUM
-  (E) OUTDOOR PATIO BEHIND CONFERENCE ROOM
80 PEOPLE MAXIMUM
-  (E) INDOOR CONFERENCE ROOM
100 PEOPLE MAXIMUM
-  (E) INDOOR QUIET ROOM
-  (E) OUTDOOR LAWN AREA
80 PEOPLE MAXIMUM
-  (E) OUTDOOR PARKING AREA
51 VEHICLES MAXIMUM

EVENT NOTES:

OCCASIONAL COMMUNITY AND CULTURAL EVENTS ARE HELD BETWEEN 8AM AND 10PM IN COMMON AREAS WITHIN BUILDING 'E' OR AS IDENTIFIED ON PLAN.

EVENTS ARE HELD SINGLY IN ONE LOCATION AT A TIME AND MAY INCLUDE LIVE OR AMPLIFIED MUSIC. NOISE GENERATING ACTIVITIES END AT 10PM AT ALL LOCATIONS.

TYPE 1.
GATHERINGS OF UP TO 80 DAY-USE PERSONS, NOT INCLUDING STAFF AND OVERNIGHT GUESTS, ARE PERMITTED ON ONE WEEKEND PER MONTH SATURDAY AND SUNDAY, 8:00 A.M. - 10:00 P.M.

TYPE 2.
GATHERINGS OF UP TO 80 DAY-USE PERSONS, NOT INCLUDING STAFF AND OVERNIGHT GUESTS, ARE PERMITTED EVERY WEEKEND OF THE YEAR, SATURDAY AND SUNDAY, 8:00 A.M. - 10:00 P.M. EXCEPTING THOSE WEEKENDS DURING THE YEAR WHEN TYPE 1 GATHERINGS (ABOVE) ARE BEING HELD.

AT NO TIME SHALL TYPE 1 AND TYPE 2 GATHERINGS BE HELD ON THE SAME WEEKEND DAY.

TYPE 3
THE PERMITTEE MAY REQUEST PERMISSION TO HOLD SPECIAL EVENTS WHERE ATTENDANCE WILL BE MORE THAN 80 PERSONS BUT LESS THAN 150 PERSONS. SUCH A SPECIAL EVENT MAY BE ALLOWED, AT THE DISCRETION OF THE PLANNING DIRECTOR. ANY REQUEST FOR SUCH AN EVENT MUST BE SUBMITTED IN WRITING TO THE PLANNING DIVISION AT LEAST 60 DAYS PRIOR TO THE PROPOSED DATE OF THE EVENT.

TYPES OF EVENT:

THE OJAI RETREAT ORGANIZATION PROVIDES EDUCATIONAL AND CULTURAL EVENTS THAT ENRICH THE HUMAN MIND AND SPIRIT, AND BRING ABOUT A CHANGE IN HUMAN CONSCIOUSNESS AND THE WORLD. THE OJAI RETREAT HOSTS EVENTS THAT SERVE THE OJAI VALLEY & GUESTS OF THE OJAI RETREAT IN THE FOLLOWING AREAS: ENVIRONMENT, SPIRITUALITY, CULTURAL AND RELIGIOUS AND SPIRITUAL CEREMONIES, PRESENTATIONS ON HOLISTIC HEALTH, APPLICABLE FILMS, MUSIC PERFORMANCES AND DRAMATIC READINGS THAT ARE IN KEEPING WITH THE ABOVE THEMES.



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805-644-8180



PROJECT TITLE:
THE OJAI RETREAT & INN
160 BESANT RD, OJAI,
CA 93023
APN: 017-0-260-060

SHEET TITLE:

EVENT PLAN

FOR PERMIT

REVISIONS:	
1	07-20-21 INCOMPLETE ITEMS
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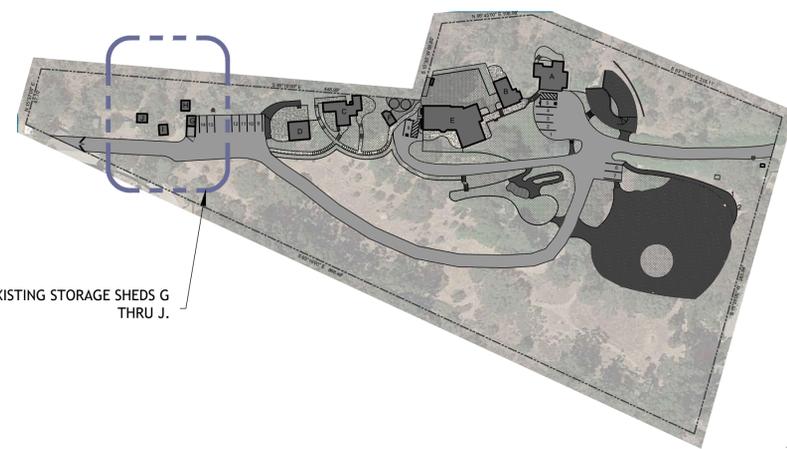
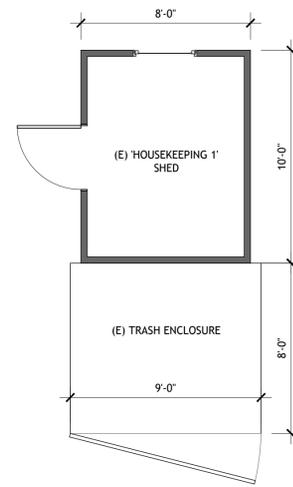
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A1.8



STORAGE SHED 'G'



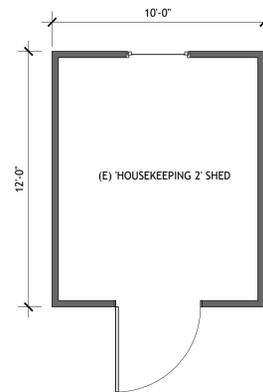
(E) STORAGE SHED LOCATIONS



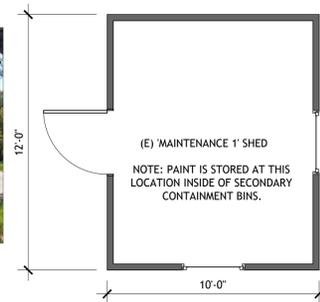
1 SHEDS K & L REMOVED, PROPOSED SHEDS REMOVED.



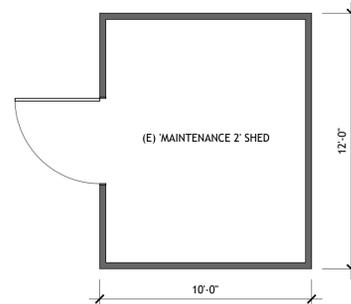
STORAGE SHED 'H'



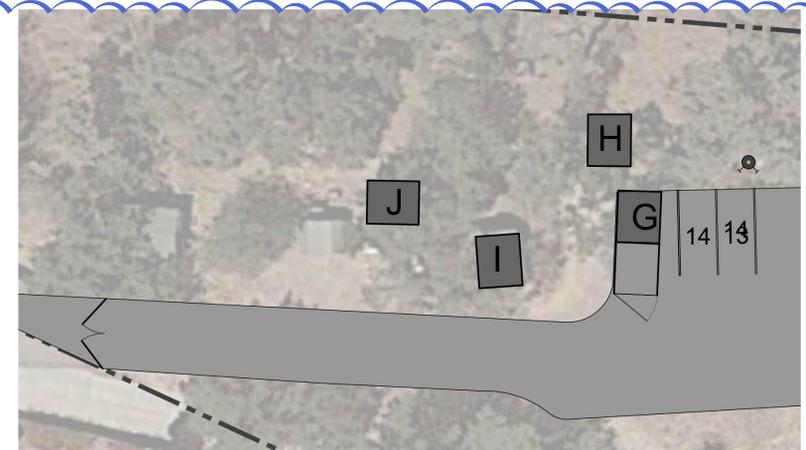
STORAGE SHED 'I'



STORAGE SHED 'J'



1 SHEDS K & L REMOVED, PROPOSED SHEDS REMOVED.



(E) STORAGE SHED LOCATIONS



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160 BESANT RD, OJAI,
CA 93023
APN: 017-0-260-060

SHEET TITLE:

EXISTING STORAGE SHEDS

FOR PERMIT

REVISIONS:

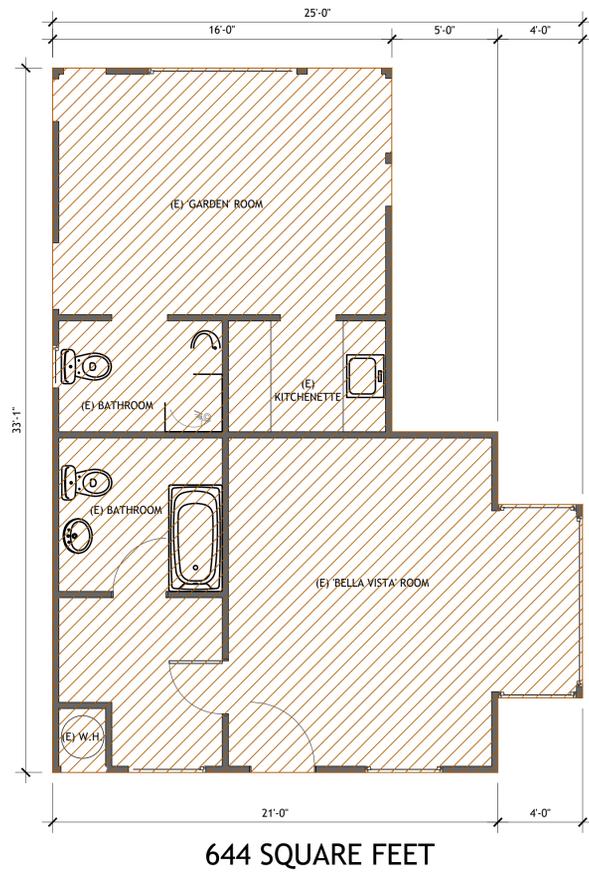
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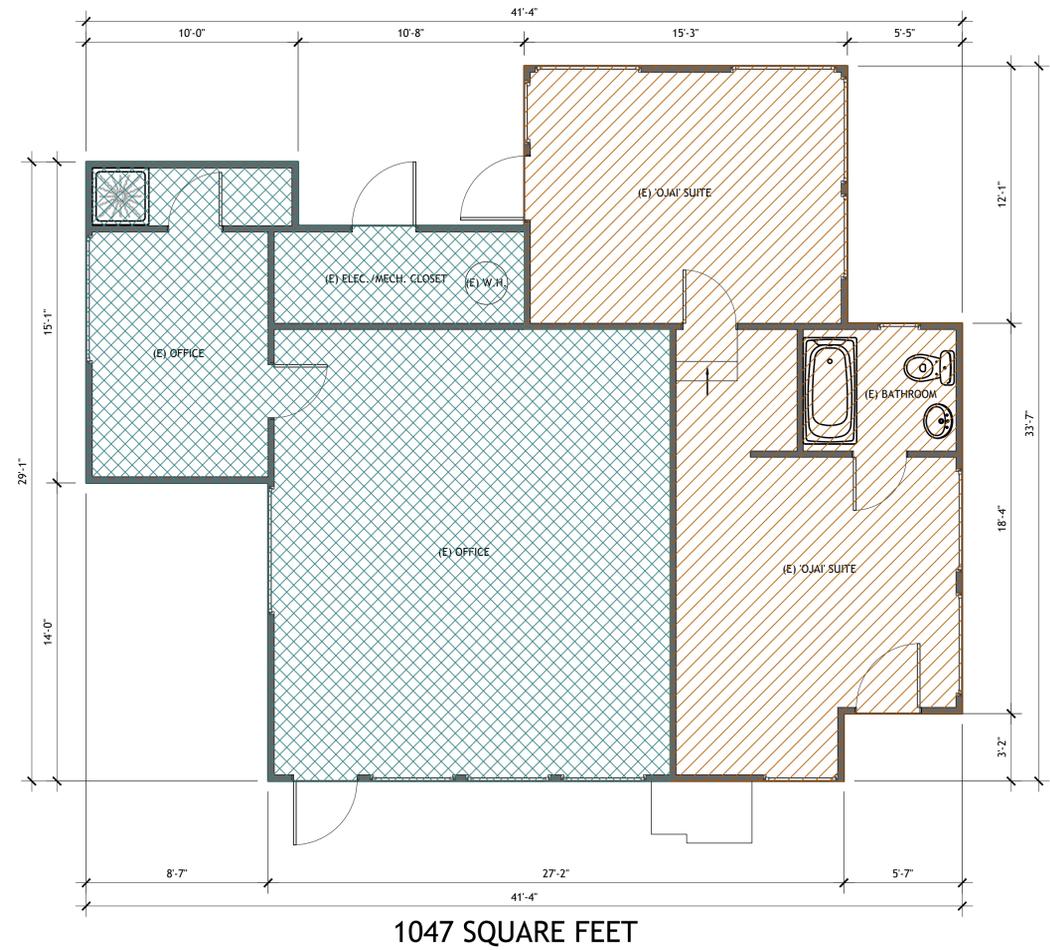


(E) BUILDING 'B' FLOOR PLAN

1/4"=1'-0"



 SLEEPING AREA
644 SQUARE FEET



(E) BUILDING 'A' FLOOR PLAN

1/4"=1'-0"



 SLEEPING AREA
465 SQUARE FEET

 OTHER AREA
595 SQUARE FEET



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CA 93023
APN: 017-0-260-060

SHEET TITLE:

EXISTING STRUCTURES

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A2.2



(E) NORTH ELEVATION BUILDING 'B'



(E) SOUTH ELEVATION BUILDING 'A'



(E) NORTH ELEVATION BUILDING 'A'



(E) SOUTH ELEVATION BUILDING 'A'



(E) EAST ELEVATION BUILDING 'B'



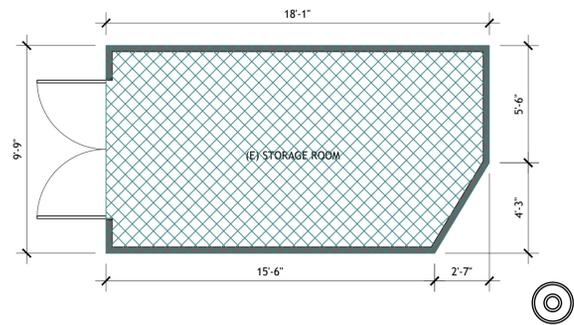
(E) WEST ELEVATION BUILDING 'A'



(E) EAST ELEVATION BUILDING 'A'

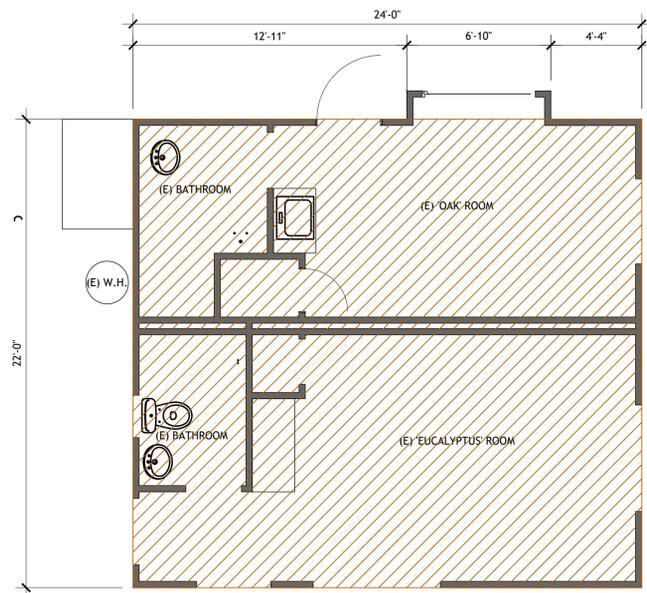


(E) WEST ELEVATION BUILDING 'A'



(E) BUILDING 'F' FLOOR PLAN

1/4"=1'-0"



(E) BUILDING 'D' FLOOR PLAN

1/4"=1'-0"



(E) NORTH ELEVATION BUILDING 'D'



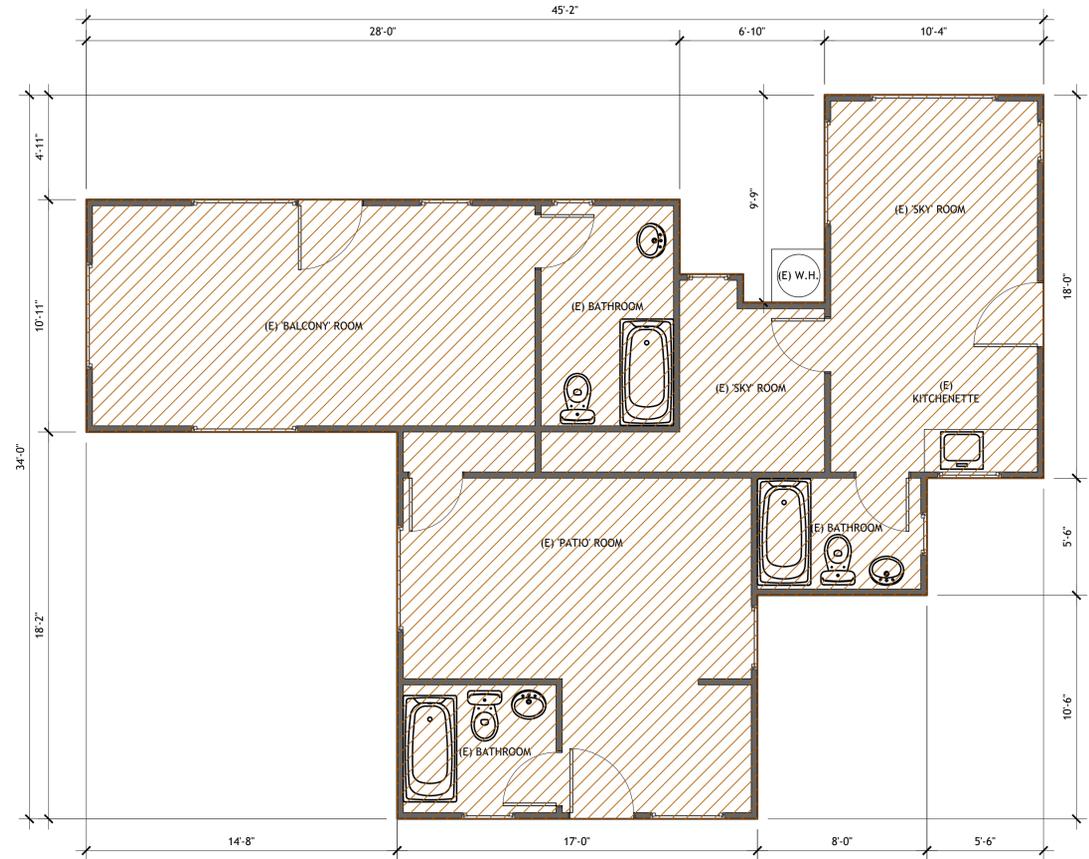
(E) SOUTH ELEVATION BUILDING 'D'



(E) EAST ELEVATION BUILDING 'D'



(E) WEST ELEVATION BUILDING 'D'



(E) BUILDING 'C' FLOOR PLAN

1/4"=1'-0"



(E) NORTH ELEVATION BUILDING 'C'



(E) SOUTH ELEVATION BUILDING 'C'



(E) EAST ELEVATION BUILDING 'C'



(E) WEST ELEVATION BUILDING 'C'



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SHEET TITLE:

EXISTING STRUCTURES

FOR PERMIT

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A2.3



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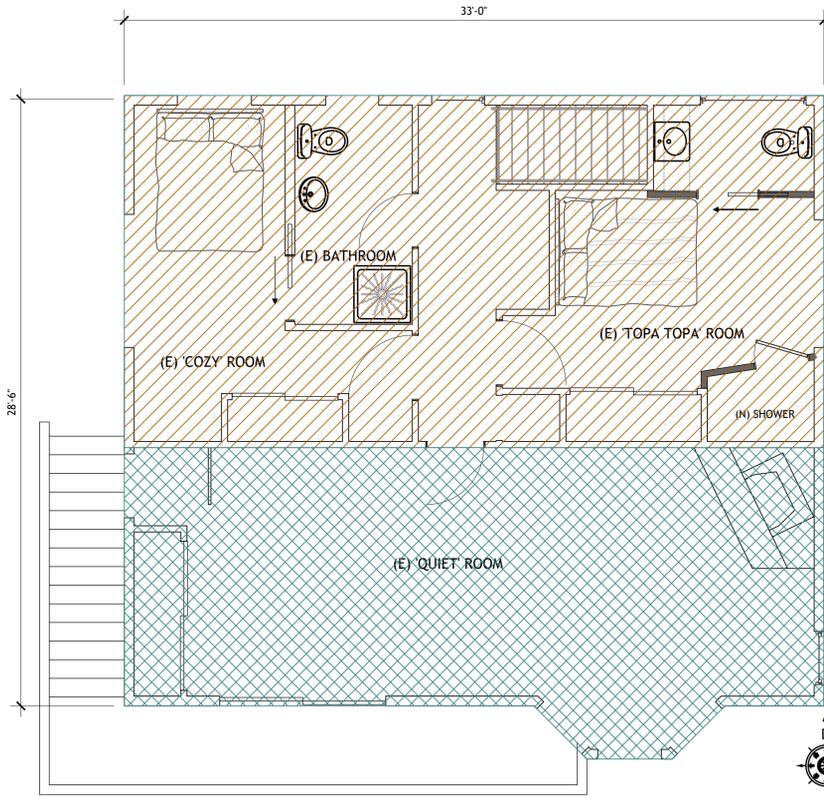
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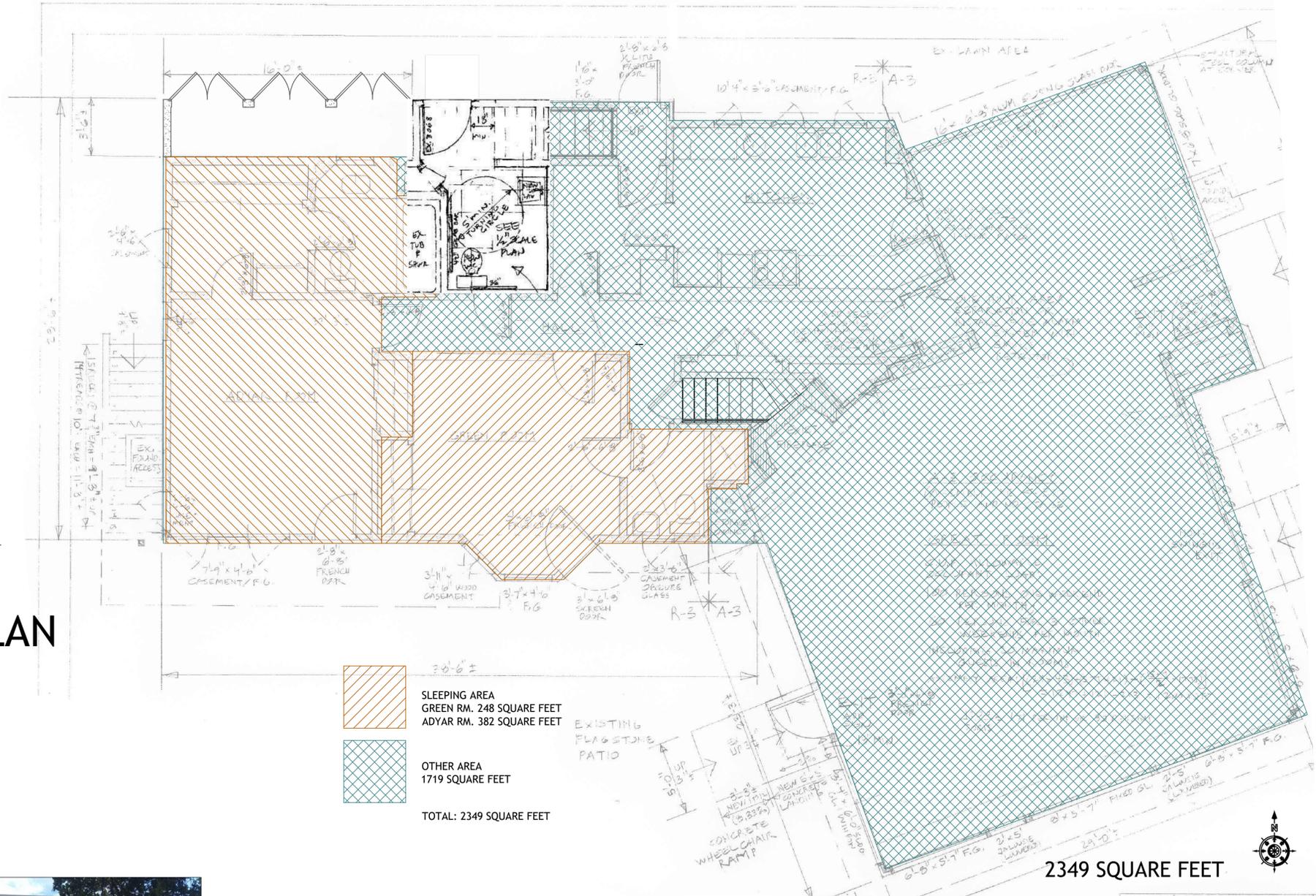
A2.4



962 SQUARE FEET

(E) BUILDING 'E' UPPER FLOOR PLAN

-  SLEEPING AREA
546 SQUARE FEET
 -  OTHER AREA
416 SQUARE FEET
- TOTAL: 962 SQUARE FEET



2349 SQUARE FEET

(E) BUILDING 'E' LOWER FLOOR PLAN

-  SLEEPING AREA
GREEN RM. 248 SQUARE FEET
ADYAR RM. 382 SQUARE FEET
 -  OTHER AREA
1719 SQUARE FEET
- TOTAL: 2349 SQUARE FEET



(E) NORTH ELEVATION BUILDING 'C'



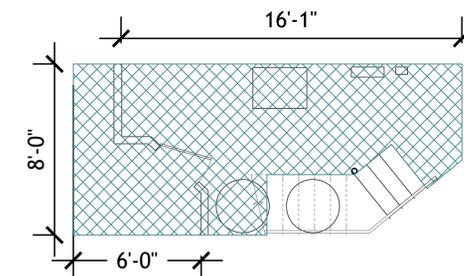
(E) SOUTH ELEVATION BUILDING 'C'



(E) EAST ELEVATION BUILDING 'C'



(E) WEST ELEVATION BUILDING 'C'



118 SQUARE FEET

(E) BUILDING 'E' BASEMENT FLOOR PLAN

-  OTHER AREA
118 SQUARE FEET (STAIR AREA INCLUDED IN FLOOR ABOVE)

EXHIBIT 4

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP) CASE NO. PL21-0018

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. Project Description

This is based on and limited to compliance with the project description stated in this condition below, Exhibits 3 and 6 of the Planning Director hearing on June 9, 2022, and conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

Minor Modification to CUP No. 3527 for the continued use of the existing retreat for a 20-year period. The request also includes adding a new four-cubic-yard green waste enclosure in the overflow parking area. No new structures or development are proposed. The existing facility contains six buildings and is limited to 20 overnight guests. No increase in occupancy is proposed.

The applicant also requests the continued operation of onsite events, which were authorized under a previous CUP Modification. These events include the following:

- Type 1 (Monthly): Gatherings of up to 80 day-use persons, not including staff and overnight guests, are permitted on one weekend per month. These events are limited to Saturdays and Sundays between the hours of 8:00 am and 10:00 pm.
- Type 2 (Weekly): Gatherings of up to 40 day-use persons, not including staff and overnight guests, are permitted every weekend of the year except those weekends when Type 1 gatherings (above) are being held. These events are limited to Saturdays and Sundays between the hours of 8:00 am and 10:00 pm.
- Type 3 (Special Events): The Permittee may request permission to hold special events where attendance will be more than 80 persons, but less than 150 persons. A special event may be allowed up to four times per calendar year at the discretion of the Planning Director. Any request for such an event must be submitted in writing to

Conditions for CUP Case No. PL21-0018 (Modification to CUP Case No. 3527)

Date of Public Hearing: June 9, 2022

Date of Approval:

Permittee: Ulrich Brugger

Location: 160 Besant Rd., Ojai

Page 2 of 22

the Planning Division at least 60 days prior to the proposed date of the event. Special events are limited to the hours of 8:00 am to 10:00 pm.

The CUP project site includes the following existing structures, inclusive of both retreat and non-retreat uses:

Building	Sleeping / Restroom Area (sq. ft.)	Other Area (sq. ft.)	Total Area (sq. ft.)
A	465	595	1,060
B	644	0	644
C	897	0	897
D	528	0	528
E <i>Basement</i>	0	118	118
<i>Lower floor</i>	630	1,719	2,349
<i>Upper floor</i>	579	383	962
F	0	171	171
Storage Sheds - (G, H, I, and J)	0	480	480
Total	3,743	3,466	7,209

Water will continue to be provided by the Meiners Oaks County Water District. An existing pump and tank system will continue to provide increased water pressure for the facility. Wastewater will continue to be handled using onsite wastewater treatment systems (OWTS) comprised of five septic tanks, three seepage pits, and eight leach fields. Access to the site is provided by way of Besant Road, a paved private road leading to Lomita Avenue, a paved County road. A secondary access driveway connects the project site to Tico Road.

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

This permit and attendant conditions supersede all previous permits and conditions issued to the subject site. Upon use inauguration of this permit modification (File No. PL21-0018), all previous permits and conditions will become null and void.

2. Required Improvements for CUP

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

Requirement: The Permittee shall ensure that all required off-site and on-site improvements for the Project, including structures, paving, parking, signage, lighting, and

landscaping are completed in conformance with the approved plans stamped as hearing exhibit 3. The Permittee shall prepare and submit all final building and site plans for the County's review and approval in accordance with the approved plans.

Documentation: The Permittee shall obtain Planning Division staff's stamped approval on the project plans and submit them to the County for inclusion in the Project file. The Permittee shall submit additional plans to the Planning Division for review and stamped approval (e.g., tree protection and landscape plans) for inclusion in the Project file, as necessary.

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

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

3. Site Maintenance

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

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

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

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

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

4. CUP Modification

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

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

5. Acceptance of Conditions and Schedule of Enforcement Responses

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

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

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

6. 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.

- (2) This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year from the date the approval decision of this CUP becomes effective. The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for use inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.
 - (3) Prior to the issuance of the Zoning Clearance for use inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP Permit.
- b. Permit Life or Operations Period: This CUP will expire on June 9, 2042. The lack of additional notification of the expiration date provided by the County to the Permittee shall not constitute grounds to continue the uses that are authorized by this CUP after the CUP expiration date. The uses authorized by this CUP may continue after the CUP expiration date if:
- (1) The Permittee has filed a permit modification application pursuant to § 8111-6 of the Ventura County Non-Coastal Zoning Ordinance prior to June 9, 2042; and
 - (2) The County decision-maker grants the requested modification.

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

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

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 Permit.

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.

8. Notice of CUP Permit Requirements and Retention of CUP Permit Conditions On Site

Purpose: To ensure full and proper notice of these CUP Permit 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 Permit.

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 § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

9. Recorded Notice of Land Use Entitlement

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

Requirement: The Permittee shall sign, have notarized, and record with the Office of the County Recorder, a "Notice of Land Use Entitlement" form furnished by the Planning

Division and the conditions of this CUP, with the deed of the property that is subject to this CUP.

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

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

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

10. Financial Responsibility for Compliance Monitoring and Enforcement

- a. **Cost Responsibilities:** The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Non-Coastal Zoning Ordinance (§ 8114-3) related to this CUP. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.
- b. **Establishment of Revolving Compliance Account:** Pursuant to the requirements of CUP Case No. 3527, the Resource Management Agency created Condition Compliance Case No. CC07-0005 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding CUP Case No. 3527. The Planning Division will continue to use Condition Compliance Case No. CC07-0005 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 10.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. CC07-0005, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil

administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.

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

11. Defense and Indemnification

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

- d. Neither the issuance of this CUP, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

12. Invalidation of Condition(s)

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

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

13. 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. 10 above, if the County hires a consultant to review any work undertaken by the Permittee or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

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

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

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

The Permittee shall obtain a business tax certificate for the operation of the retreat.

15. Contact Person

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

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

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

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

Monitoring and Reporting: The Planning Division maintains the contact information provided by the Permittee in the Project file. The Planning Division has the authority to

periodically confirm the contact information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

16. Change of Permittee

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

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

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

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

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

17. Resolution of Complaints

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

- a. The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 15 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about an event as it is occurring may directly contact the Contact Person;
- b. If County staff receives a written complaint about the Project, Planning Division staff may contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and
- c. If, following a complaint investigation by County staff, a violation of the Ventura County Code or a condition of this CUP is confirmed, County staff may initiate enforcement actions pursuant to § 8114-3 of the Non-Coastal Zoning Ordinance.

18. Reporting of Major Incidents

Purpose: To ensure that the Planning Director is notified of major incidents associated with, or resulting from, the Project.

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

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

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

Monitoring and Reporting: The Planning Division maintains any documentation provided by the Permittee related to major incidents in the Project file.

19. Correspondence from Other Agencies and Jurisdictions

Copies of all correspondence, reports, or information related to land use and environmental issues covered by this CUP which are received by the Permittee from, or sent by the Permittee to, other State or local jurisdictions or agencies shall be provided to the Planning Division within five calendar days of their receipt/issuance.

20. Change of Permittee

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

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

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

Timing: The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall

provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.

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

- a. Any changes in name(s), address(es), telephone/fax number(s), and email address(es) of the new owner(s), lessee(s), operator(s) of the permitted uses, and company officer(s) from the initial notice;
- b. A letter from the new property owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP; and
- c. The effective date and time of the transfer.

21. Landscape Plan

If the Planning Director deems it reasonable and necessary, the permittee may be required to perform future landscaping or screening of portions of the permit area. If determined necessary, Landscaping and Irrigation Plans shall be prepared in accordance with NCZO Section 8106-8.2 and the State Model Water Efficient Landscape Ordinance and submitted to the Planning Director for approval.

22. Lighting Plan

Purpose: To ensure lighting on the subject property is provided in compliance with § 8109-4.7 the Non-Coastal Zoning Ordinance 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.
- h. complies with the general standards listed in Section 8109-4.7.4 for all new and replaced outdoor lighting.

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

Conditions for CUP Case No. PL21-0018 (Modification to CUP Case No. 3527)

Date of Public Hearing: June 9, 2022

Date of Approval:

Permittee: Ulrich Brugger

Location: 160 Besant Rd., Ojai

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- a. the lighting plan shall include manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs). The Permittee shall also include the lighting color and maximum lumens for each light fixture;
- b. 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;
- c. 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;
- d. the outdoor lighting shall maintain the maximum light trespass levels identified in Table 1 of NCZO Section 8109-4.7.4;
- e. if any existing fixtures that were installed prior to November 1, 2018, and do not comply with NCZO Section 8109-4.7.4 are replaced, they shall be replaced with fixtures that comply with NCZO Section 8109-4.7.4; and
- f. all outdoor luminaires except for essential luminaires as defined in the NCZO shall be turned off from 10:00 pm until sunrise.

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.

Timing: The Permittee shall obtain the Planning Division's approval of the lighting plan prior to the issuance of a Zoning Clearance for use inauguration. 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 § 8114-3 of the Non-Coastal Zoning Ordinance.

23. Permittee's Consent to Site Inspections

Pursuant to the Ventura County Non-Coastal Zoning Ordinance (§ 8114-3.5), the Planning Division conducts periodic site inspections of permitted facilities and land uses to monitor compliance with the conditions of County-issued permits and the County zoning ordinance. The Permittee hereby consents to the inspection of all property, facilities, operations, and events comprising the Project that is subject of this CUP. Inspections may occur at any time the Planning Division deems necessary to fully and effectively monitor the Project, including nights or weekends. For example, if the permit authorizes events on weekend nights, the Permittee authorizes the Planning Division to conduct site inspections during such events to monitor compliance with event-related permit conditions. Upon the Planning Division's provision of reasonable notice, the Permittee agrees to provide Planning Division staff access to conduct the above-described inspections for the sole and exclusive purpose of monitoring compliance with this permit and the County zoning ordinance.

24. Events Report

Purpose: The purpose of this condition is to ensure that the Permittee conducts the Type 1 (monthly), Type 2 (weekly), and Type 3 (special) events in compliance with the requirements of this CUP.

Requirement: The Permittee shall maintain an Events Report, on a form that the Planning Division will provide to the Permittee, in order to record the following for each temporary event:

- a. A brief description of the type of temporary event (e.g., wedding event);
- b. The scheduled date and hours of the temporary event;
- c. The number of attendees;
- d. Whether noise complaints were received and resolved as required pursuant to Condition No. 17 (above).

The Permittee shall complete and maintain the Events Report, and submit the Events Report to the Planning Division annually on or before February 1, at any time upon the written request of the Planning Director, and with an application for CUP renewal pursuant to Condition No. 6.b.

Documentation: The Permittee shall complete and maintain the Events Report form provided by the Planning Division.

Timing: The Permittee must submit the Events Report form to the Planning Division: annually on or before February 1; within 24 hours of receiving a request from the Planning Director to submit the form; and with an application for CUP renewal.

Monitoring and Reporting: The Planning Division reviews and maintains in the Project file, the Events Report forms. If the Events Report forms indicate that the events were conducted in violation of the conditions of this CUP, the Planning Division has the authority to implement enforcement actions consistent with the regulations of Article 14 of the Ventura County Non-Coastal Zoning Ordinance.

25. Noise Limitations

Purpose: To ensure compliance with Ventura County General Plan Policy HAZ-9.2 (Noise Compatibility Standards).

Requirement: The Permittee shall implement a noise procedure plan that includes, but is not limited to, the following provisions:

- a) Noise Monitoring – The Permittee shall designate a “decibel officer” to be on duty during all events that use amplified sound. The decibel officer will be responsible to monitor and control noise levels. The decibel officer shall be a staff member or designated sound system operator who has gone through training on sound measurement and control practices. The decibel officer shall remain on duty during the entire event, actively monitoring sound levels.
- b) Approved Sound Equipment – The Permittee shall use only approved sound equipment or the functional equivalent. In accordance with the noise study (Exhibit 6), approved sound equipment includes the following: 2x QSC 1000w 15” KW speakers; 2x QSC 2000w 10” KW speakers; 1 Soundcraft 12-input signature mixer with fx; 1 dbx advanced feedback suppressor, series 2; 4 Shure SM 58 microphones; 4 Shure SM 57 microphones.
- c) Sound System Operation – The sound system shall only be operated by sound operators designated and approved by the decibel monitor.
- d) Sound Test Prior to Events – Prior to the start of any event, a guided sound test shall be performed with the event participants using the sound system, which will be measured by the NIOSH Sound Level Meter App (or equivalent procedure) to ensure proper levels, administered by the decibel officer.
- e) Sound Output – Sound output, including both music and speech, shall not exceed 85dB from the source (speakers).
- f) Speaker Location and Direction – Speakers shall be placed in a manner that directs sound away from sensitive receptors (i.e., as shown in Appendix 6 to Exhibit 6).
- g) Hours – Amplified sound shall stop by 10:00 pm.

Documentation: The Permittee shall submit a noise procedure plan to the Planning Division for review and approval.

Timing: The Permittee shall obtain the Planning Division's approval of the noise procedure plan prior to the issuance of a Zoning Clearance for use inauguration. The Permittee shall operate in compliance with the noise procedure plan for the life of the Project.

Monitoring and Reporting: The Planning Division maintains a copy of the approved noise procedure plan in the Project file. The Permittee shall ensure that the sound equipment is operated according to the approved noise procedure plan during each event. Planning Division staff have the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Non-Coastal Zoning Ordinance.

Environmental Health Division (EHD) Conditions

26. Existing OWTS General Notice

Purpose: To demonstrate compliance with State and local regulations related to the design, installation, and maintenance of an onsite wastewater treatment system (OWTS). Only domestic waste as defined in the Ventura County General Plan and the Ventura County Building Code Ordinance may be discharged into the OWTS.

Requirement: Permittee shall maintain all OWTS components in good working order to prevent system failure and creation of a public nuisance. Permittee is required to obtain the approval of the Ventura County Environmental Health Division (EHD) prior to changing and/or modifying the OWTS, repairing components of the OWTS, expanding the footprint of a structure, adding plumbing fixtures, or adding a new structure.

Ongoing Maintenance: Once the OWTS has been installed and finalized by EHD, it is the owner's responsibility to properly maintain the system to prevent OWTS failure or an unauthorized sewage release, and from creating a public nuisance, health concern, or impact the environment. The septic tank shall be serviced, as needed, by a septic pumper truck registered and permitted by Ventura County EHD, and all pumping activities shall be reported to EHD. All septage wastes must be disposed of in an approved manner. EHD staff will also receive and respond to any complaints related to OWTS and/or unauthorized sewage releases.

27. Food Service Providers at Private Events

Purpose: To ensure all food provided to the public is safe and prepared under sanitary conditions.

Requirements: All food service providers for catered events shall have a valid permit to operate issued by the Ventura County Environmental Health Division, or other health authority with jurisdiction. Food service providers must provide their own food service equipment and conduct all necessary onsite food preparation in a self-sufficient fashion, including, but not limited to, hot and cold food holding equipment and beverage service

equipment. Every employee in a catering business must be trained in food safety related to their assigned task(s).

Limitations: The Permittee is prohibited from offering food services beyond the activities allowed under their permit as a Restricted Food Service Facility, including but not limited to providing food preparation or food storage equipment, and allowing use of their facility for food preparation, cooking, food and utensil storage, and utensil washing, by the caterers.

Timing: The above requirements and prohibitions apply anytime a private event involving food service occurs on the subject property.

28. Retail Food Facilities – Existing Facility (Permit # FA0004752)

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 maintain an active Permit to Operate from Ventura County EHD, Community Services Section for the specified food service operations.

Limitations: The current active Permit to Operate designates the facility as a Restricted Food Service Facility and is limited to serving pre-packaged foods only. All food and beverage items provided to overnight retreat guests must be prepared at the approved commissary. The Permittee is prohibited from offering food services beyond the activities allowed under their permit as a Restricted Food Service Facility.

Timing: The Permittee shall comply with all applicable codes and regulations related to the construction, maintenance, and operation of a food facility at all times.

Monitoring: Routine site inspections to ensure ongoing compliance with regulations related to food facilities, shall be conducted by Ventura County EHD, Community Services Section staff.

OTHER VENTURA COUNTY AGENCIES

Ventura County Fire Protection District (VCFPD) Conditions

29. Fire Flow

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

Requirement: The Permittee shall verify that the water purveyor can provide the required volume and duration at the project. The minimum required fire flow shall be determined as specified by the current adopted edition of the Ventura County Fire Code and the

applicable Water Manual for the jurisdiction (whichever is more restrictive). Given the present plans and information, the required fire flow is 500 gallons per minute at 20 psi for a minimum 1-minute duration. A minimum flow of 500 gallons per minute shall be provided from any one hydrant.

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

Timing: Prior to issuance of a building permit, the Permittee shall provide to the Fire District, verification from the water purveyor that the purveyor can provide the required fire flow. If there is no map recordation, the Permittee shall submit a signed copy of the water purveyor's certification to the Fire Prevention Bureau for approval before the issuance of building permits.

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

30. Fire Sprinklers

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

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

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

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

Monitoring and Reporting: A copy of the approved fire sprinkler plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site inspections to ensure that the fire sprinkler system is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the fire sprinkler system for the life of the development. (VCFPD-40)

31. 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 Fire Prevention Bureau 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 Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site inspections to ensure that the fire alarm system is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the fire alarm system for the life of the development.

32. Building Plan Review

Purpose: To comply with California Building Code requirements.

Requirement: The Permittee shall submit building plans of all A, E, I, H, R-1, R-2 or R-4 occupancies.

Documentation: A stamped copy of the approved building plans.

Timing: The Permittee shall submit a full set of building plans (architectural, electrical, mechanical and plumbing) to the Fire Prevention Bureau for approval before the issuance of building permits.

Monitoring and Reporting: A copy of the approved building occupancy plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site inspections to ensure that the occupancy is constructed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the occupancy requirements for the life of the development.

33. Hazardous Fire Area

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

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

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

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

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

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

34. Hazard Abatement

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

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

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

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

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

35. Fire Department Clearance

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

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

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

Timing: The Permittee shall submit VCFPD Form #126 Application to the Fire Prevention Bureau for approval before issuance of building permits.

Conditions for CUP Case No. PL21-0018 (Modification to CUP Case No. 3527)

Date of Public Hearing: June 9, 2022

Date of Approval:

Permittee: Ulrich Brugger

Location: 160 Besant Rd., Ojai

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

EXHIBIT 5
General Plan Consistency Determination

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

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

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

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

Land Use and Community Character

- 1. General Plan 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 unincorporated communities, to ensure adequate provision of public facilities and services, and to be compatible with neighboring uses.*

General Plan 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.*

Ojai Valley Area Plan Policy OV-17.1 (Community Compatibility): *The County shall require all discretionary development projects to be reviewed and conditioned to ensure that they are compatible with their surroundings, are of high quality and good design, are consistent with the character of the Ojai Valley, and are beneficial to the community as a whole.*

The proposed project is located in a rural area between the City of Ojai and the unincorporated Existing Community of Meiners Oaks. The project site is zoned RA-5 ac. (Rural Agricultural, 5-acre minimum lot size). The purpose and intent of the RA zone is to provide for and maintain a rural setting where a wide range of agricultural uses are permitted while surrounding residential land uses are protected (NCZO Section 8104-2.1). The Ojai Valley Area Plan identifies the project site as being within the RR5 (Rural Residential, 5-acre minimum lot size) land use designation. This designation is characterized by low-density single-family dwellings on lots of 5 or more acres.

The existing retreat, originally authorized as an educational institution, has operated on this site continuously since 1975. Though the facility is non-residential, the structural development on the site maintains a residential character. The retreat uses, structure sizes, scales, design styles, and setbacks are consistent with surrounding residential development. The project site is 5 acres, which complies with the minimum parcel size for the zone and for the retreat use. As discussed in Section D of the attached staff report, the proposed project meets applicable standards of the NCZO for retreats¹, which are designed to ensure compatibility with surrounding development in the RA zone.

All structures are under 25 feet in height, which is the maximum allowable for retreats. Buildings B, C, and D appear as small cottages under 1,000 sq. ft. in size. Building A, which is just over 1,000 sq. ft. is similar in scale to a small one-story house. Building E is similar in size and scale to a large two-story house. These structures each employ a mid-century California ranch design. Buildings F, G, H, I, and J are all similar to residential storage sheds. The structures cover a total area of 6,129 sq. ft., which represents 2.8 percent of the parcel area. The maximum coverage allowable for the RA zone is 5 percent.

The project site includes dense oaks and ornamental vegetation along all property lines. The nearest public road (Loma Drive) is approximately 850 feet southwest of Building D. The nearest off-site residence is 251 feet southeast of Building A. As a result, development at the retreat is adequately screened from public roads and adjacent residences. The proposed project would not degrade or significantly alter the existing scenic or visual qualities of surrounding area.

The retreat facility will continue to host weekly events with up to 40 guests and monthly events with up to 80 guests. Additionally, special events with up to 150 guests may be authorized by the Planning Director. Events will occur in three designated areas: two outdoor patios and an outdoor lawn (see Page A1.8 of Exhibit 3) and may include the use of amplified sound. Nearby uses that are considered “sensitive receptors” for noise include a school (Oak Grove School) and three houses, the nearest of which is 251 feet southeast of the easterly outdoor patio. The applicant provided a noise study (Exhibit 6: Noise Impact Assessment; Acoustics Report, Inc.; July 28, 2021) to assess how amplified sound from events might impact nearby sensitive receptors. The noise study concludes that noise levels at the school and nearby houses will not exceed the maximum Leq1H level of 50 dB(A), as required by General Plan Policy HAZ-9.2, when the amplified sound is on. The study further recommends incorporation of several measures to ensure that sound levels remain in compliance with Policy HAZ-9.2 (Exhibit 4, Condition No. 25).

¹ As discussed in Section D of the staff report, the project site is considered legal non-conforming as to floor area dedicated to uses other than sleeping and restrooms.

The proposed project provides a benefit to the Ojai Valley by offering alternative accommodations to a conventional hotel in a highly sought-after tourist destination.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Land Use and Community Character Policies LU-16.1 and LU-16.9 and with Ojai Valley Area Plan Policy OV-17.1.

2. **General Plan Policy LU-16.10 (Visual Access for Rural Development):** *The County shall encourage discretionary development in rural areas to maintain views of hillsides, beaches, forests, creeks, and other distinctive natural areas through building orientation, height, and bulk.*

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

Ojai Valley Area Plan Policy OV-41.1 (Scenic Views and Vistas from Public Roads or Publicly Owned Land): *The County shall prohibit discretionary development/grading which will significantly degrade or destroy a scenic view or vista from public roads or publicly-owned land, unless the development/grading is a public project, or a private project for which there is a substantial public benefit, and overriding considerations are adopted by the decision-making body.*

The proposed project is located in a scenic area of the Ojai Valley. The site offers views of the surrounding oak forest and the Topa Topa Mountains to the north. Part of the charm of a rural retreat is the surrounding natural environment, which the facility has sought to protect and enhance over its 30+ year existence.

As discussed under Item No. **Error! Reference source not found.**, above, the retreat has attributes and features that are characteristic of the existing surrounding residential development. The development is set back a substantial distance (at least 850 feet) from the nearest public road. This fact, coupled with the dense vegetation along the project site's perimeter, ensures that the development is obscured from off-site view.

As the project's existing development is already adequately screened and utilizes low-profile structures, no impacts to scenic resources are anticipated.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Land Use Policy LU-16.10, Conservation and Open Space Policy COS-3.1, and Ojai Valley Area Plan Policy OV-41.1.

3. Ojai Valley Area Plan Policy OV-41.5 (Sign Program Requirement): *The County shall require a sign program to be submitted concurrently with a discretionary development permit for all commercial and industrial development. The County shall prohibit Freestanding off-site advertising signs. The County shall limit all on-site freestanding signs to five feet in height.*

The applicant has provided a sign program identifying existing signage, which is included on Pages A1.6 and A1.7 of Exhibit 3.

There are ten existing signs, all but one of which are freestanding. Of the ten signs, eight are considered exempt from the sign standards in NCZO Section 8110-5.1 for one of three reasons:

- Signs required to be maintained by law or governmental order are exempt (Sec. 8110-3.c). These include address signs and directional signs required by the Ventura County Fire Protection District.
- Signs which are not visible beyond the boundaries of the lot, from a public right-of-way, or from a parking area or circulation area open to the general public are exempt (Sec. 8110-3.d).
- Up to one private traffic directional sign is exempt (Sec. 8110-3.f).

Sign	Size (sq. ft.)	Mounted Height (ft.)	Style	Notes
1 Welcome Sign	1.94	3.17	Freestanding	Exempt (8110-3.d)
2 Office Sign	4.58	~9	Attached	Regulated under 8110-5.1
3 Office / Parking Sign	2.78	2.83	Freestanding	Exempt (8110-3.f)
4 Overflow Parking Sign	1.83	3.5	Freestanding	Exempt (8110-3.d)
5 Overflow Parking Sign	2.92	3.5	Freestanding	Exempt (8110-3.d)
A Besant Turn Sign	1.33	4.33	Freestanding	Exempt (8110-3.c)
B Besant Turn Sign	2.5	3.33	Freestanding	Exempt (8110-3.c)
C Direction Sign	3.35	3.42	Freestanding	Exempt (8110-3.c)
D AAA Sign	2.25	3.17	Freestanding	Regulated under 8110-5.1
E Address Sign	2	2.83	Freestanding	Exempt (8110-3.c)

A project in an “R” zone is limited to one non-exempt freestanding sign no larger than 20 square feet and one attached sign no larger than 25 square feet (NCZO

Section 8110-5.1). As existing, the project site complies with this standard. Additionally, all freestanding signs, including exempt signs, are mounted no higher than five feet.

Based on the above discussion, the proposed project is consistent with Ojai Valley Area Plan Policy OV-41.5.

- 4. General Plan Policy LU-14.1 (Development Applications in a City's Sphere of Influence):** *The County shall encourage applicants for General Plan amendments, zone changes, and discretionary development within a city's Sphere of Influence to consult with the appropriate city about submitting their application and shall discourage applicants from applying to the County.*

General Plan Policy PFS-1.9 (Requirements Inside City Spheres of Influence): *County shall only approve a discretionary development within a city's Sphere of Influence if the required public facilities and infrastructure meets or exceeds those required by the associated city.*

Ojai Valley Area Plan Policy OV-2.3 (Land Annexation): *The County shall promote the annexation of property located within the Ojai Sphere of Influence to the City of Ojai, in accordance with the County's Guidelines for Orderly Development.*

Ojai Valley Area Plan Policy OV-17.2 (Existing Development Annexation): *The County shall encourage property owners requesting a discretionary permit in conjunction with existing development (e.g. a modification to an existing CUP or PD) within the City of Ojai's Sphere of Influence to request annexation to the City of Ojai prior to consideration of their request by the County.*

Ojai Valley Area Plan Policy OV-20.2 (Notifications to the Ventura River Valley Municipal Advisory Council (VRVMAC)): *All County departments shall make an effort to notify the VRVMAC (or successor group), concerning issues and programs of importance to the Ojai Valley area prior to decisions being made regarding these matters.*

The proposed project is located within the sphere of influence for the City of Ojai. Pursuant to the Guidelines for Orderly Development (GOD), the County encourages applicants for discretionary projects within a city's sphere of influence to apply directly to the respective city for annexation. Projects proposing urban uses should be annexed to a city prior to being developed. Rural retreats are not considered an "urban use."

County staff referred the project to the City of Ojai on March 10, 2021. As of May 31, 2022, no response from the City of Ojai has been received.

The public services and facilities serving the project site are roughly equivalent to those provided within the City of Ojai. The site is adequately served with municipal water, fire, and police services. Nearby recreational, library, and school facilities are shared with city residents. The one service that is not equivalent to services within City limits is wastewater. The project site handles wastewater using on-site wastewater treatment systems. There is no municipal sewer system available to serve the project site. Because the project site is located outside of the Ojai Valley Sanitary District's boundaries, it is unlikely that sewer service will be available in the foreseeable future.

Properties in the City of Ojai are not all served by the Ojai Valley Sanitation District's sewer system. Some properties continue to use on-site wastewater treatment systems. Under the California Plumbing Code, which has been adopted by the City of Ojai, a property is only required to connect to the municipal sewer system when a connection is available within 300 feet of the property boundary. As such, if the project site were annexed to Ojai, it would not be required to connect to the sewer system; it would be allowed to continue using the onsite wastewater treatment systems because the nearest sewer main is approximately 1,375 feet away. Based on this conclusion, the public facilities and infrastructure serving the project site is equivalent to the facilities and infrastructure available within City limits. The project will not require extension of services beyond City limits or creation of a new County Service Area.

On November 29, 2021, the project was referred to the Ojai Valley Municipal Advisory Council (OVMAC). As the retreat is existing and is simply seeking a permit time extension for operations, OVMAC declined to review the project.

Based on the above discussion, the proposed project is consistent with the Ventura County General Plan Land Use Element Policy LU-14.11, Public Facilities and Services Policy PFS-1.9, and Ojai Valley Area Plan Policies OV-2.3, OV-17.2 and OV-20.2.

Circulation, Transportation, and Mobility

- 5. General Plan Policy CTM-1.1 (Vehicle Miles Travelled (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.*

General Plan Policy CTM-1.6 (Ojai Valley Area Plan – Level of Service (LOS) Evaluation and Unacceptable Level of Service): *County General Plan land use*

designation changes, zone changes, and discretionary development within the boundaries of the Ojai Valley Area Plan are subject to the Level of Service goals, policies and programs in the Ojai Valley Area Plan and not subject to Policies CTM-1.3, CTM-1.4 and CTM-1.5.

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

Ojai Valley Area Plan Policy OV-22.2 (Evaluation of Level of Service (LOS) Impacts Based on Land Use Changes): *The County shall evaluate Area Plan land use designation changes, zone changes, and discretionary development for individual and cumulative impacts on existing and future roads, with special emphasis on the following:*

- a) Whether they would cause existing roads within the Regional Road Network or Local Road Network that are currently functioning at an acceptable Level of Service (LOS) to function below an acceptable LOS;*
- b) Whether they would worsen traffic conditions on existing roads within the Regional Road Network that are currently functioning below an acceptable LOS; and*
- c) Whether they could cause future roads planned for addition to the Regional Road Network or the Local Road Network to function below an acceptable LOS.*

The proposed project would extend the operation period of a retreat by 20 years. The retreat is existing and has historically been permitted to operate with up to 20 total overnight guests, including staff. Additionally, the facility has been allowed to have weekly events with up to 40 daytime visitors and monthly and special events with up to 80 daytime visitors at a time. The applicant is proposing to carry these limitations through; there is no proposal to increase the number of permitted visitors.

The California Natural Resources Agency has adopted new CEQA Guidelines that require an analysis of vehicle miles travelled (VMT). Based on guidance provided by the Office of Planning and Research (OPR), certain projects may be screened out of requiring VMT analysis, because their impacts are known to be less than significant. Screened projects include those that generate fewer than 110 average daily vehicle trips. As proposed, the project will not generate additional average daily trips². Therefore, the project is exempt from a VMT analysis.

² Existing average daily trips are estimated at 107 trips per day (ITE No. 310).

The project will connect with the public road system by way of Besant Road, a paved private road. Public Works Agency (PWA) staff has reviewed the proposed project and determined that approval of the project would not result in the degradation of LOS for any identified roadway segments or intersections in the area. As the project is not generating additional vehicular trips, the project will not be subject to a Traffic Impact Mitigation Fee (TIMF) to offset cumulative contribution of additional traffic to the Regional Road Network.

Based upon the above discussion, the proposed project is consistent with Ventura County General Plan Circulation, Transportation, and Mobility Policies CTM-1.1, CTM-1.6, and CTM-1.7, and Ojai Valley Area Plan Policy OV-22.2.

Public Facilities, Services, and Utilities

6. General Plan Policy PFS-1.7 (Public Facilities, Services, and Infrastructure):

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.

General Plan 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.*

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

General Plan 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.*

General Plan 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.*

General Plan 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.*

Ojai Valley Area Plan Policy OV-24.1 (Adequate Public Facilities and Services): *The County shall require discretionary development to demonstrate that there are adequate public facilities and services available to serve the needs of the proposed development.*

Ojai Valley Area Plan Policy OV-26.3 (Private Septic Systems Installation and Regulations Requirement): *The County shall require private septic systems outside of the Ojai Valley Sanitation District boundaries to be installed and regulated in accordance with the County Environmental Health Division regulations.*

Ojai Valley Area Plan Policy OV-64.2 (Retrofits to Limit Water Demand): *The County shall require new discretionary development to retrofit existing plumbing fixtures or provide other means so as not to add any net increased demand on the existing water supply. The County shall apply this policy until such time as a groundwater basin study is completed and it is found that the available groundwater, or other sources of water, could adequately provide for cumulative demand without creating an overdraft situation.*

The proposed project will continue to be served by the Meiners Oaks County Water District (MOCWD). This is evidenced by a water bill dated July 25, 2021. MOCWD sources its water from four groundwater wells. The County Public Works Agency has an approved Water Availability Letter (WAL) on file for MOCWD. This indicates that a sufficient water supply is available to serve MOCWD's customers. No new construction or landscaping is proposed as part of the project. Therefore, the project is not expected to result in a net increase in water demand.

The project site does not have access to a sewer system. For wastewater disposal, the project proposes to continue using existing on-site wastewater treatment systems (OWTS). The OWTS on the property consist of the following:

- Septic Tank No. 1 is a 1,000-gallon tank serving Building A with its own leach field.
- Septic Tank No. 2 is a 1,000-gallon tank serving Building B. Septic Tank No. 3 is a 2,000-gallon tank serving Building E. These two tanks are

connected to a distribution box and share three leach fields and two seepage pits.

- Septic Tank No. 4 is a 1,500-gallon tank serving Building C. Septic Tank No. 5 is a 1,000-gallon tank serving Building D. These two tanks are connected to a distribution box and share four leach fields.

County Environmental Health reviewed the proposed project and concluded that it is consistent with County and State policies concerning wastewater disposal.

Based upon the above discussion, the proposed project is consistent with Ventura County General Plan Public Facilities and Services Policies PFS-1.7, PFS-4.1, and PFS-4.2; Conservation and Open Space Policy COS-1.12; Water Resources Policies WR-1.11 and WR-3.2; and Ojai Valley Area Plan Policies OV-24.1, OV-26.3, and OV-64.2.

- 7. General Plan Policy PFS-5.9 (Waste Reduction Practices for Discretionary Development):** *The County shall encourage applicants for discretionary development to employ practices that reduce the quantities of wastes generated and engage in recycling activities to further reduce the volume of waste disposed of in landfills.*

Ojai Valley Area Plan Policy OV-27.1 (Waste Reduction in Discretionary Development): *The County shall encourage discretionary development to employ practices that reduce the quantities of wastes generated and shall be requested to engage in recycling activities.*

The continued operation of the retreat would not result in a significant generation of waste. The project site will continue to use commercial garbage and recycling pickup services.

As required by California Public Resources Code (PRC) 41701, Ventura County's Countywide Siting Element (CSE), adopted in June 2001 and updated annually, Ventura County has at least 15 years of disposal capacity available for waste generated by in-County projects. Because the County currently exceeds the minimum disposal capacity required by the state PRC, the proposed project will have less than a significant project-specific impact upon Ventura County's solid waste disposal capacity.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Public Facilities and Services Policy PFS-5.9 and Ojai Valley Area Plan Policy OV-27.1.

- 8. General Plan Policy PFS-6.1 (Flood Control and Drainage Facilities Required for Discretionary Development):** *The County shall require discretionary development to provide flood control and drainage facilities, as deemed necessary*

by the County Public Works Agency and Watershed Protection District. The County shall also require discretionary development to fund improvements to existing flood control facilities necessitated by or required by the development.

General Plan 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.*

As shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panels 06111C0559F, effective January 29, 2021, the project site is in a location identified as Zone X, Area of Minimal Flood Hazard. The project will not require the development of new flood control facilities or the contribution of funds to the development and/or maintenance of flood control facilities.

All development on the project site is existing. No new structural development is proposed. As such, existing drainage patterns and characteristics will be retained. The existing drainage can be described as sheet flow along the natural gradient. The project site drains to the Happy Valley Drain and Happy Valley Drain South, both of which are tributaries to the Ventura River.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Public Facilities and Services Policies PFS-6.1 and PFS-6.5.

- 9. Ojai Valley Area Plan Policy OV-31.1 (Fair Share Contributions to the Trail System):** *The County shall condition discretionary development permits which may be expected to benefit from or contribute to the need for the trails system to dedicate and improve, or pay a fee for, planned trails and public trail access points, and install appropriate signs to the standards of the County of Ventura and the National Forest Service.*

Existing trails in the vicinity of the project site include the Ojai Meadows Preserve (0.27 miles northeast), Ojai-Ventura Bike Path (0.4 miles south), and the Ventura River Preserve (1.0 miles northwest). The project will not impact access to or result in overuse of these facilities. The project involves the continuing operation of an existing facility that has been in operation for more than 30 years. Granting an extension of operation is not expected to result in a net increase in demand for trails. Because there is no increase in demand as a result of the project, there is no nexus to require contributions for trail improvements.

Based on the above discussion, the proposed project is consistent with Ojai Valley Area Plan Policy OV-31.1.

Conservation and Open Space

10. General Plan Policy COS-1.1 (Protection of Sensitive Biological Resources):

The County shall ensure that discretionary development that could potentially impact sensitive biological resources be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures that fully account for the impacted resource. When feasible, mitigation measures should adhere to the following priority: avoid impacts, minimize impacts, and compensate for impacts. If the impacts cannot be reduced to a less than significant level, findings of overriding considerations must be made by the decision-making body.

General Plan Policy COS-1.4 (Consideration of Impacts to Wildlife Movement): *When considering proposed discretionary development, County decision-makers shall consider the development's potential project-specific and cumulative impacts on the movement of wildlife at a range of spatial scales including local scales (e.g., hundreds of feet) and regional scales (e.g., tens of miles).*

Ojai Valley Area Plan Policy OV-36.2 (Biological Field Reconnaissance Report Requirement): *The County shall require a biological field reconnaissance report detailing the composition of species at the site, the presence of rare, threatened, endangered or candidate plant or animal species, significant wetlands, locally important plant communities, and suitable mitigation measures to be prepared by the County's biological consultant as part of the environmental assessment of all discretionary development permits involving earth movement or construction on previously undeveloped land where the natural vegetation still exists.*

The subject property is not located in a critical habitat area or designated wildlife corridor (Ventura County RMA GIS, 2020). The proposed project is a request for a permit extension of 20 years. No development of new facilities is proposed. As a result, there is no potential for the project to impact biological resources. Biological field reconnaissance, therefore, is not necessary.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Conservation and Open Space Policies COS-1.1 and COS-1.4 and Ojai Valley Area Plan Policy OV-36.2.

11. General Plan Policy COS-4.2b (Cooperation for Tribal Cultural Resource Protection):

For discretionary projects, the County shall request local tribes contact information from Native American Heritage Commission, to identify known tribal cultural resources. If requested by one or more of the identified local tribes,

the County shall engage in consultation with each local tribe to preserve, and determine appropriate handling of, identified resources within the county.

General Plan 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.*

The project site is located within a sensitive area for archaeological resources (Ventura County RMA GIS, 2020). No new development or grading is proposed as part of this project. As a result, the project will not include any activities that would result in an impact to paleontological and cultural resources. As such, no adverse impacts to paleontological or cultural resources are expected.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Conservation and Open Space Policies COS-4.2b and COS-4.4.

Hazards and Safety

12. General Plan 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.*

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

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

General Plan Policy 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.*

General Plan 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.*

Ojai Valley Area Plan Policy OV-34.1 (Compliance with Fire Protection District and Sheriff's Department Requirements): *The County shall require discretionary development to comply with the requirements of the Fire Protection District and Sheriff's Department by providing adequate access for fire, law enforcement, emergency equipment and personnel, and evacuation.*

Ojai Valley Area Plan Policy OV-35.1 (Adequate Water for Firefighting): *The County shall require adequate water supplies and delivery system for firefighting purposes to serve any discretionary development in accordance with the standards of the Fire Protection District.*

Ojai Valley Area Plan Policy OV-47.1 (Fire Protection District Road Standards Compliance): *The County shall require all roads to meet or exceed the standards of the Fire Protection District.*

Ojai Valley Area Plan Policy OV-48.1 (Adequate Water and Access for Firefighting): *The County shall condition discretionary development permits to provide adequate water and access for firefighting purposes as determined by the Fire Protection District. The County shall require adequate access and fire flow improvements to be completed prior to combustible construction.*

The project site is not located within a high fire severity hazard area (Ventura County RMA GIS, 2020). The Ventura County Fire Protection District (VCFPD) reviewed the project and applied conditions of approval (Exhibit 4, Condition Nos. 29 through 35). VCFPD found no significant issues with respect to access or fire flow.

Emergency access to the project site is provided by Besant Road, a private paved road. A secondary access driveway connects to Tico Road. Both the primary and secondary access drives are designed to comply with VCFPD standards.

Meiners Oaks County Water District provides water service to the project site. To improve fire flow capabilities, the project site includes two existing 4,995-gallon water tanks. Additionally, there are two fire hydrants on the subject property.

The nearest fire station, Ventura County Fire Station 22, addressed as 466 South S. La Luna Avenue, Meiners Oaks, is approximately 0.9 miles west of the project site.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Hazards and Safety Policy HAZ-1.1; Circulation, Transportation, and Mobility Policy CTM-2.28; Public Facilities and Services Policies PFS-11.4, PFS-12.3, and PFS-12.4; and Ojai Valley Area Plan Policies OV-35.1, OV-47.1, and OV-48.1.

13. General Plan Policy HAZ-4.1 (Projects in Earthquake Fault Zones): *The County shall prohibit new structures for human occupancy and subdivisions that contemplate the eventual construction of structures for human occupancy in Earthquake Fault Zones unless a geologic investigation is performed to delineate any hazard of surface fault rupture and appropriate and sufficient safeguards, based on this investigation, are incorporated into the project design.*

General Plan 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.*

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

General Plan Policy HAZ-4.13 (Design for Expansive Soils): *The County shall not allow habitable structures or individual sewage disposal systems to be placed on or in expansive soils unless suitable and appropriate safeguards are incorporated into the project design to prevent adverse effects.*

Ojai Valley Area Plan Policy OV-52.1 (Seismic and Geologic Hazards): *The County shall require developers to provide all necessary information relative to seismic and geologic hazards which may affect their project. The County shall require the developer to specify how they intend to alleviate any and all identified hazards.*

The project site is not located in an area with high risk of liquefaction or landslides and is not within the Alquist-Priolo Special Fault Hazard Area. Ground shaking potential is considered moderate (Ventura County RMA GIS, 2022).

The project involves the continued use of existing, permitted structures. The structures on the project site have been legally established and permitted in

accordance with the building codes then in place. No new structural development is proposed. As such, the project would not create or contribute significantly to geologic instability or destruction of the site or surrounding areas.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Hazards and Safety Policies HAZ-4.1, HAZ-4.3, HAZ-4.8 and HAZ-4.13 and with Ojai Valley Area Plan Policy OV-52.1.

14. General Plan 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.*

General Plan Policy HAZ-4.6 (Vegetative Resource Protection): *The County shall require discretionary development to minimize the removal of vegetation to protect against soil erosion, rockslides, and landslides.*

General Plan Policy HAZ-4.7 (Temporary Revegetation on Graded Areas): *The County shall require, as necessary, the use of soil stabilization methods on graded areas to reduce the potential for erosion, particularly during the construction phase.*

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

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

General Plan Policy WR-2.2 (Water Quality Protection for Discretionary Development): *The County shall evaluate the potential for discretionary development to cause deposition and discharge of sediment, debris, waste, and other contaminants into surface runoff, drainage systems, surface water bodies, and groundwater. In addition, the County shall evaluate the potential for discretionary development to limit or otherwise impair later reuse or reclamation of wastewater or stormwater. The County shall require discretionary development to minimize potential deposition and discharge through point source controls, storm*

water treatment, runoff reduction measures, best management practices, and low impact development.

General Plan 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.*

The proposed project would authorize the continued use of an existing facility. No new grading, site disturbance, vegetation removal, or structural development is proposed. As discussed in Section **Error! Reference source not found.**, above, the drainage from the existing development will be discharged as sheet flow. No downstream impacts are anticipated to result from the project, as project drainage will match existing conditions.

The proposed project will not individually or cumulatively degrade the quality of surface water causing it to exceed water quality objectives, as contained in Chapter 3 of the Los Angeles Basin Plan. The project will not impact surface water quality, because the development is not expected to result in a violation of any surface water quality standards as defined in the Los Angeles Basin Plan. No erosion or sedimentation impacts are anticipated.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Hazards and Safety Element Policies HAZ-4.5, HAZ-4.6, and HAZ-4.7; and Water Resources Element Policies WR-1.2, WR-1.12, WR-2.2, and WR-3.3.

15. General Plan Policy HAZ-9.1 (Limiting Unwanted Noise): *The County shall prohibit discretionary development which would be impacted by noise or generate project-related noise which cannot be reduced to meet the standards prescribed in Policy HAZ-9.2. This policy does not apply to noise generated during the construction phase of a project.*

General Plan 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).*

Ojai Valley Area Plan Policy OV-54.1 (Noise Impact Mitigation Requirement):
The County shall prohibit discretionary development which would create significant noise impacts to locate near residences and other noise sensitive uses (dwellings, schools, hospitals, nursing homes, churches and libraries) unless the impact is mitigated to an insignificant level, as defined in the Noise section of the Countywide General Plan Hazards and Safety Element.

The proposed project would authorize continued operation of an existing retreat. As part of its operations, the retreat plans to continue hosting events. Events of up to 40 persons could occur weekly. Events of up to 80 persons could occur monthly. These events are limited to weekends and are restricted to the hours of 8 am to 10 pm. Additionally, the Planning Director may approve special events of

up to 150 persons. Events may include the use of amplified sound. Outdoor event areas are shown on Page A1.8 of the plans (Exhibit 3).

The project site is in a rural residential area. Nearby sensitive receptors include off-site residences and a private school. The nearest off-site residence is 251 feet east the easterly outdoor patio area. The nearest school building is 657 feet north of the westerly outdoor patio area.

The applicant has provided a noise impact assessment (Acoustics Report Inc.; July 28, 2021). This assessment concludes that noise impacts to sensitive off-site receptors will be less than significant with the incorporation of a “noise mitigation procedure plan.” The plan is to include several measures including designating a staff member (i.e., “decibel officer”) to monitor sound levels during events and ceasing amplified sound at 10:00 pm. The plan would also require that speakers be placed in a manner that does not direct sound towards the sensitive receptors. These measures have been incorporated into a condition of approval (Exhibit 4, Condition No. 25).

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Hazards and Safety Policies HAZ-9.1 and HAZ-9.2.

16. General Plan 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.*

General Plan 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.*

General Plan Policy HAZ-10.13 (Construction Air Pollutant Best Practices): *Discretionary development projects that will generate construction-related air emissions shall be required by the County to incorporate best management practices (BMPs) to reduce emissions. These BMPs shall include the measures recommended by VCAPCD in its Air Quality Assessment Guidelines or otherwise to the extent applicable to the project.*

General Plan Policy HAZ-10.14 (Fugitive Dust Best Management Practices):

The County shall ensure that discretionary development which will generate fugitive dust emissions during construction activities will, to the extent feasible, incorporate appropriate BMPs to reduce emissions to be less than applicable thresholds.

Ojai Valley Area Plan Policy OV-55.1 (Adverse Impacts on Regional Air Quality):

The County shall find discretionary development in the Ojai Valley to have a significant adverse impact on the regional air quality if daily emissions would be greater than 5 pounds per day of Reactive Organic Compounds (ROC) and/or greater than 5 pounds per day of Nitrogen Oxides (NOx).

The proposed project involves the continued operation of an existing facility. Because of this, the project will not result in a net increase in operational emissions. As no construction is proposed, construction-related emissions (e.g., fugitive dust) would not be generated from the project.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Hazards and Safety Policies HAZ-10.11 through HAZ-10.14 and Ojai Valley Area Plan Policy OV-55.1.

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July 28, 2021
Revised May 9th 2022
Prepared for:

Ulrich Brugger
Ojai Retreat and Cultural Center
160 Besant Road
Ojai, CA 93023

Re: Noise Impact Assessment

Dear Mr. Brugger

This letter summarizes the Noise Impact Assessment (NIA) prepared for the Ojai Retreat and Cultural Center (ORCC) at 160 Besant Road in Ventura County. This NIA presents noise measurements at the three neighboring single-family residences, and at the one school in the area. It also includes a recommended proactive Noise Mitigation Procedure Plan to ensure that noise levels during events at ORCC stay within desired limits.

1. Project

The subject property is designated a Retreat
Lot number is *APN: 017-0-260-060*
Conditional Use Permit is #3527

The Ventura County Planning Department has requested that a NIA be prepared, according to guidance in the Ventura County General Plan, as part of the Retreat operator's request to extend its Conditional Use Permit (CUP).

County of Ventura Planning Director Hearing Case No. PL21-0018 Exhibit 6 - Noise Study

2. Basic Acoustic Fundamentals

A brief introduction to the fundamentals of sound may be useful. Physically, sound pressure magnitude is measured and quantified in terms of the decibel (dB), which is associated with a logarithmic scale based on the ratio of a measured sound pressure to the reference sound pressure of 20 micropascal ($20 \text{ Pa} = 20 \times 10^{-6} \text{ N/m}^2$). However, the decibel system can be very confusing. For example, doubling or halving the number of sources of equal sound (a 2-fold change in acoustic energy) changes the receptor sound by only 3dB, which is a barely perceptible sound change for humans. While doubling or halving the sound loudness at the receiver results from a 10 dB change. The human hearing system is not equally sensitive to sound at all frequencies. Because of this variability, a frequency-dependent adjustment called “A-weighting” has been devised by scientists so that sound may be measured in a manner similar to the human hearing system. In addition, the human hearing system is capable of discriminating between various kinds of sounds and can certainly identify musical and vocalization sounds that are well below the level of the general ambient sound. Figures 1a and 1b give typical A-weighted sound levels for various sound sources and the typical responses of people to these levels. All sound levels referred to in this report are A-weighted sound levels and were measured with a “slow-response” sound meter setting. Appendix 5 provides a comparison of human hearing and perception for different changes in the level of noise.

Noise Source	Decibel Level	Decibel Effect
Jet take-off (at 25 meters) Recommended product: Outdoor Noise Barriers	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB).	130	
Thunderclap, chain saw. Oxygen torch (121 dB).	120	Painful. 32 times as loud as 70 dB.
Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB).	110	Average human pain threshold. 16 times as loud as 70 dB.
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck. Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB).	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure.
Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB). Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage in 8 hour exposure.

Figure 1a. Outdoor and Indoor Noise Sources with Typical Human Responses

Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).	80	2 times as loud as 70 dB. Possible damage in 8 hour exposure.
Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 feet.	60	Half as loud as 70 dB. Fairly quiet.
Quiet suburb, conversation at home. Large electrical transformers at 100 feet.	50	One-fourth as loud as 70 dB.
Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB.
Quiet rural area.	30	One-sixteenth as loud as 70 dB. Very Quiet.
Whisper, rustling leaves	20	
Breathing	10	Barely audible

Figure 1b. Outdoor and Indoor Noise Sources with Typical Human Responses

3. County Noise Standards

The noise standards for the County of Ventura are outlined in Sec. 2.16 Noise et. al., of the Ventura County General Plan Policies (see this information online at www.ventura.org/planning). Figure 2 shows the county noise standards for noise sources.

(4) Noise generators, proposed to be located near any <i>noise sensitive use</i> , 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 , do not exceed any of the following standards:
a. Leq(1hr) of 55 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.
b. Leq(1hr) of 50 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.
c. Leq(1hr) of 45 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.

Figure 2. Ventura County General Plan Noise Source Limits

4. Site Visit and Sound Monitoring

During the morning of Saturday, July 10, 2021, I, David Post of Acoustics Report Inc., visited ORCC. I had been provided with the locations of the three nearest vicinity residences and the nearby school. The four locations were monitored during a period of 24-hours. Appendix 1 is an aerial view of the project site and its vicinity with the sound monitoring locations. Site A was located about 650 feet north of ORCC. Site B was 330 feet east. Site C was 250 feet southeast, and Site D was 500 feet southwest. Ambient noise monitoring began at about 8:30 a.m. All sites were monitored until after 9:00 a.m. on July 11th. Ambient sound in this case was created by birds, animals, weather, automobiles/motorcycles and their engines or stereos, intermittent household noises like wind blowers, peoples' voices, and aircraft sounds both near and far. A sound test using the actual sound system owned by ORCC was conducted at 1 pm on July 10th. The source of amplified sound was the loudest array of equipment used by ORCC (see specific sound system equipment below in Appendix 2). The test was conducted by having a sample of recorded music played through the ORCC sound system. This music followed one of the anticipated styles of music that would be played at an outdoor event at the ORCC, once approved (in this case, folk music with vocals, guitar and bass guitar). The music was played at the level of 85 dB at the source, which would be the loudest level allowed. The chart below, Figure 3, shows the results of the test, both ambient sound and the amplified sound.

5. Noise Measurement Results, Neighboring Properties

The following readings of sound decibels in Figure 3 are organized by showing the location of the reading (residences or the school), readings of the average ambient sound level over 24 hours at each location, and readings of the sound level of the ORCC amplified sound system with music being played through it. Contributing to the sound levels being significantly softer at the various residences and the school compared to the levels at the source are topographical shielding, multiple trees, and meteorological conditions. Letters A, B, C, & D correspond to the locations found on Appendix 1 and 24 hour monitoring results are summarized in Appendixes 3 & 4.

Location	Ambient <u>average</u> dB	Sound system 'on' dB
A 657 feet away	42 dB	43 dB
B 332 feet away	41 dB	44 dB
C 251 feet away	41 db	48 db

D 504 feet away	40 dB	42 dB
-----------------	-------	-------

Figure 3

6. Recommended ORCC Noise Mitigation Procedure Plan

ORCC is committed *"To protect the health, safety and general welfare of County residents by elimination or avoidance of adverse noise impacts on existing and future noise sensitive uses"* as per page 51 of the Ventura County General Plan. This specifically means that nearest residences and the nearby school must not be impacted greater than *"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."* as per page 53.

I am proposing that ORCC adopts the following Noise Mitigation Procedure Plan for any event using amplified sound, ORCC will have a 'decibel officer' on duty whose role is to monitor and control noise levels. This officer will be a staff member or a designated sound system operator who has gone through a training so that they are capable of carrying out appropriate sound measurement and control practices.

7. Noise Mitigation Procedure Plan for ORCC

- 1) A designated decibel officer will be on duty for all events using amplified sound.
- 2) Only approved sound equipment will be used
- 3) Only designated and approved sound operators may use sound equipment
- 4) Equipment will be set up as trained
- 5) Prior to the start of any event using sound amplification, a guided sound test will be performed with the event participants using the sound system, which will be measured by the NIOSH Sound Level Meter App to ensure proper levels, administered by the decibel officer. Music or spoken word will not exceed 85dB from the source (speakers).
- 6) Decibel officer will remain on duty during the entire event, actively monitoring sound levels as needed
- 7) Amplified sound will stop at 10 pm

8. Conclusion

This NIA finds that the three neighboring residences and one school relatively near to the ORCC will be exposed to less than significant levels of noise with mitigation. With

the adoption of the recommended Noise Mitigation Procedure Plan, the ORCC will conduct activities in accordance with County of Ventura policies.

Please call project manager Ben Turner at 805-644-8180 if you have any questions or if you need additional information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Post", written over a light gray rectangular background.

David Post

Sound Engineer/Consultant

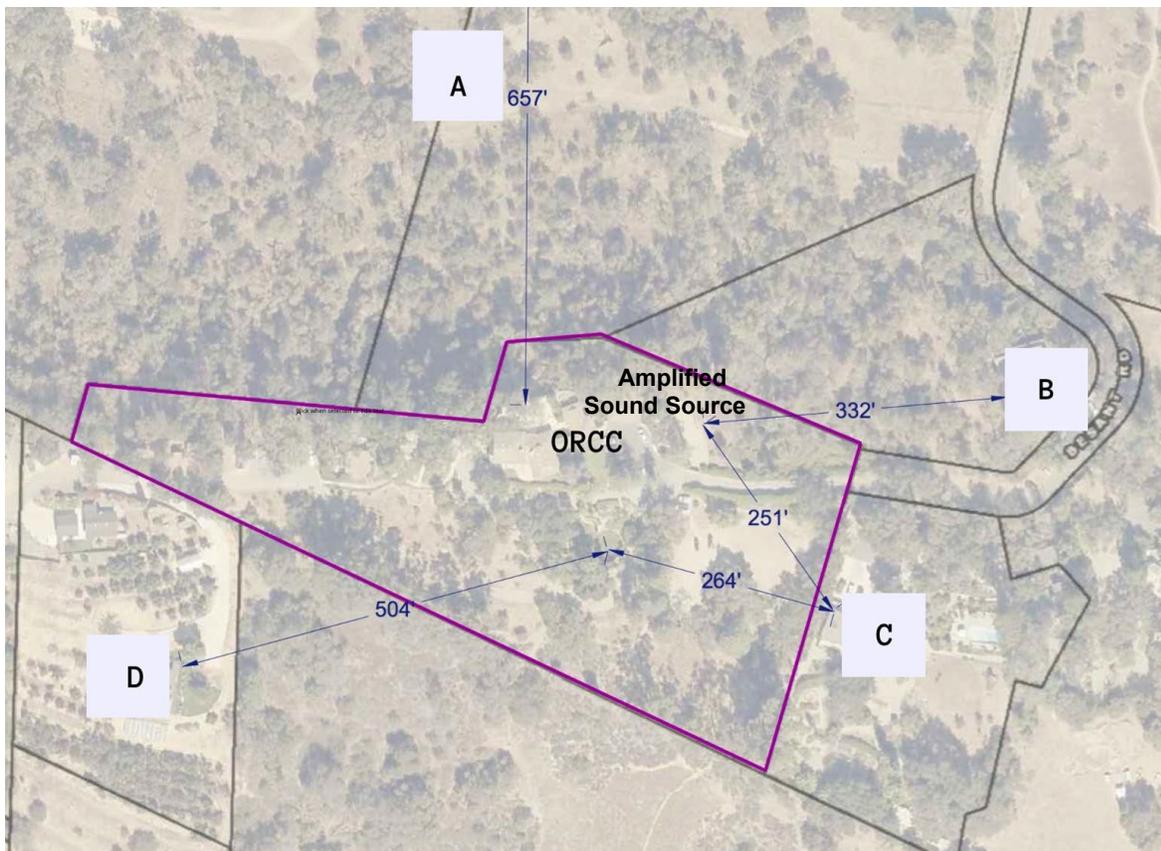
Acoustics Report Inc.

Appendix 1

Locations of residences, school, and amplified sound source

A = school

B, C, and D = residences



Appendix 2

Sound system used by ORCC specifications and details

The following sound system is owned and operated by ORCC. This system is used for amplifying live and recorded music performances and/or spoken word.

2x QSC 1000w 15" KW series speakers

2x QSC 2000w 10" KW series speakers

1 Soundcraft 12 input signature mixer with fx

1 dbx advanced feedback suppressor, series 2

4 Shure SM 58 microphones

4 Shure SM 57 microphones

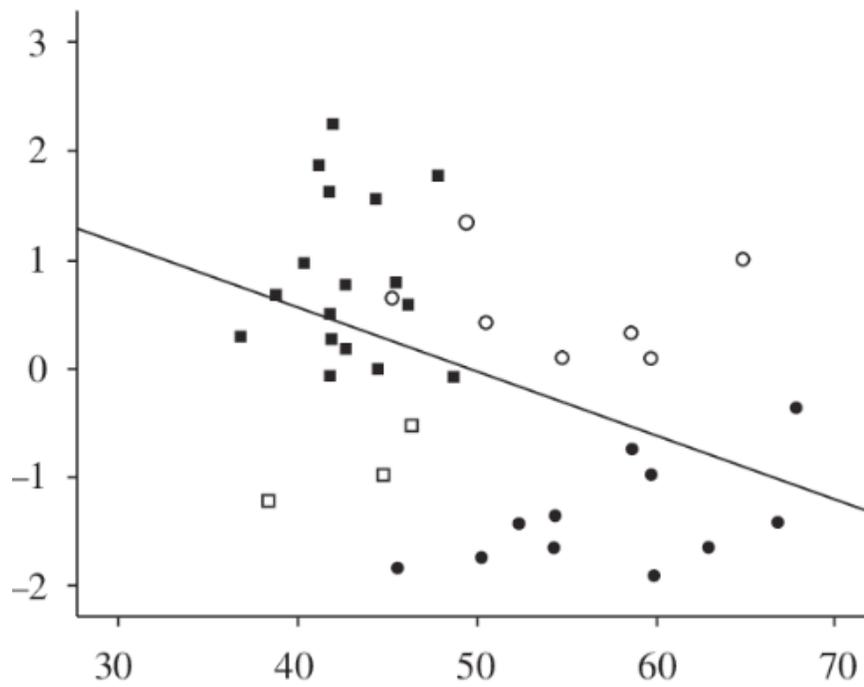
Appendix 3

ORCC – Hourly Leq Ambient Noise

Equivalent Continuous Sound Pressure Level, or Leq/LAeq, is the constant noise level that would result in the same total sound energy being produced over a given period. LAeq is a fundamental measurement parameter designed to represent a varying sound source over a given time as a single number. This number is a measure of the energy contained within the sound at the point of the receiver.

Day	Date	Time	Site A	Site B	Site C	Site D	
Saturday	7/10/2021	9:00:00	58.9	38.5	55.4	53.0	
Saturday	7/10/2021	10:00:00	59.0	40.6	54.5	55.7	
Saturday	7/10/2021	11:00:00	60.7	39.8	56.2	54.1	
Saturday	7/10/2021	12:00:00	51.8	43.3	50.1	57.5	
Saturday	7/10/2021	13:00:00	52.2	44.0	43.2	57.5	
Saturday	7/10/2021	14:00:00	50.4	46.4	40.5	53.3	
Saturday	7/10/2021	15:00:00	49.0	26.2	37.6	52.7	
Saturday	7/10/2021	16:00:00	61.4	25.5	34.8	48.5	
Saturday	7/10/2021	17:00:00	45.8	47.3	32.5	39.8	
Saturday	7/10/2021	18:00:00	52.0	33.3	31.7	38.7	
Saturday	7/10/2021	19:00:00	35.5	27.1	27.9	33.2	
Saturday	7/10/2021	20:00:00	49.0	26.0	21.6	33.6	3
Saturday	7/10/2021	21:00:00	47.4	25.5	21.3	32.4	
Saturday	7/10/2021	22:00:00	52.9	32.2	19.0	36.4	
Saturday	7/10/2021	23:00:00	28.5	21.0	17.7	26.7	
Sunday	7/11/2021	0:00:00	28.3	21.1	17.3	26.5	
Sunday	7/11/2021	1:00:00	28.0	37.9	19.8	26.4	
Sunday	7/11/2021	2:00:00	28.4	41.3	18.0	26.6	
Sunday	7/11/2021	3:00:00	28.5	42.2	16.1	26.8	
Sunday	7/11/2021	4:00:00	32.5	41.9	19.0	30.9	
Sunday	7/11/2021	5:00:00	28.3	41.9	18.7	26.5	
Sunday	7/11/2021	6:00:00	31.6	42.5	24.4	27.2	
Sunday	7/11/2021	7:00:00	52.6	42.5	28.5	36.5	
Sunday	7/11/2021	8:00:00	39.8	41.8	21.9	26.8	
Sunday	7/11/2021	9:00:00	41.4	38.8	29.8	30.9	
Sunday	7/11/2021	10:00:00	47.8	38.9	34.6	30.6	
Sunday	7/11/2021	11:00:00	41.1	36.1	44.6	33.6	
Sunday	7/11/2021	12:00:00	48.9	31.9	40.0	37.0	
Sunday	7/11/2021	13:00:00	41.0	35.8	38.9	33.9	
Sunday	7/11/2021	14:00:00	45.0	38.9	33.5	39.0	

Appendix 4



Ambient vs. sound system levels of dB

Black squares represent sample of average ambient sound levels

Black circles represent lower pitch amplified sounds (below 155 Hz)

Empty circles represent higher pitch amplified sounds (above 155 Hz)

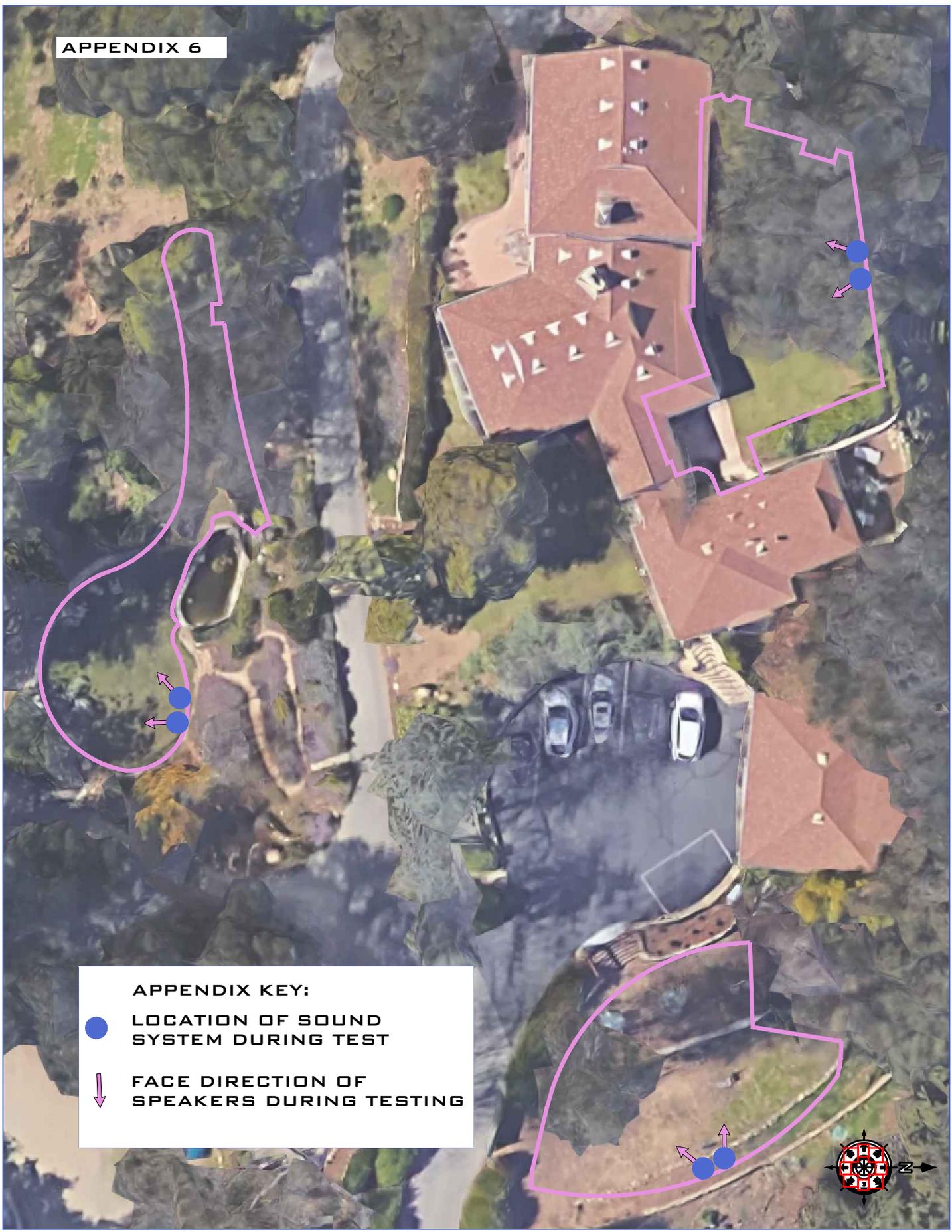
Empty squares represent average balance of ambient/amplified sounds

Appendix 5

Human Perception of Noise Level Differences

Change in Sound Level (Δ dB)	Change in Loudness
1 to 3 dB	“Just perceptible”
5 dB	“Noticeable” change
10 dB	“Twice” (or $\frac{1}{2}$) as loud
15 dB	“Large” change
20 dB	“Four times” (or $\frac{1}{4}$) as loud

APPENDIX 6



APPENDIX KEY:
● LOCATION OF SOUND SYSTEM DURING TEST
↖ FACE DIRECTION OF SPEAKERS DURING TESTING

