



Planning Director Staff Report– Hearing on August 26, 2021

County of Ventura • Resource Management Agency

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Portenstein Tentative Parcel Map No. 6011 (Case No. PL18-0137)

A. PROJECT INFORMATION

1. **Request:** The Subdivider requests approval of Tentative Parcel Map (TPM) No. 6011 to subdivide one lot into three lots (Case No. PL18-0137).
2. **Subdivider/Property Owner:** Matthew and Pamela Portenstein, P.O. Box 472, Oak View, CA 93022
3. **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 TPM.
4. **Project Site Size, Location, and Parcel Number:** The 3.29-acre undeveloped property is located along Burnham Road, approximately 817 feet south of the intersection of Burnham Road and Los Encinos Road, in the community of Oak View, in the unincorporated area of Ventura County. The Tax Assessor's parcel number (APN) for the parcel that constitutes the subdivision is 032-0-201-105 (Exhibit 2).
5. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Very Low Density Residential
 - b. Ojai Valley Area Plan Land Use Map Designation: Urban Residential 1-2 dwelling units per acre (UR 1-2 DU/AC)
 - c. Zoning Designation: (R1-20,000 sq. ft. / TRU / DKS / HCWC) Single-Family Residential, 20,000 square feet minimum lot size / Temporary Rental Unit Regulation Overlay Zone / Dark Sky Overlay Zone / Habitat Connectivity Wildlife Corridor Overlay Zone

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

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	R1-20,000 sq. ft. / TRU / DKS / HCWC	Los Encinos residential neighborhood

Location in Relation to the Project Site	Zoning	Land Uses/Development
East	(OS 20 ac / TRU / DKS / HCWC) Open Space 20 acres / TRU / DKS / HCWC	Burnham Road and Ventura River
South	(RPD 6 du/ac / TRU / DKS) Residential Planned Development 6 dwelling units per acre / TRU / DKS; and, (OS 40 ac / TRU / DKS / HCWC/ CWPA) Open Space 40 acres minimum lot size / TRU / DKS / HCWC / Critical Wildlife Passage Area	Open Space undeveloped land; accessory agricultural/animal keeping; Developed Residential Planned Development (APN 032-0-201-115)
West	OS 40 ac / TRU / DKS / HCWC/ CWPA; and, (RE 1 ac / TRU / DKS / HCWC) Rural Exclusive 1 acre minimum lot size / TRU / DKS	Open Space undeveloped land and residential development (APN 032-0-201-145)

7. **History:** Tax Assessor's Parcel 032-0-201-105 is a separate legal lot created by Parcel Map No. PM 5373 (Parcel 1 of 63PM55) / Conditional Certificate of Compliance Nos. 0207, 0208 and 0209, recorded on December 28, 2004.

The subject lot is located within the sphere of influence for the Ojai Valley Sanitary District (OVSD). The Subdivider is proposing to connect to public sewer. On December 19, 2019, the Ventura Local Agency Formation Commission (LAFCo) approved and recorded with the Ventura County Recorder, a Certificate of Completion (Document No. 20191216-0015639-0), which authorized the annexation of the subject lot into OVSD.

The subject lot (APN 032-0-201-105) is undeveloped except for a barbed wire fence located along the perimeter of the property.

8. **Project Description:** Matthew and Pamela Portenstein ("Subdivider"), request approval of a TPM to subdivide an approximately 3.29-gross acre lot into 3 lots (Exhibit 3). After Parcel Map No. 6011 records, proposed Lot 1 will be 1.78 acres (77,531.4 square feet [sq. ft.]), proposed Lot 2 will be 0.75 acres (32,782 sq. ft.) and proposed Lot 3 will be 0.76 acres (32,930 sq. ft.). The net and gross acreage will be the same after Parcel Map No. 6011 records. Residential development of each lot could occur with a ministerial zoning clearance following recordation of the TPM. Future development would be restricted to designated building sites as shown on the TPM. A private onsite driveway on each proposed lot will provide direct access to Burnham Road.

The access road on Lot 3 would be located under oak tree canopies and would adversely affect 0.11 acres of coast live oak woodland (*Quercus agrifolia* Woodland Alliance). Additionally, future development of Lot 3 would encroach on two protected coast live oak trees, tree no. 146 and no. 147 identified in the Tree Protection Plan and Arborist Report prepared by Bill Millet (Exhibit 4.a, Attachment 4). The Tree Protection Plan provides protection measures to minimize tree encroachment and mitigates for any loss to protected trees.

Future residential development will be served by the Casitas Municipal Water District (CMWD) for potable water and the Ojai Valley Sanitary District (OVSD) for sewer service. The Subdivider proposes to connect future residential development to public sewer. A sewer line will be constructed to the existing sewer main approximately 77 feet east of the subdivision.

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.

County staff prepared an Initial Study (Exhibit 4.a) in accordance with the County's Initial Study Assessment Guidelines. Based on the information contained in the Initial Study, the County prepared a Mitigated Negative Declaration (MND) and made the MND available for public review and comment from March 22, 2021 to April 21, 2021. Planning Staff received two public comments regarding the MND. The comments and Planning staff's response are included in Exhibit 4.b of this staff report. The public comments did not require any revisions to the MND. Minor revisions to the MND were made to footnote 14 and Section 4.e to clarify that Tax Assessor's Parcel 032-0-201-105 is a separate legal lot created by Parcel Map No. PM 5373, rather than TPM Case No. SD12-0002, which was approved by the Planning Division but never recorded. Item 18 (Fire Hazards) and item 28c (Water Supply - Fire Flow Requirements) were also revised to reflect that state and local law require fire flow verification and annual hazard abatement. These revisions did not require recirculation of the MND. The revisions are noted in strikeout and underline format in the MND.

An MND is a written statement briefly describing the reasons that a proposed project will not have a significant effect on the environment and therefore does not require the preparation of an Environmental Impact Report. However, the Initial Study identified six potentially significant effects on the environment, but revisions in the project plans and proposals made by, or agreed to by, the Subdivider before the MND was released for public review would avoid the effects or mitigate the effects to a point where no significant effect on the environment would occur. More specifically, the MND identified six biological resource mitigation measures that would reduce potentially significant impacts to a less than significant level.

1. **Findings for Adoption of an MND:** The CEQA Guidelines [Section 15074(b)] state that an MND shall only be adopted by a decision-making body if there is no substantial evidence, in light of the whole record, that the proposed project may have a significant adverse effect on the environment and that the MND reflects the Lead Agency's independent judgment and analysis.

The proposed final MND, including written comments on the MND and staff's responses to the comments on the MND, are attached as Exhibit 4.a and Exhibit 4.b, respectively. The MND concluded that there would be potentially significant but mitigable impacts to wildlife species, special plant communities, waters and wetlands, and habitat connectivity. Six mitigation measures were placed on the project that, when implemented, would reduce potentially significant impacts to a less than significant level. These mitigation measures are summarized in Section B.2 below and in the Mitigation Monitoring and Reporting Program for the proposed TPM (Exhibit 5, Condition Nos. 19 through 24).

Based on the information provided above and in light of the whole record, there is no substantial evidence that the proposed project may have a significant adverse effect on the environment and the MND (Exhibit 4.a) reflects the County's independent judgment and analysis.

2. **Mitigation Monitoring and Reporting Program:** The CEQA Guidelines [Section 15091(d)] state that, when approving a project for which an MND has been prepared, the agency shall also adopt a program for reporting on, or monitoring, the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

- a. Section 4A, Biological Resources, Species: The MND found that the proposed project would have significant impacts to special status wildlife species (Cooper's Hawk) and impacts to oak woodland. Impacts will be less than significant with the implementation of mitigation measures BIO-1 and BIO-2 (Exhibit 5, Condition Nos. 19 and 20), which require the preparation and implementation of a Tree Protection Plan to offset the impacts to protected oak trees that would result from future development on proposed Lot 3 and the submittal of annual arborist monitoring reports, which must address the success of the tree protection measures and the overall condition of encroached-upon trees relative to their condition prior to the initiation of future construction activities.

The MND also found that the proposed project would have significant impacts to special-status wildlife species, specifically nesting birds. (Cooper's Hawk Impacts will be less than significant with the implementation of Mitigation Measure BIO-3 (Exhibit 5, Condition No. 21), which requires pre-construction

surveys and relocation of special-status species (if necessary) if land clearing activities occur during the nesting bird season (February 1 to September 1).

- b. Section 4B, Biological Resources, Ecological Communities - Sensitive Plant Communities: The MND found that the proposed project would have significant impacts to special-status plant communities (Fish's milkwort, Mariposa Lilly and White-veined monardella). Impacts will be less than significant with the implementation of Mitigation Measures BIO-1 and BIO-2 (Exhibit 5, Condition Nos. 19 and 20) discussed above, which require the preparation and implementation of a Tree Protection Plan to offset the impacts to protected oak trees that would result from future development on proposed Lot 3 and the submittal of annual arborist monitoring reports, which must address the success of the tree protection measures and the overall condition of encroached-upon trees relative to their condition prior to the initiation of future construction activities.
- c. Section 4C, Biological Resources, Ecological Communities - Waters and Wetlands: The MND found that the proposed project would have significant impacts to waters and wetlands. Impacts will be less than significant with the implementation of Mitigation Measure BIO-4 (Exhibit 5, Condition No. 22), which requires the future Property Owner of Lots 1 through 3 to submit a landscaping plan prior to development of the lots which prohibits the installation and maintenance of non-native invasive plants. This is because Live Oak Creek and the Ventura River are riparian habitats within the Ventura River Watershed that support relatively undisturbed and diverse riparian vegetation and dry season surface water. The introduction of invasive landscaping from future development of the lots could increase vulnerability of wetland species to exotic weed invasion or local extirpation.
- d. Section 4E, Biological Resources, Habitat Connectivity: The MND found that the proposed project would have significant impacts to habitat connectivity. To avoid future barriers to wildlife movement, Mitigation Measures BIO-5 and BIO-6 (Exhibit 5, Condition Nos. 23 and 24) require wildlife impermeable fencing and lighting be installed that will not adversely impact wildlife movement utilizing the identified wildlife corridor (Sierra Madre – Castaic Connection, a regional wildlife corridor linking habitats in the Sierra Madre and Castaic Mountain ranges).

A mitigation monitoring and reporting program has been prepared in compliance with the CEQA Guidelines (Exhibit 5, Condition Nos. 19 through 24).

Based on the foregoing information, the project complies with the requirements of the CEQA Guidelines.

C. CONSISTENCY WITH THE GENERAL PLAN

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

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

Furthermore, the Ventura County Subdivision Ordinance (VCSO) [Section 8204-1 and Section 8205-5.5(a)] states that in order to be approved, a project must be found consistent with all applicable policies of the Ventura County General Plan.

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

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

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

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

Ventura County General Plan Water Use Efficiency for Discretionary Development Policy WR-3.2: *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.*

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

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

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

Ojai Valley Area Plan Water Conservation Techniques in New Development Policy OV-64.1: *The County shall condition discretionary development to utilize all feasible water conservation techniques.*

Ojai Valley Area Plan Retrofits to Limit Water Demand Policy OV-64.2: *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 subdivision will be served by the Casitas Municipal Water District (CMWD). The Subdivider proposes that the existing water service water allocation be assigned to the 1.78 acre-lot (proposed Lot 1) and new water service to be provided by the Ventura River Water District (VRWD) for proposed Lots 2 and 3. This new water service would require an allocation of 0.85 acre feet of water per year (AFY) for Lots 2 and 3 (1.7 AFY (total)).

Reasonably foreseeable development may occur after Parcel Map No. 6011 is recorded. Policy WR-64.2 of the Ojai Valley Area Plan requires new development that creates a new water demand more than existing demand to include a water offset plan to offset the new water demand. For the proposed TPM, a total offset of 1.7 AFY for future development of Lots 2 and 3 would be required. The future property owner of Lots 2 and 3 will be required to submit a water offset plan prior to the issuance of the building permit (Exhibit 5, Condition No. 35). The water offset plan shall indicate how future development will not add any net increased demand on the existing water supply, such as through the installation of residential water leak detection devices, installation of drought tolerant and water efficient landscaping, or installation of water efficient plumbing fixtures.

The proposed subdivision overlies the Upper Ventura River Basin which is identified as a medium priority ground water basin not in critical overdraft. Reasonably foreseeable development of Lots 1 through 3 will not cause groundwater to exceed groundwater quality objectives set by the Basin Plan, as each of the proposed lots will be required to connect to sewer via the OVSD.

Future development of Lots 1, 2 and 3 would be subject to Ventura Countywide Municipal Stormwater NPDES Permit CAS004002 (Permit), Planning and Land Development and Development Construction Programs, which requires development to meet performance criteria defined in Section 4.E.III of the Permit, the 2011 Technical Guidance Manual (TGM) and Best Management Practices (BMPs) that are designed to ensure compliance and implementation of an effective combination of erosion and sediment control measures for a disturbed site area less than one acre, disturbed area one acre and larger, or high risk site (Exhibit 5, Condition No. 34).

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Policies WR-1.2, WR-1.11, WR-1.12/WR2.2, WR-3.2, WR-3.3, ED-39.1 and ED-39.3 and Ojai Valley Area Plan Policies OV-64.1 and OV-64.2.

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

Ventra County General Plan Character and Design Visual Access for Rural Development Policy LU-16.10: *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.*

Ojai Valley Area Plan Scenic Views and Vistas from Public Roads or Publicly-Owned Land Resources Policy OV-41.1: *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 3.29 acre subdivision is located within the Ventura County unincorporated area of Oak View, just south of the established Los Encinos residential neighborhood. The topography of the subdivision is relatively flat on the east and west of the site, with a gradual slope of about 140 feet along the western boundary.

The proposed subdivision is located within 0.5 miles of an eligible scenic highway; State Highway 150. Views of the proposed subdivision from State Highway 150 are obscured by topography, existing vegetation in the Ventura River and adjoining lots that are currently developed with single-family dwellings. The subject property, as

viewed from this public vantage point, would not be discernable based on the existing developed community, orchards and other horticultural practices.

Burnham Road is a public road that abuts the proposed subdivision to the east and would provide direct access to the three proposed lots. The proposed subdivision is visible from Burnham Road. The three lots include a building site adjacent to Burnham Road. Proposed Lot 3 includes a second building site at the rear of the property north of an oak woodland, which would not be visible from Burnham Road due to the existing oak woodland. Future development would be limited to 25 feet in height for the main dwelling, 15 feet for any accessory dwellings, and all development would be setback 20 feet from the front property line adjacent to Burnham Road. The oak woodland will remain undisturbed.

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Polices COS-3.1 and LU-16.10 and Ojai Valley Area Plan Policy OV-41.1.

3. **Ventura County General Plan Cooperation for Tribal Cultural Resource Preservation Policy COS-4.2 (b):** *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.*

Ventura County General Plan Discretionary Development and Cultural, Historical, Paleontological, and Archaeological Resource Preservation Resources Policy COS-4.4: *The County shall require discretionary development be assessed for potential cultural, historical, paleontological, and archaeological resources by a qualified professional and be designed to avoid impacts to these resources whenever to the maximum extent feasible. Unavoidable impacts, whenever possible shall be reduced to a less than significant level and/or shall be mitigated by extracting maximum recoverable data.*

Ojai Valley Area Plan Cultural, Historical, Paleontological, and Archaeological Resources Review Policy OV-44.1: *The County shall require all discretionary development permits involving construction or earth movement within the Ojai Valley to be reviewed by the County's designated archaeological resource review organization.*

- a. *Whenever such discretionary development requires a field reconnaissance study, the County shall require such study to be conducted by a County approved archaeologist to determine the potential for surface or subsurface cultural remains.*
- b. *The County shall require a qualified archaeological monitor to be present to monitor significant trenching or earth movement at any such site if deemed to*

be needed by the study. If the archaeological monitor is not a Native American and Native American cultural resources are found at the site, the County shall require a Native American monitor.

- c. In the event that artifacts of historical or archaeological significance are uncovered, the County shall empower the qualified archaeological monitor to halt construction in the immediate vicinity of such unearthed artifacts until disposition of the site has been determined by the County Planning Division.*

On August 13, 2014, Planning Division staff submitted the project description to the California State University, Fullerton South Central Coast Information Center (SCCIC) and requested if any archeological reports had been conducted for Subdivision Case No. SD12-0002, a subdivision approved by the Planning Division in 2015 that included the subject parcel (APN 032-0-201-100) and a parcel immediately northwest of the subdivision (APN 032-0-201-150). SCCIC determined that these APNs are located within the vicinity of known archaeological sites. The Subdivider for SD12-0002 retained an archaeologist to prepare a Phase I study (Schmidt and Romani, 2014) to evaluate the proposed subdivision's potential to adversely affect archaeological resources. The Phase I record search and surface survey of the subdivision did not reveal the presence of archaeological resources. Thus, the proposed subdivision and future development of Lots 1, 2 and 3 will not have any project-specific or cumulative impact related to archaeological resources.

On May 29, 2020, in accordance with Assembly Bill (AB) 52, Planning Division staff contacted the Barbareno-Ventureno Mission Indians for comment and review of the proposed subdivision. No responses were received from the Barbareno-Ventureno Mission Indians regarding the proposed subdivision.

The proposed subdivision is underlain with Quaternary Alluvium and Older Alluvium deposits. In accordance with to the Ventura County Initial Study Assessment Guidelines, these deposits do not have a strong likelihood of containing paleontological resources.

To ensure potential impacts to cultural resources is avoided, a standard condition of approval is included in the TPM that states in the unlikely event that cultural and/or paleontological resources are uncovered during ground disturbance activities associated with reasonable foreseeable development of proposed Lots 1 through 3, the property owner shall cease grading activities and obtain the services of an archeological and/or paleontological consultant who shall assess the find and provide recommendations on the proper disposition of the site. The property owner shall obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development, and implement the agreed upon recommendations (Exhibit 5, Condition Nos. 16 and 17).

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Policies COS-4.2(b) and COS-4.4, and Ojai Valley Area Plan Policy OV-44.1.

4. **Ventura County General Plan Wildfire Hazard Prevention Design and Practices Policy HAZ-1.1:** *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.*

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

Ojai Valley Area Plan Wildfire Hazards Adequate Water and Access for Firefighting Policy OV-48.1: *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.*

Ojai Valley Area Plan Fuel Modification Zone Requirement Policy OV-48.2: *The County shall require a Fire Protection District approved fuel modification zone (fuel break) of at least 100 linear feet to be provided around all combustible structures located in "high" or "very high" fire hazard areas.*

Ojai Valley Area Plan Landscape Plan Requirements for High and Very High Fire Hazard Areas Policy OV-49.2: *The County shall require discretionary development in "high" and "very high" fire hazard areas, as determined by the Ventura County Fire Protection District to develop landscape plans utilizing fire retardant plant material, cleared areas, or other acceptable means of reducing fire hazards consistent with Fire Protection District standards.*

The proposed subdivision is in a High Fire Hazard Area/Fire Severity Zone or Hazardous Watershed Fire Area that is under the jurisdiction of the State of California Department of Forestry (Cal Fire). Prior to development of the lots, future property owners will be required to verify with CMWD that adequate fire flow can be provided. In addition, future property owners of the Lots 1, 2 and 3 are required by State law and local ordinance to maintain a fuel modification area of 100 feet from all habitable structures¹. Based on the location of the proposed building pads identified on the TPM (Exhibit 3), the required 100 feet of fuel modification would affect approximately 1.85 acres within the proposed subdivision. According to the TPM (Exhibit 3), fuel modification will not impact the oak woodlands located on proposed Lots 1 and 2. The access road on Lot 3 would be located under oak tree canopies and would adversely affect 0.11 acres of coast live oak woodland (*Quercus*

¹ Ventura County Fire Protection District Ordinance No. 31, Section W105.1

agrifolia Woodland Alliance). Additionally, future development of Lot 3 would encroach on two protected coast live oak trees, tree no. 146 and no. 147 identified in the Tree Protection Plan and Arborist Report (Exhibit 4.a, Attachment 4). The Tree Protection Plan provides protection measures to minimize tree encroachment and mitigates for any loss to protected trees. Specifically, the property owner of Lot 3 must implement tree protection measures included in the oak tree protection plan and monitor the protection measures for a period of 5 years for the oak trees that will be encroached upon when the lot is developed (Exhibit 5, Condition Nos. 19 & 20).

All three lots will have a 20-foot wide all-weather private driveway with direct access from Burnham Road, a public road. The three on-site driveways must meet the adopted Private Road Guidelines and Access Standards of the Ventura County Fire Protection District (VCFPD).

Ventura County Fire Station 23, addressed as 15 Kunkle Street in the unincorporated area of Oak View, is located approximately 2.5 miles to the northwest of the subdivision.

The future property owners of Lots 1, 2 and 3 will also be required to install landscaping methods that reduce for hazards, such as utilizing landscaping and building materials that utilize fire retardant materials (Exhibit 5, Condition No. 22). Thus, the proposed subdivision and reasonable future development of Lots 1 through 3 do not pose a significant impact to public safety.

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Policy HAZ-1.1 and Ojai Valley Area Plan Policies OV-47.1, OV-48.1, OV-48.2 and 49.2.

5. Ventura County General Plan Noise Compatibility Standards Policy HAZ-9.2:
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*

6. **Ventura County General Plan Community Character and Quality of Life Area Plan Policy LU-16.1:** *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.*

Ojai Valley Area Plan Residential Development Compatibility Policy OV-9.2: *The County shall condition new residential discretionary development so as to be compatible with its surroundings and to maintain the character of the Ojai Valley.*

Ojai Valley Area Plan Character and Design Community Compatibility Policy OV-17.1: *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 subdivision is located in the community of Oak View. The subject lot (APN 032-0-201-105) is undeveloped except for a barbed wire fence located along the perimeter of the property. The subdivision contains an oak woodland that consists predominantly of coast live oak (*Quercus agrifolia*), with an understory of non-native annual grasses and herbs. The site has been cleared for horse and burro grazing, which resulted in the loss of woody vegetation under the canopy. Existing development includes single-family dwellings in the Los Encinos neighborhood approximately 139 feet north of the proposed subdivision, a single-family dwelling immediately to the south, a single family dwelling with accessory agricultural/animal keeping structures approximately 250 feet to the west, the Ventura River approximately 400 feet to the east, and undeveloped, mountainous, chaparral-covered terrain to the west. There is also a bare field in front of these mountains.

The subject lot is located between existing development. Future development of Lots 1 through 3 must meet the development standards noted in Ventura County NCZO Section 8106.1.1 including a maximum building coverage of 25 percent (see also Section D (Zoning Ordinance Compliance) of this staff report, below). Future development would appear as an extension of residential land uses as seen from Burnham Road. With the implementation of required development standards, future development of the proposed parcels would be compatible with existing residential development.

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Policy LU-16.1 and Ojai Valley Area Plan Policies OV-9.2 and OV17-1.

7. **Ventura County General Plan Public Facilities, Services, and Infrastructure Availability Policy PFS-1.7:** *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.

Ventura County General Plan Public Facilities and Services Fair Share Improvement Costs Policy PFS-3.2: *The County shall require development to pay its fair share of community improvement costs through impact fees, assessment districts, and other mechanisms.*

Ventura County General Plan Fire Protection Adequate Water Supply Access, and Response Times for Fire Fighting Purposes Policy PFS-12.3: *The County shall prohibit discretionary development in areas that lack and cannot provide adequate water supplies, access, and response times for firefighting purposes.*

Ojai Valley Area Plan Adequate Public Facilities and Services Policy OV-24.1: *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 Adequate Water for Firefighting Policy OV-35.1: *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.*

CMWD will provide potable water service to the subdivision. A private onsite driveway on each proposed lot will provide direct access to Burnham Road.

The subdivision is located within the sphere of influence of the OVSD. On December 19, 2019, the Ventura Local Agency Formation Commission (LAFCo) approved and recorded with the Ventura County Recorder, a Certificate of Completion (Document No. 20191216-0015639-0), which authorized the annexation of the subject lot into OVSD. As a result, wastewater services for future development on Lots 1 through 3 will be provided by a public sewer connection. Future development would be restricted to designated building sites as shown on the TPM (Attachment 3).

Future development of Lots 1, 2 and 3 does not pose a significant impact to public safety in terms of traffic safety. The use of the property will generate additional traffic on the local public roads and the Regional Road Network; however, the low volume of traffic associated with the use and operation of future residential uses will not result in the need for new public roadway facilities or reduce the level of service of surrounding roadways. As a condition of approval, at the time construction is proposed, the future property owners of Lots 1, 2 and 3 will be required to pay a Traffic Impact Mitigation Fee (TIMF). Payment of the fee will go towards the funding of traffic impacts on the Regional Road Network in the County (Exhibit 5, Condition No. 30). Therefore, the proposed project will not adversely impact the County's Regional Road Network.

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Policies PFS-1.7, PFS-3.2 and PFS-12.3, and Ojai Valley Area Plan Policies OV-24.1 and OV-35.1.

8. **Ventura County General Plan Vehicle Miles Traveled (VMT) Standards and CEQA Evaluation Policy CTM-1.1:** *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.*

Ventura County General Plan Roadways County of Level of Service (LOS) Standards Policy CTM-1.3: *The County shall maintain LOS standards for use as part of the County's transportation planning including the traffic impact mitigation fee program, and the County's review and consideration of proposed land use legislation and discretionary development. For purposes of County transportation planning and review and consideration of proposed land use legislation and discretionary development, the County shall use the following minimum acceptable Level of Service (LOS) for road segment and intersection design standards within the Regional Road Network and all other County-maintained roadways:*

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

Ventura County General Plan Roadways Pro Rata Share of Improvements Policy CTM-1.7: *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 Roadways Evaluation of Level of Service (LOS) Impact Based on Land Use Changes Policy OV-22.2: *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.*

Future residential development of proposed Lots 1, 2 and 3, will generate additional traffic on the local public roads and the Regional Road Network, but does not have the potential to alter the level of service (LOS) of the roadways. The proposed subdivision is in the Oak View area adjacent to Burnham Road. Burnham Road is approximately 0.4 miles south of State Highway 150. From State Highway 150, State Highway 33 is approximately two miles east. The term 'average' of all home-based trips refers to the 'middle' or 'central' point that is a typical representation of several trips generated in one day. The proposed subdivision's home-based trips will likely average one per day given the distance to employment centers and public services. Based on the above 8.21 mile VMT and the location of the subdivision in relation to State Highways 150 and 33, the VMT that would be generated from reasonably foreseeable residential development of the three lots would not exceed the threshold. Thus, vehicle trips generated by the subdivision are not expected to result in a VMT impact consistent with the VMT reduction goals of the State of California's Office of Planning and Research *Technical Advisory on Evaluating Transportation Impacts* and would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

As discussed above in Section C.7, future property owners of Lots 1, 2 and 3 will be required to pay a TIMF at the time of development of the lots that will go towards reducing traffic impacts on the Regional Road Network in the County (Exhibit 5, Condition No. 30). With payment of the TIMF, LOS and safety of the existing roads would remain consistent with the County's General Plan. Therefore, the project will result in no adverse traffic related impacts to LOS.

The future property owners of Lots 1, 2 and 3, will be required to conduct roadway improvements along the proposed subdivision's frontage adjacent to Burnham Road, pursuant to the requirements of County Road Standard Plate B-5[A], the

Ventura County General Plan, the Ventura County Public Works Agency "Paveout Policy" (January 16, 1968), and Ventura County Code of Ordinances (Division 8, Chapter 4 – Urban Area Development). This will involve the installation of curb, gutter and sidewalk at the time future development is proposed (Exhibit 5, Condition No. 31).

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Policies CTM-1.1, CTM-1.3 & CTM-1.7 and Ojai Valley Area Plan Policy OV-22.2.

9. **Ventura County General Plan Protection of Sensitive Biological Resources Policy COS-1.1:** *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.*

Ventura County General Plan Consideration of Sensitive Biological Resources Policy COS-1.2: *The County shall identify sensitive biological resources as part of any land use designation change to the General Plan Land Use Diagram or zone designation change to the Zoning Ordinance that would intensify the uses in a given area. The County shall prioritize conservation of areas with sensitive biological resources.*

Ventura County General Plan Consideration of Impacts to Wildlife Movement Policy COS-1.4: *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).*

Ventura County General Plan Development Within Habitat Connectivity and Wildlife Corridors Policy COS-1.5: *Development within the Habitat Connectivity and Wildlife Corridors overlay zone and Critical Wildlife Passage Areas overlay zone shall be subject to the applicable provisions and standards of these overlay zones as set forth in the Non-Coastal Zoning Ordinance.*

Ventura County General Plan Agency Consultation Regarding Biological Resources Policy COS-1.9: *The County shall consult with the California Department of Fish and Wildlife, the Regional Water Quality Control Board, the U.S. Fish and Wildlife Service, National Audubon Society, California Native Plant Society, National Park Service for development in the Santa Monica Mountains or Oak Park Area, and other resource management agencies, as applicable during the review of discretionary development applications to ensure that impacts to biological*

resources, including rare, threatened, or endangered species, are avoided or minimized.

Ventura County General Plan Evaluation of Potential Impacts of Discretionary Development on Wetlands Policy COS-1.10: *The County shall require discretionary development that is proposed to be located within 300 feet of a wetland to be evaluated by a County-approved biologist for potential impacts on the wetland and its associated habitats pursuant to the applicable provisions of the County's Initial Study Assessment Guidelines.*

Ventura County General Plan Discretionary Development Sited Near Wetlands Policy COS-1.11: *The County shall require discretionary development to be sited 100 feet from wetland habitats, except as provided below. The 100-foot setback may be increased or decreased based upon an evaluation and recommendation by a qualified biologist and approval by the decision-making body based on factors that include, but may not be limited to, soil type, slope stability, drainage patterns, the potential for discharges that may impair water quality, presence or absence of endangered, threatened or rare plants or animals, direct and indirect effects to wildlife movement, and compatibility of the proposed development with use of the wetland habitat area by wildlife. Discretionary development that would have a significant impact on a wetland habitat shall be prohibited unless mitigation measures are approved that would reduce the impact to a less than significant level. Notwithstanding the foregoing, discretionary development that would have a significant impact on a wetland habitat on land within a designated Existing community may be approved in conjunction with the adoption of a statement of overriding considerations by the decision-making body.*

Ventura County General Plan Discretionary Development and Landscaping Policy COS-1.12: *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.*

Ojai Valley Area Plan Biological Resources Indigenous Plan Species Policy OV-36.1: *The County shall require that required revegetation or landscaping plans to incorporate indigenous plant species where feasible in order to restore habitat in already disturbed areas.*

Ojai Valley Area Plan Biological Resources Biological Field Reconnaissance Report Requirement Policy OV-36.2: *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.

Ojai Valley Area Plan Biological Resources Agency Notification Policy OV-36.4: *The County shall require the California Department of Fish and Game, the U.S. Fish and Wildlife Service, the National Audubon Society, the California Native Plant Society and the Los Padres National Forest to be contacted during the initial 30-day project review period for discretionary development proposals when proposals are submitted which may adversely affect the biological resources under their purview. This policy does not apply to emergency permits.*

Ojai Valley Area Plan Biological Resources Tree Protection Ordinance Compliance Policy OV-36.7: *The County shall require discretionary development to be located to avoid loss or damage to protected trees as defined in the County's Tree Protection Ordinance. The County shall require the removal of protected trees to only occur after review of the necessity of such removal, and in accordance with the provisions of the County's Tree Protection Ordinance.*

Ojai Valley Area Plan Biological Resources Protected Trees Policy OV-36.8: *The County shall require discretionary development on parcels containing protected trees as defined in the County's Tree Protection Ordinance, to design necessary grading to ensure the survival and health of all such trees, except those which have been expressly authorized for removal or encroachment into the protected zone. The County shall require These trees to be protected from grading activities. If a permit has been issued for encroachment into the protected zone, the County shall require the grading plan to be accompanied by details for retaining walls and drainage devices prepared by a landscape architect.*

An Initial Study Biological Assessment (ISBA) (Exhibit 4.a, Attachment 6) and an Arborist Report (Exhibit 4.a, Attachment 4) were prepared, and concluded that potentially significant but mitigable impacts to biological resources would result from the proposed subdivision. Six mitigation measures were developed to reduce potential impacts to biological resources to less than significant and include the following: at the time development is proposed, the property owner shall (1) implement the tree protection measures included in the oak tree protection plan and monitor those protection measures after initiation of construction activities and until five years after the completion of construction activities; (2) conduct nesting bird preconstruction surveys if construction would occur during the nesting bird season; (3) require the submittal of a landscape plan that prohibits invasive landscaping and ensure installation of landscaping is completed in accordance with the approved landscape plan; and, (4) ensure that wildlife impermeable fencing and lighting are installed that will not adversely impact wildlife movement within the identified wildlife corridor (Exhibit 5, Condition of Approval Nos. 19 through 24). With the implementation of these mitigation measures, the proposed subdivision and future

development of the lots would be consistent with the General Plan and Ojai Valley Area Plan.

On March 15, 2021, the MND was sent to the California Department of Fish and Wildlife. No comments were received.

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Policies COS-1.1, COS-1.2, COS-1.4, COS-1.5, COS-1.9, COS-1.10, COS-1.11, COS-1.12 and Ojai Valley Area Plan Policies OV-36.1, OV-36.2, OV-36.4, OV36.7 and OV-36.8.

10. **Ventura County General Plan Natural Flood Protection Solutions Policy HAZ-2.8:** *The County shall consider natural, or nature-based flood protection measures for discretionary development or County-initiated development, when feasible.*

Ventura County General Plan Runoff from Discretionary Development Policy HAZ-37.1: *The County shall require discretionary development which would result in increased runoff which would contribute to flooding or erosion/siltation hazards to fund a Deficiency Study to identify existing flooding and erosion/siltation problems and, if necessary, an Improvement Plan to determine appropriate flood control and drainage facilities necessary to reduce these hazards to a less-than-significant level. If the Deficiency Study/Improvement Plan determines the need for flood control facilities, then the County shall require the discretionary development to construct and/or contribute to the construction of all necessary improvements necessary to reduce hazards to a less-than-significant level.*

The proposed subdivision is in a location identified by the Federal Emergency Management Agency (FEMA) as an area of minimal flood hazard (Zone X unshaded) and outside of the 100-year and 500-year floodplain, as noted on the Planning GIS data layers (February 2021). This is evidenced on FEMA Map Panel 06111C0566E, effective date January 21, 2010.

Future development of Lots 1, 2, and 3 will be subject to the requirements of the Grading Ordinance (Ventura County Building Code 2020, Appendix J) and Uniform Building Code (ICC 2018). Runoff from reasonably foreseeable development of the proposed lots will be required to be released at no greater than the undeveloped flow rate and in such manner as to not cause an adverse impact downstream in peak velocity or duration. Future development of each lot will be required to maintain the drainage conditions present before development by a method of detention that will remove sediment and debris materials prior to being released offsite. Compliance with Public Works Agency conditions applied to the TPM will assure that the post project runoff is maintained at or below existing quantities (Exhibit 5, Condition of Approval No. 32).

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Policies Haz-2.8 and HAZ-37.1.

11. **Ventura County General Plan Structural Design Policy HAZ-4.3:** *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.*

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

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

Ventura County General Plan Development in Landslide/Debris Flow Hazard Areas Policy HAZ-4.10: *The County shall not allow development in mapped landslide/debris flow hazard areas unless a geologic and geotechnical engineering investigation is performed and appropriate and sufficient safeguards, based on this investigation, are incorporated into the project design.*

Ventura County General Plan Alteration of Land in Landslide/Debris Flow Hazard Areas Policy HAZ-4.11: *The County shall not allow alteration of land in landslide/debris flow hazard areas, including concentration of water through drainage, irrigation or septic systems, removal of vegetative cover, and undercutting of the bases of slopes or other grading activity unless demonstrated by geologic, geotechnical, and civil engineering analysis that the project will not increase the landslide/debris flow hazard.*

Ventura County General Plan Design for Expansive Soils Policy HAZ-4.13: *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 Seismic and Geologic Hazards Policy OV-52.1: *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.*

Future residential development of Lots 1, 2 and 3 will be subject to moderate to strong ground shaking from seismic events on local and regional fault systems. The County of Ventura Building Code adopted from the California Building Code, dated 2019, Chapter 16, Section 1613 requires structures be designed to withstand this ground shaking. As discussed in the MND (Exhibit 4.a), the Geotechnical and Geology report that was prepared for the proposed subdivision provides the structural seismic design criteria for the development of future residential structures.

The requirements of the building code will reduce the potential effects of groundshaking.

Future development of Lots 1, 2 and 3 would be subject to Ventura Countywide Municipal Stormwater NPDES Permit CAS004002 (Permit), Planning and Land Development and Development Construction Programs, which requires development to meet performance criteria defined in Section 4.E.III of the Permit, the 2011 Technical Guidance Manual (TGM) and Best Management Practices (BMPs) that are designed to ensure compliance and implementation of an effective combination of erosion and sediment control measures for a disturbed site area less than one acre, disturbed area one acre and larger, or high risk site (Exhibit 5, Condition No. 34).

The site is in a hillside area in the unincorporated area of Oak View. The MND (Exhibit 4.a) indicated that portions of the property are in a potential seismically induced landslide zone; but the mapped landslides and potential seismically induced landslide areas are not anticipated to affect the stability of the proposed buildable sites and thus no substantial hazard exists.

Future development of each lot will be required to maintain the drainage conditions present before development by a method of detention that will remove sediment and debris materials prior to being released offsite.

Finally, future development of the site will also be subject to the requirements of the County of Ventura Building Code (2020) adopted from the California Building Code, in effect at the time of development of the lots is proposed.

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Policies HAZ-4.3, HAZ-4.5, HAZ-4.6, HAZ-4.10, HAZ-4.11, and HAZ-4.13 and Ojai Valley Area Plan Policy OV-52.1.

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

Ventura County General Plan Air Pollution Control District Rule and Permit Compliance Policy HAZ-10.3: *The County shall ensure that discretionary development subject to Ventura County Air Pollution Control District (VCAPCD) permit authority complies with all applicable APCD rules and permit requirements, including the use of Best Available Control Technology (BACT) as determined by the VCAPCD.*

Ventura County General Plan Construction Air Pollutant Best Management Practices Policy HAZ-10.13: *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.

Ventura County General Plan Fugitive Dust Best Management Practices Policy HAZ-10.14: *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 Adverse Impacts on Regional Air Quality Policy OV-55.1: *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).*

VCAPCD reviewed the proposed subdivision request and determined that air quality impacts will be below the five pounds per day threshold for reactive organic compounds and oxides of nitrogen as described in the Ventura County Air Quality Assessment Guidelines and the Ojai Valley Area Plan. Furthermore, based on the proposed subdivision project description, the subdivision will generate local air quality impacts, but those impacts are not likely to be significant.

Although the proposed subdivision will not create a significant impact with regard to air quality, future residential construction of Lots 1 through 3 will be required to comply with the provisions of applicable VCAPCD Rules and Regulations (2008), in order to minimize fugitive dust and particulate matter. These Rules include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust). Implementation of applicable VCAPCD Rules and Regulations (2008), will ensure compliance with the AQMP.

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Policies HAZ-10.2, HAZ-10.3, HAZ-10.13, and HAZ-10.14 and Ojai Valley Area Plan Policy OV-55.1.

- 13. Ventura County General Plan Access Points for New Subdivisions Policy HAZ-12.1:** *The County shall require new residential subdivisions to provide not less than two means of access for emergency vehicles and resident evacuation. A deviation from this policy is only allowed if a single proposed access road conforms to the County Road Standards, Ventura County Fire Department Access Standards, and when the County Fire Chief approves the proposed deviation.*

Access to the proposed subdivision will be provided from Burnham Road, a public road. Three private driveways are proposed for Lots 1, 2 and 3. Access driveways will be required to meet the County access standards and current VCFPD road

standards [Standard 501, Fire Apparatus Access Standard, Chapter 3 and Sections 5.2.1 through Section 5.2.5].

Based on the above discussion, the proposed subdivision is consistent with Ventura County General Plan Policy HAZ-12.1.

D. ZONING AND SUBDIVISION ORDINANCE COMPLIANCE

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

Pursuant to the Ventura County NCZO Section 8105-4, future development of Lots 1, 2 and 3 is allowed in the R1 20,000 sq. ft. zone district with the granting of a ministerial Zoning Clearance.

Future Development is 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)	20,000 sq. ft.	Yes. Lot 1 will be 1.78 acres (77,531.4 sq. ft.), proposed Lot 2 will be 0.75 acres (32,782 sq. ft.) and proposed Lot 3 will be 0.76 acres (32,930 sq. ft.).
Maximum Percentage of Building Coverage	25 %	The maximum building coverage that would be allowed is as follows: Lot 1: 19,382 sq. ft., Lot 2: 8,195 sq. ft., Lot 3: 8,232 sq. ft.
Front Setback *Note: In accordance with Ventura County NCZO Section 8106-5.11, in the R1 and R2 zones, dwellings constructed with carports or garages having a curved or "swing" driveway, with the entrances to the carports or garages facing the side property line, may have a minimum front setback of 15 feet. Parcel 2 and Parcel 3 will have swing driveways.	Lot 1: 20 feet Lot 2 and Lot 3: 15 feet	Yes. The designated building site(s) front setbacks are as follows: Lot 1: 21 feet; Lot 2: 15 feet; and, Lot 3: 16 feet.
Side Setback	5 feet	Yes. The designated building site(s) side setbacks along the eastern property line are as follows: Lot 1: 75.6 feet; Lot 2: 15 feet; Lot 3: 5 feet

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
		northern pad) and 45 feet southern pad). The designated building site(s) side setbacks along the western property line are as follows: Lot 1: 32.5 feet; Lot 2: 10 feet; Lot 3: 15 feet (northern pad) and 16.2 feet (southern pad)
Rear Setback	15 feet	Yes. The designated building site(s) rear setbacks are as follows: Lot 1: 138 feet; Lot 2: 163 feet and Lot 3: 15 feet.
Maximum Building Height	25 feet	Future development would be subject to these height requirements.
Accessory Structure Maximum Building Height	15 feet	

The proposed project is located within a Dark Sky Overlay Zone and Habitat Connectivity Wildlife Corridor and, therefore, is subject to the standards of Sections 8109-4.7 and 8109-4.8 of the Ventura County NCZO. Tables 2 and 3 list the applicable Dark Sky Overlay Zone and Habitat Connectivity Wildlife Corridor standards and a description of whether the proposed project complies with those standards.

Table 2 – Dark Sky Overlay Zone Standards Consistency Analysis

Overlay Zone Standard	Complies?
Section 8109-4.7.4(a) General Standards Shielding and Direction of Luminaires: All outdoor luminaires shall be fully shielded, directed downward, and installed and maintained in such a manner to avoid light trespass beyond the lot line in excess of those amounts set forth in Section 8109-4.7.4(i) below. Lights at building entrances, such as porch lights and under-eave lights, may be partially shielded.	Yes. Developments Standard 8109-4.7.4(a) through (g) and (j) are associated with lighting. Mitigation Measure BIO-6 (Exhibit 5, Condition 24), requires the future property owners of Lots 1 through 3 to submit a lighting plan that meets all of these requirements.
Section 8109-4.7.4(b) General Standards Lighting Color: The correlated color temperature of each outdoor luminaire, except those used for security lighting (see Section 8109-4.7.4(e)), shall not exceed 3,000 Kelvin.	
Section 8109-4.7.4(c) General Standards Maximum Lumens Per Luminaire: Each outdoor luminaire, except those used for security lighting and outdoor recreational facility lighting, shall have a maximum output of 850 lumens. (See Section 8109-4.7.4(e) for standards regarding security lighting, and	

Table 2 – Dark Sky Overlay Zone Standards Consistency Analysis

Overlay Zone Standard	Complies?
<p>Section 8109-4.7.4(g) for standards regarding outdoor recreational facility lighting.)</p>	
<p>Section 8109-4.7.4(d) General Standards Dark Hours: All outdoor luminaires, other than an essential luminaire, shall be turned off from 10:00 p.m., or when people are no longer present in exterior areas being illuminated, or the close of business hours, whichever is latest, until sunrise.</p>	
<p>Section 8109-4.7.4(e) General Standards Security Lighting: (1) Outdoor luminaires used for security lighting shall not exceed a maximum output of 2,600 lumens per luminaire. (2) Where the light output exceeds 850 lumens, motion sensors with timers programmed to turn off the light(s) no more than 10 minutes after activation must be used between 10:00 p.m. and sunrise. The foregoing does not apply to security lighting used for agricultural operations conducted on parcels within the Agricultural Exclusive (AE), Open Space (OS), and Rural Agricultural (RA) zones. (3) Where security cameras are used in conjunction with security lighting, the lighting color may exceed 3,000 Kelvin but shall be the minimum necessary for effective operation of the security camera.</p>	
<p>Section 8109-4.7.4(f) General Standards Parking Area Lighting: Parking area lighting shall comply with the standards set forth in Section 8108-5.12, and is not subject to any other standard set forth in this Section 8109-4.7.4.</p>	
<p>Section 8108-5.12 Lighting: Lighting shall be provided for all parking areas in compliance with Section 8106-8.6 and the following: a. Parking areas that serve night-time users shall be lighted with a minimum 1 foot-candle of light at ground for security. b. All lights in parking areas that serve non-residential land uses, except those required for security per subsection (a) above, shall be extinguished at the end of the working day. Lights may be turned on no sooner than 1 hour before the commencement of working hours. c. Light poles shall be located so as not to interfere with motor vehicle door opening, vehicular movement or accessible paths of travel. To the extent possible light poles shall be</p>	

Table 2 – Dark Sky Overlay Zone Standards Consistency Analysis

Overlay Zone Standard	Complies?
<p>located away from existing and planned trees to reduce obstruction of light by tree canopies. Light poles shall be located outside of landscape finger planters, end row planters, and tree wells. Light poles may be located in perimeter planters and continuous planter strips between parking rows. d. Any light fixtures adjacent to a residential land use or residentially zoned lot shall be arranged and shielded so that the light will not directly illuminate the lot or land use. This requirement for shielding applies to all light fixtures, including security lighting. e. In order to direct light downward and minimize the amount of light spilled into the dark night sky, any new lighting fixtures installed to serve above-ground, uncovered parking areas shall be full cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA). New lighting fixtures installed for parking area canopies or similar structures shall be recessed or flush-mounted and equipped with flat lenses.</p>	
<p>Section 8109-4.7.4(g) General Standards Outdoor Recreational Facility Lighting: (1) Outdoor recreational facility lighting may exceed 850 lumens and 3,000 Kelvin per luminaire. Lighting levels for these facilities shall not exceed those recommended in the Lighting Handbook available online by the Illuminating Engineering Society of North America (IESNA) for the class of play (Sports Class I, II, III or IV). (2) In cases where fully-shielded luminaires would cause impairment to the visibility required for the intended recreational activity, partially-shielded luminaires and directional lighting methods may be utilized to reduce light pollution, glare and light trespass. (3) With the exception of security lighting as specified in Section 8109-4.7.4(e), and parking area lighting as specified in Section 8108-5.12, outdoor recreational facilities shall not be illuminated between 10:00 p.m. and sunrise, except to complete a recreational event or activity that is in progress as of 10:00 p.m. (4) See Section 8109-4.7.4(j) for additional lighting requirements for outdoor recreational facilities, by zone. (5) The lighting system design (including lumens, Kelvin, etc.) shall be prepared by a qualifying engineer, architect or landscape architect, in</p>	

Table 2 – Dark Sky Overlay Zone Standards Consistency Analysis

Overlay Zone Standard	Complies?
<p>conformance with this Section 8109-4.7. (6) The proposed lighting design shall be consistent with the purpose of this section and minimize the effects of light on the environment and surrounding properties.</p>	
<p>§ 8109-4.7.4(i) General Standards Allowable Light Trespass: Outdoor lighting shall conform to the quantitative light trespass limits shown in Table 1 below, measured from the property line illuminated by the light source. The more restrictive zone will apply. For example, when a commercial zone abuts a single-family residential zone, the light trespass limit shall be 0.1 foot-candles at the property line.</p> <p>Table 1 Quantitative Light Trespass Limits, by Zone Open Space, Agriculture and Special Purpose Zones (such as OS, AE, TP) Horizontal-plane limit 0.1 foot-candles at property lines Vertical-plane limit Rural Residential and Single-family/Two-family Residential Zones (such as RA, RE, RO, R-1, R-2) Horizontal-plane limit 0.1 foot-candles at property lines Vertical-plane limit Multi-family Residential Zones (such as RPD) Horizontal-plane limit 0.2 foot-candles at property lines Vertical-plane limit Commercial and Industrial Zones (such as C-O, C-1, CPD, M-1, M-2, M-3) Horizontal-plane limit 0.25 foot-candles at property lines, unless otherwise approved by PD or CUP Vertical-plane limit</p>	
<p>Section 8109-4.7.4(j) General Standards Maximum Height Allowance: (1) Luminaires affixed to structures for the purpose of lighting outdoor recreational facilities (such as for equestrian arenas, batting cages, tennis courts, basketball courts, etc.) shall not be mounted higher than 15 feet above ground level. In cases where luminaires are affixed to fences, the top of the fixture shall not be higher than the height of the fence. (2) Freestanding light fixtures used to light walkways, driveways, or hardscaping shall utilize luminaires that are no higher than two feet above ground level. Freestanding light fixtures used for commercial and industrial uses shall comply with subsection (j)(3) below. (3) All other freestanding light fixtures shall not be higher than 20 feet above ground</p>	

Table 2 – Dark Sky Overlay Zone Standards Consistency Analysis

Overlay Zone Standard	Complies?
level, unless specifically authorized by a discretionary permit granted under this Chapter.	
Section 8109-4.7.4(k) General Standards Night Lighting for Translucent or Transparent Enclosed Agriculture Structures: All night lighting within translucent or transparent enclosed structures used for ongoing agriculture or agricultural operations (e.g., greenhouses for crop production) shall use the following methods to reduce sky glow, beginning at 10:00 p.m. until sunrise: (1) Fully- or partially-shielded directional lighting; and (2) Blackout screening for the walls and roof, preventing interior night lighting from being visible outside the structure.	
Section 8109-4.7.4(h) General Standards Service Station Lighting: All luminaires mounted on or recessed into the lower surface of the service station canopies shall be fully shielded and utilize flat lenses. No additional lighting is allowed on the columns of the service station.	Not Applicable. The proposed subdivision is not zoned to allow the installation of a service station.

Table 3 – Habitat Connectivity Wildlife Corridor Overlay Zone Standards Consistency Analysis

Section 8109-4.8.1(a): Except as otherwise specifically stated in Section. 8109-4.8.2.1 regarding outdoor lighting and Section 8109-4.8.3.3 regarding prohibitions, the standards, requirements and procedures of this Section 8109-4.8 shall only apply to land uses and structures requiring a discretionary permit or modification thereto, or a ministerial Zoning Clearance, the applications for which are decided by the County decision-making authority on or after May 18, 2019, or to uses or activities not requiring a discretionary permit or Zoning Clearance which occur after May 18, 2019.	Yes. Future development of Lots 1, 2 and 3 will be subject to the requirements of this section as a decision on this project will be made after May 18, 2019.
Section 8109-4.8.3.1(a)(1): This Section 8109-4.8.3 applies to the structures and wildlife impermeable fencing (collectively referred to as "development" in this Section 8109- 4.8.3) described below, except to the extent any such development is exempt pursuant to Section 8109-4.8.3.2: (1) Construction of any new structure that requires a Zoning Clearance or other permit required under Article 5 with a gross floor area of 120 square feet or more inclusive of open-roofed structures, or any addition to an existing structure, that requires a Zoning Clearance or other permit under Article 5 and that	Yes. Mitigation Measure BIO 5 (Exhibit 5, Condition No. 23) requires the property owners of Lots 1 through 3 to submit a fencing plan for all new or replacement fencing located on Lots 1, 2 and 3. The fencing plan must include the fence location, type of fence, and elevations detailing construction and materials for both permeable and impermeable fences. A zoning clearance is required for wildlife impermeable fencing that forms an enclosed area all of which is located within 50 feet of an exterior wall of a legally established dwelling.

<p>will result in any new fuel modification required by the County Fire Protection District.</p>	<p>A Planned Development Permit is required for the installation of new or replacement wildlife impermeable fencing that forms an enclosed area as follows:</p> <p>Lot 1: An enclosed area of 7,738 square feet Lot 2: An enclosed area of 3,439 square feet Lot 3: An enclosed area of 3,152 square feet</p>
<p>Section 8109-4.8.3.8(b)(1) Development should be sited and conducted outside the applicable setback areas set forth in Sections 8109-4.8.3.4 (Wildlife Crossing Structures) and 8109-4.8.3.5 (Surface Water Features) to the extent feasible;</p>	<p>Yes, the proposed building sites are setback more than 100 feet from the Ventura River and Live Oak Creek. No wildlife crossing structures are located within 100 feet of the project site.</p>
<p>Section 8109-4.8.3.8(b)(2) Development should be sited and conducted to minimize the removal and disturbance of biological resources, landscape features and undeveloped areas that have the potential to support functional connectivity and wildlife movement;</p>	<p>Yes, the proposed subdivision includes six mitigation measures that will reduce potentially significant impacts to biological resources to a less than significant level (Exhibit 5, Condition Nos. 19 through 24).</p>
<p>Section 8109-4.8.3.8(b)(3) Development should be sited and conducted to provide the largest possible contiguous undeveloped portion of land;</p>	<p>Yes, the oak woodland is being preserved by designating the location of the building sites to avoid/minimize impacts. Future residential development is confined to the designated building sites.</p>
<p>Section 8109-4.8.3.8(b)(4) Wildlife impermeable fencing should be sited and designed to minimize potential impacts to wildlife movement.</p>	<p>Yes, no structures are proposed with the requested subdivision. Future property owners of Lots 1 through 3 will be required to install wildlife impermeable fencing per the requirements of Mitigation Measure BIO-5 (Exhibit 5, Condition No. 23) prior to the issuance of a Zoning Clearance for any replacement or new fencing.</p>

The proposed project involves a subdivision that is subject to the design requirements of the VCSO (Article 5). Table 1 lists the applicable design requirements and a description of whether the proposed project complies with the design requirements.

Table 1 – Design Requirements Consistency Analysis

Type of Requirement	Subdivision Ordinance Requirement	Complies?
Section 8205-5.1.1 Lot Area	Unless otherwise excepted, all proposed lots shall conform to the minimum lot area requirements of the General Plan (Land Use Policies – Minimum Parcel Size), and zone designation in which the property is located. In determining whether a proposed lot having a gross area of less than 10 acres conforms to such minimum area requirements, only the net area of the lot shall be considered unless the General Plan or Zoning Ordinances provide otherwise.	Yes. The subject site is zoned R1 20,000 sq. ft. The minimum lot size for the R1 zone is 6,000 sq. ft. The subject parcel is 143,312.4 sq. ft. or 3.29 acres in size. Lot 1 will be 1.78 acres (77,531.4 square feet [sq. ft.]), proposed Lot 2 will be 0.75 acres (32,782 sq. ft.) and proposed Lot 3 will be 0.76 acres (32,930 sq. ft.). The subject lot has a General Plan designation of Very Low Density Residential and Ojai Valley Area Plan designation of Urban Residential 1-2 dwelling units per acre. This means that mean if two units are allowed on a lot, 1 unit would be allowed per ½ acre. As noted in Table 2-2 of the Ventura County General Plan, the maximum percentage of building coverage for Lots 1, 2 and 3 is 25 percent each.
Section 8205-5.1.2 Lot Lines	Each sideline of a proposed lot shall be as close to perpendicular to the centerline of the street as is practicable at the point at which the lot sideline terminates.	Yes. As shown on the proposed TPM (Exhibit 3), the sideline of the proposed lots are perpendicular to the centerline of the Burnham Road.
Section 8205-5.1.3 Lot Width	All proposed lots shall conform to the minimum lot width requirements of the zone in which the property is located. No lot, other than a flag lot, shall have less than 40 feet of frontage, unless the minimum lot width of the zone is less than 40 feet. No flag lot shall have an access strip less than 20 feet.	Proposed Lots 1 through 3 have lots widths of more than 40 feet. Proposed Lot 1 has 210.75 feet of frontage. Proposed Lot 2 has 970 feet of frontage and Proposed Lot 3 has 76.72 feet of frontage.
Section 8205-5.1.4 Lot Depth	For all proposed lots, the average lot depth shall not be greater than three times the average lot width unless the Planning Director, upon information presented by the applicant, determines that a greater depth is justified. The applicant shall use the following criteria to justify the modification of this requirement: (a) Potential Amount of Grading – The amount and impact of on-site grading may be less with the provision of a greater lot depth; (b) Usable Lot Area – The steepness of the topography of proposed lots, the configuration of the parent parcel, and the location of on-site natural features, such as barrancas, may necessitate a greater depth to provide usable lot areas; (c) Flood	The depth of proposed Lot 1 would be 136.72 feet at the “flag” portion of the lot and 101.21 feet at the “pole” portion of the lot, Lot 1 would have a depth of 245.18 along the western lot line, for a total of 483.11 feet. The depth of proposed Lot 2 would be 245.18 along the western lot line and 234.63 feet along the western lot line for a total of 479.81 feet. The depth of Proposed Lot 3 is 234.63 along the western lot line and 205 along the eastern lot line for a total of 439.63 feet. The depth of Lot 1 through 3 would not be greater

	Hazards – On-site and off-site flood hazards, such as streams, tributaries, and inundation areas subject to 100-year flood, may create a need for a greater depth to provide usable lot areas and buildable sites; (d) Sun and Wind Orientation – A greater lot depth may be necessary to provide for passive and active solar heating and natural cooling opportunities; and, (e) Other – Other criteria relevant to unique or uncommon physical features of the property may necessitate a greater depth to provide usable lot areas and buildable sites or to mitigate adverse environmental effects.	than three times the average lot width.
Section 8205-5.1.5 Buildable Site	Each proposed lot shall have at least one buildable site, except: (a) Those parcels dedicated or offered for dedication to the County or some other public entity or reserved by recorded restrictions for flood control purposes, natural resource preservation (e.g., conservation parcels), common open space, or other similar purposes; and, (b) Those lots created for such purposes as landfills, mining operations, or other similar, long-term uses which do not normally require a permanent, on-site principal structure and which lots are or will be subject to a discretionary permit issued by the County regulating their proposed use	Yes. The Tentative Parcel Map includes buildable sites for Lots 1 through 3.
Section 8205-5.1.6 Setbacks	Each buildable site required by Section 8205-5.1.5 on a proposed lot shall be illustrated on the tentative map demonstrating that future and existing buildings can comply with the development standards of the zone designation pursuant to the applicable zoning ordinance and in accordance with Section J109, Ventura County Building Code, Appendix J. Whenever a subdivision results in a lot for which the only means of access is by way of an easement, that easement shall be considered a public road or street for purposes of determining setbacks for all lots over which the easement passes.	Yes. Future development of Lots 1 through 3 must meet the development standards noted in Ventura County NCZO Section 8106.1.1. The required setbacks for future dwellings on these lot are: front: 20 feet (Lot 1 and Lot 3) and 15 feet for Lot 2 ² ; side: 5 feet for Lots 1 through 3; and, rear: 15 feet for Lots 1 through 3.
Section 8205-5.1.7 Access	There shall be approved access to the subdivision and all lots within the subdivision shall have ingress and egress that meets the regulations regarding road standards for	Yes, The Tentative Parcel Map indicates that direct access to Lots 1, 2 and 3 will be made available

² In accordance with Ventura County NCZO Section 8106-5.11, in the R1 and R2 zones, dwellings constructed with carports or garages having a curved or "swing" driveway, with the entrances to the carports or garages facing the side property line, may have a minimum front setback of 15 feet. Parcel 2 and Parcel 3 will have swing driveways

	vehicles and fire equipment access pursuant to Section 4290 of the Public Resources Code, the Ventura County Fire Code, and the Ventura County Road Standards. Street layout shall be designed to provide for future access to, and not impose undue hardship upon, property adjoining the subdivision.	from Burnham Road, a public road.
Section 8205-5.1.8 Agricultural Viability	Each proposed lot which is subject, in whole or in part, to a contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7, commencing with Section 51200, of Division 1 of Title 5 of the Government Code) shall be capable of sustaining, independently of any other lot, a viable commercial agricultural use.	Not Applicable. The subject site does not include an existing or proposed Land Conservation Act contract.
Section 8205-5.1.9 Cultural Heritage Site	The design of a subdivision shall not adversely affect the historical, architectural, or aesthetic interest or value of a potential or designated cultural heritage site as defined in the Ventura County Cultural Heritage Ordinance. When required by the Cultural Heritage Ordinance, the design must be reviewed by the Cultural Heritage Board and be granted a certificate of appropriateness or certificate of review.	Not Applicable. The subject site does not include a cultural heritage site.
Section 8205-5.2.1 Street Rights-of-Way	The street layout of a proposed subdivision shall be consistent with all street right-of-way designations and general alignment shown on the Circulation Element of the General Plan. All streets that are to be offered for dedication and used for vehicular traffic shall be designed to conform to the Ventura County Road Standards and the Ventura County Fire Protection District Fire Apparatus Access Code, subject to any deviations authorized by those standards or guidelines and duly approved by the Public Works Director and Fire Chief. All street design elements not dictated by those standards or guidelines shall conform to good engineering practices and be approved by the Public Works Director and the Fire Chief.	Yes. There are no proposed or existing right of way or private drive easements within the exterior boundary of the Tentative Parcel Map. The Subdivider will be required to improve Burnham road along the parcel's frontage in accordance with Road Standard Plate B-5[A] and Los Encinos Road along the parcel's frontage in accordance with Road Standard Plate B-5[B] (Exhibit 5, Condition No. 31).
Section 8205-5.2.2 Utility Easements	Whenever overhead utilities are allowed in a proposed subdivision by this Chapter, utility easements of sufficient width shall be located along the rear or side lot lines. Whenever possible, such easements shall extend an equal distance into each of two abutting lots. This requirement may be modified or recommended for modification by the advisory agency if warranted by unusual circumstances in a particular proposed subdivision. To the extent practicable, underground utility easements,	Yes. Southern California Edison will provide electricity to the proposed subdivision, and the Southern California Gas Company will provide natural gas. Future development of the lots will require an extension of the utilities to provide services. The property owner will be required to place all utility service lines underground whenever feasible (Exhibit 5, Condition No. 18).

	whenever necessary, shall be abutting and parallel to lot lines.	
Section 8205-5.2.3 Drainage Facilities and Right-of-Way	The design of a subdivision drainage system shall conform to the Ventura County Flood Plain Management Ordinance, the Ventura County Building Code, Appendix J Grading, and Division 6, Chapter 9 of the Ventura County Ordinance No. 4450, as may be amended, relating to stormwater quality management for unincorporated areas, and shall provide for the proper drainage of the subdivision and all lots and improvements therein based on the runoff that can be anticipated from ultimate development of the watershed in accordance with the General Plan. The subdivision shall contain no undrained depressions. The subdivision and all lots and improvements therein shall be protected from off-site drainage or flood damage. All public facilities such as sewer, gas, electrical, and water systems shall be located and constructed to minimize flood intrusion. Any concentrations or increases of surface water resulting from the development of the subdivision must be conveyed by means of adequate facilities to a suitable natural watercourse in the area. If any channels included in the Ventura County Watershed Protection District Comprehensive Plan for Flood Control lie within the parent parcel, the design shall depict all those channels and all rights-of-way reasonably necessary for their improvements and maintenance. Such rights-of-way shall include, in addition to the channels themselves, an access route complying with the Ventura County Watershed Protection District Design Manual alongside the entire length of open channels and directly over the entire length of underground channels.	Yes. Pursuant to the County of Ventura Public Works Agency, Engineering Services Department, Development & Inspection Services Division, by reference to Appendix J of the Ventura County Building Codes, any runoff from the proposed subdivision site will be required to be released at no greater than the undeveloped flow rate and in such manner as to not cause an adverse impact downstream in peak, velocity or duration. The proposed subdivision preserves the existing trend of runoff and local drainage patterns. As a result, future development of the lots will not create an obstruction of flow in the existing drainage, as any runoff will be similar to the present conditions. The difference in runoff from the existing condition to the developed condition will be detained onsite prior to being released to the historic drainages. Therefore, the proposed TPM design mitigates the direct and indirect project-specific and cumulative impacts to flood control facilities and watercourses.
Section 8205-5.2.4 State Highways	If an existing or proposed state highway abuts or crosses a proposed subdivision, the subdivider shall secure all pertinent road data and specifications and shall make the design of the proposed subdivision compatible with such state highway.	Not Applicable. The nearest State Highway is located approximately 0.40 miles north of the subdivision.
Section 8205-5.2.5 Public Water Agency	Whenever a proposed subdivision is located within the boundaries of a public water agency willing and able to provide water service to the lots, the public water agency shall be chosen as the water purveyor for the proposed subdivision. At the time of tentative map approval, the advisory agency may	Yes. Water is supplied to CMWD and CMWD provides water service to the subdivision. A conditional Water Availability Letter (WAL) (dated October 23, 2018) from CMWD was submitted with the application by the Subdivider.

	waive the requirements of this section for good cause shown.	
Section 8205-5.2.6 Public Sewer Agency	Whenever a proposed subdivision is located within the boundaries of a public sewer agency willing and able to provide sewer services to the lots, the public sewer agency shall be chosen to provide sewer service to the proposed subdivision. In all cases where sewage disposal is not to be by means of a sewer operated by a public sewer agency, it shall be by means of an on-site wastewater treatment system (OWTS) located entirely on the lot generating the sewage. At the time of tentative map approval, the advisory agency may waive the requirements of the first sentence of this section for good cause shown.	Yes. Future residential development will be connected to public sewer operated by the OVSD. The subdivision is located within the sphere of influence of the OVSD. On December 19, 2019, the Ventura Local Agency Formation Commission (LAFCo) approved and recorded with the Ventura County Recorder, a Certificate of Completion (Document No. 20191216-0015639-0), which authorized the annexation of the subject lot into OVSD. The nearest sewer connection is located approximately 77 feet east of the subdivision.
Section 8205-5.2.7 Street Lighting	Prior to recordation of the final map or parcel map, the subdivider shall cause the area within the subdivision to be included in a County Service Area or other special district providing street lighting. At the time of tentative map approval, the advisory agency may waive this requirement if it finds that inclusion within such a service area or other special district is unnecessary because of the size or location of the proposed lots.	Not applicable. The proposed subdivision is not located within a County Service Area for street lighting. Street lighting is not required.
Section 8205-5.2.8 Supplemental Facilities	The County may require that improvements installed by the subdivider for the benefit of the subdivision contain supplemental size, capacity, number, or length for the benefit of property not within the subdivision, and that those improvements be dedicated to the public. Supplemental length may include minimum sized off-site sewer lines necessary to reach a sewer outlet in existence at that time. Any such requirement shall be subject to the condition precedent that the County or some other appropriate entity offer to enter into a reimbursement agreement with the subdivider pursuant to Article 6 (commencing with Section 66485) of Chapter 4 of the Government Code.	Yes, the Subdivider will be required to improve Burnham road along the parcel's frontage in accordance with Road Standard Plate B-5[A] and Los Encinos Road along the parcel's frontage in accordance with Road Standard Plate B-5[B] (Exhibit 5, Condition No. 31).

The subdivision is located within the Temporary Rental Unit Overlay Zone. The intent of this zone is to establish standards and requirements for the temporary rental of dwellings as accessory uses in order to ensure that the use of dwellings as temporary rental units does not adversely impact long-term housing opportunities in the Ojai Valley, safeguard affordable housing opportunities for individuals working in service and other relatively low-wage sectors in the Ojai Valley so individuals can live in close proximity to their places of

work and preserve the residential, small-town community character of the Ojai Valley. The Subdivider is requesting approval of a tentative parcel map; no development is proposed at this time. Should future property owners of Lots 1, 2 or 3 wish to establish a temporary rental unit on their property, the lot must qualify for a temporary rental unit and the appropriate permits must be obtained in accordance with Ventura County NCZO Section 8109-4.6 et seq.

E. SUBDIVISION MAP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to determine that the proposed subdivision is consistent with the State Subdivision Map Act, Government Code, and County Subdivision Ordinance (Section 8205-6.6 et seq.). The proposed findings and supporting evidence are as follows:

- 1. The proposed subdivision does not violate any standards, requirements, or conditions of the Subdivision Map Act, this Chapter, or other County ordinance [Section 8205-6.6(a)]**

As discussed in Section D of this Staff Report, the proposed subdivision does not violate any standards, requirements, or conditions of the Subdivision Map Act, this Chapter, or other County ordinance. Thus, this finding can be made.

- 2. The proposed map, together with its provisions for design and improvement of the proposed subdivision, is consistent with the General Plan (See Gov. Code § 65300 et seq.) and any applicable area and specific plans (See Gov. Code § 65450 et seq.). Consistency with the General Plan, area plans, or specific plans shall be found if the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such plan(s) (See Gov. Code §§ 66473.5, 66474(a), and 66474(b)) [Section 8205-6.6(b)] ;**

As discussed in Section C of this Staff Report, the proposed subdivision will be consistent with the applicable policies of the Ventura County General Plan and the Ojai Valley Area Plan. Thus, this finding can be made.

- 3. The site is physically suitable for the proposed type of development (See Gov. Code § 66474(c)). Considerations for lack of physical suitability may include, but are not limited to, the presence of unmitigable geologic hazards or inadequate access, including inadequate secondary emergency fire access as required by the Ventura County Fire Protection District [Section 8205-6.6(c)];**

The subject site is zoned R1 20,000 sq. ft. The minimum lot size for the R1 zone is 6,000 sq. ft. The subject lot is 143,312.4 sq. ft. or 3.29 acres in size. Lot 1 will be 1.78 acres in size, Lot 2 will be 0.75 acres in size and Lot 3 will be 0.76 acres in size. The subject lot has a General Plan designation of Very Low Density Residential and Ojai Valley Area Plan designation of Urban Residential 1-2 dwelling units per acre.

This means that mean if two units are allowed on a lot, 1 unit would be allowed per ½ acre. As noted in Table 2-2 of the Ventura County General Plan, the maximum percentage of building coverage for Lots 1, 2, and 3 is 25 percent. Thus, the proposed subdivision meets the minimum development standards for lots that are located in the R1 20,000 sq. ft. zone district, the minimum Very Low Density Residential General Plan, and the Urban Residential land use designation lot size requirements. While development is not proposed as part of the subject subdivision, future development of Lots 1 through 3 must meet the development standards noted in the Ventura County NCZO Section 8106.1.1 for the R1 zone designation (Refer to Section D, Table 1 of this staff report).

Direct access to Lots 1, 2 and 3 will be made available from Burnham Road, a public road. Therefore, adequate access for fire protection will be provided by the proposed subdivision.

The site is in a hillside area in the unincorporated area of Oak View. Based on an analysis conducted by the California Geological Survey as part of the California Seismic Hazards Mapping Act of 1991, Public Resources Code Sections 2690-2699.6, portions of the property are in potential seismically induced landslide zone. The MND (Exhibit 4.a) indicated that portions of the property are in potential seismically induced landslide zone; but the mapped landslides and potential seismically induced landslide areas are not anticipated to affect the stability of the proposed buildable site and thus no substantial hazard exists.

The subdivision will be subject to moderate to strong ground shaking from seismic events on local and regional fault systems. The County of Ventura Building Code adopted from the California Building Code, dated 2019, Chapter 16, Section 1613 requires structures be designed to withstand this ground shaking. As discussed in the MND (Exhibit 4.a), the Geotechnical and Geology report provides the structural seismic design criteria for the development of future residential structures. The requirements of the building code will reduce project-specific and cumulative impacts from the effects of ground shaking to less than significant. Thus, this finding can be made.

4. The site is physically suitable for the proposed density of development (See Gov. Code § 66474(d)) [Section 8205-6.6(d)];

The subject site is zoned R1 20,000 sq. ft. The minimum lot size for the R1 zone is 6,000 sq. ft. The subject lot is 143,312.4 sq. ft. or 3.29 acres in size. Lot 1 will be 1.78 acres in size, Lot 2 will be 0.75 acres in size Lot 3 will be 0.76 acres in size. The subject lot has a General Plan designation of Very Low Density Residential and Ojai Valley Area Plan designation of Urban Residential 1-2 dwelling units per acre. This means that mean if two units are allowed on a lot, 1 unit would be allowed per ½ acre. As noted in Table 2-2 of the Ventura County General Plan, the maximum percentage of building coverage for each lot is 25 percent. Thus, this finding can be made.

- 5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (See Gov. Code § 66474(e)); however, if that finding cannot be made, the advisory agency may nonetheless approve the tentative map if an environmental impact report was prepared with respect to the project and a finding was made that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report pursuant to Government Code section 66474.01 [Section 8205-6.6(e)];**

As discussed in Sections B and C.9 of this staff report, potentially significant but mitigable impacts to biological resources would result from future development of Lots 1, 2 and 3. Six mitigation measures were developed to reduce potential impacts to biological resources to less than significant. These mitigation measures require future property owners of Lots 1 through 3 to complete the following before development of the lots: (1) implement the tree protection measures included in the oak tree protection plan and monitor those protection measures after initiation of construction activities and until five years after the completion of construction activities; (2) conduct nesting bird preconstruction surveys if construction would occur during the nesting bird season; (3) require the submittal of a landscape plan that prohibits invasive landscaping and ensure installation of landscaping in accordance with the approved landscape plan; and, (4) ensure that wildlife impermeable fencing and lighting are installed that will not adversely impact wildlife movement within the identified wildlife corridor. With the implementation of these mitigation measures, the proposed subdivision and future development of the lots would be consistent with the General Plan and Ojai Valley Area Plan and are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. Thus, this finding can be made.

- 6. The design of the subdivision or type of improvements is not likely to cause serious public health problems (See Gov. Code § 66474(f)) [Section 8205-6.6(f)];**

As discussed in Sections C, D and E of this staff report (above), with the adoption of the recommended conditions of approval (Exhibit 5), the proposed subdivision will not cause serious public health problems. Future residential development on Lots 1, 2 and 3 must comply with all Federal, State and County regulations that apply to water supply and wastewater treatment facilities. In addition, all future development must comply with the development standards and regulations from the Uniform Building Code, Grading Code, and Fire Code. Based on the discussion above, the finding that the design of the subdivision or type of improvements is not likely to cause serious public health problems. Thus, this finding can be made.

- 7. The design of the subdivision or the type of improvements will not conflict with easements which are of record or are established by judgment of a court of competent jurisdiction and which have been acquired by the public at large, for access through or use of, property within the proposed subdivision; however, if**

that finding cannot be made, the advisory agency may nonetheless approve the tentative map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public (See Gov. Code § 66474(g)) [Section 8205-6.6(g)] ;

There are no existing easements that have been acquired by the public at large for access through or use of the property that is subject to the proposed subdivision. Thus, this finding can be made.

- 8. If the proposed subdivision fronts upon a public waterway, public river, public stream, coastline, shoreline, publicly owned lake or publicly owned reservoir, the applicable findings of Government Code sections 66478.4 through 66478.14 relating to public access must be made [Section 8205-6.6(h)];**

The proposed subdivision does not front on any public waterway, public river, public stream, coastline, shoreline, or publicly-owned lake or reservoir for which reasonable public access is not available or dedication of public easement is necessary to ensure reasonable public use. Thus, this finding can be made.

- 9. The proposed subdivision would be compatible with existing conditionally permitted oil and gas leases or oil and gas wells located within the proposed subdivision, and the subdivider has adequately demonstrated that all wells designated as abandoned have been or will be abandoned in accordance with the laws, regulations, and guidelines of the California Geologic Energy Management Division [Section 8205-6.6(i)] ;**

The subdivision is not located on or immediately adjacent to any known oil and gas leases. The proposed subdivision and reasonably foreseeable development of proposed Lots 1 through 3 would not adversely impact any oil and gas leases in the vicinity of the subject lot and there would not be any impacts to access roads leading to oil and gas leases. Thus, this finding can be made.

- 10. If the land, or a portion thereof, that is the subject of the proposed subdivision is subject to either: (1) a contract entered into pursuant to the California Land Conservation Act of 1965 (See Gov. Code § 51200 et seq.); (2) an open-space easement entered into pursuant to the Open-Space Easement Act of 1974 (See Gov. Code § 51070 et seq.); (3) an agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code; or (4) a conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code, the resulting parcels following the subdivision of that land shall:**
- (1) be of sufficient size to sustain their commercial agricultural use;**
 - (2) not result in residential development that is not incidental to the commercial agricultural use of the land as set forth in Government Code section 66474.4; and,**

(3) be consistent with the California Land Conservation Act of 1965 and the Ventura County Land Conservation Act Guidelines [Section 8205-6.6(j)].

The proposed subdivision does not include an existing or proposed Land Conservation Act contract. Thus, this finding can be made.

11. The subdivider has either record title to or a contractual right to acquire title to all rights-of-way necessary to provide any proposed off-site access from the proposed subdivision to the nearest public road, including to provide secondary access as required by the Ventura County Fire Protection District [Section 8205-6.6(k)];

As discussed in Section D above, there are no proposed or existing right of way or private drive easements within the exterior boundary of the subdivision. Direct access to each lot will be made available by private driveways from Burnham Road. The Subdivider will be required to improve Burnham road along the parcel's frontage in accordance with Road Standard Plate B-5[A] and Los Encinos Road along the parcel's frontage in accordance with Road Standard Plate B-5[B] (Exhibit 5, Condition No. 31). Thus, this finding can be made.

12. The proposed subdivision is located within an Earthquake Fault Zone established pursuant to the Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code, section 2621 et seq.) and is in accordance with the policies and criteria established by the California Geologic Survey pursuant to that Act (See CCR, title 14, § 3600, et seq.) [Section 8205-6.6(l)]

As discussed in the MND (Exhibit 4.a), there are no known active or potentially active faults extending through the proposed subdivision based on State of California Earthquake Fault Zones in accordance with the Alquist-Priolo Earthquake Fault Zoning Act, or within 50 feet of a known fault. Thus, this finding can be made.

13. To the extent feasible, the design of the proposed subdivision provides for future passive or natural heating or cooling opportunities pursuant to Government Code section 66473.1 [Section 8205-6.6(m)];

No new development, grading, or ground disturbance is proposed as part of this subdivision. However, future residential development of Lots 1, 2 and 3 could occur after the Parcel Map records with the Ventura County Recorder. The local area is currently served with existing electrical facilities. Future development of the lots will require an extension of the utilities to provide services. It is not expected that the demand on energy resources would be significant, based on the residentially uses that are allowed to be permitted in accordance with Ventura County NCZO Section 8105-4. The property owners of Lots 1 through 3 will be required to place all utility service lines underground whenever feasible (Exhibit 5, Condition No. 18). Thus, this finding can be made.

- 14. The proposed design of the subdivision provides for appropriate cable television systems and communication systems, including, but not limited to, telephone and Internet services, to each parcel in the subdivision that is designed to be developed with a principal building, pursuant to Government Code section 66473.3 [Section 8205-6.6(n)];**

The local area is currently served with existing electrical facilities. Future development of the lots will require an extension of the cable television systems and communication systems. It is not expected that the demand on energy resources would be significant, based on the residential uses that are allowed to be permitted on site in accordance with Ventura County NCZO Section 8105-4. The property owners of Lots 1 through 3 will be required to place all cable television systems and communication systems service lines underground whenever feasible (Exhibit 5, Condition No. 18). Thus, this finding can be made.

- 15. If the proposed subdivision is a “housing development project” as defined in Government Code section 65589.5, the statutory requirements therein must be complied with, including all limitations on imposing conditions and making the necessary findings if the tentative map for the housing development project is conditionally approved or disapproved [Section 8205-6.6(o)];**

The proposed subdivision and future development of the lots are not considered a “housing development project” as defined in Government Code section 65589.5, and the proposed subdivision and future development of Lots 1, 2 and 3 will not adversely impact housing development projects. In addition, two additional units will be added to the County’s housing stock. Thus, this finding can be made.

- 16. If the proposed subdivision would be created from the conversion of a mobilehome park to another use, the requirements of Government Code section 66427.4, Article 13 of this Chapter and Article 17 of the NCZO must be met [Section 8205-6.6(p)];**

The proposed subdivision and future development of the lots would not result in the conversion of a mobilehome park to another use. Thus, this finding can be made.

- 17. If the proposed subdivision is located in a “state responsibility area” or a “very high fire hazard severity zone”, as both are defined in Government Code section 51177, the findings required by Government Code section 66474.02 must be made [Section 8205-6.6(q)];**

As discussed in the MND (Exhibit 4.a), the proposed subdivision is in a High Fire Hazard Area/Fire Severity Zone or Hazardous Watershed Fire Area that is under the jurisdiction of the State of California Department of Forestry (Cal Fire). Future property owners of Lots 1, 2 and 3 are required by State law and the Ventura County Fire Protection District Ordinance No. 31, Section W105.1, to maintain a fuel modification area of 100 feet from all habitable structures. Thus, this finding can be made.

- 18. If the Subdivision Map Act, this Chapter, or any other law requires a specific finding to be made to approve a particular tentative map that is not set forth above or that is enacted after the adoption of this ordinance, then those findings must be made [Section 8205-6.6(r)].**

Refer to items E.19 and 20 below for additional findings that are required to be made for the proposed subdivision and future residential development of Lots 1, 2 and 3 regarding fire protection.

- 19. The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code.**

Structural fire protection and suppression services will be available for the subdivision through any of the following entities:

- a. A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity.**
- b. The Department of Forestry and Fire Protection by contract entered into pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.**

As discussed in the MND (Exhibit 4.a), the proposed subdivision is located approximately 2.5 miles northwest of the nearest Ventura County Fire Station, No. 23, addressed at 15 Kunkle Street in the unincorporated area of Oak View. The distance and response time is adequate and no new fire stations or personnel are required as a result of the proposed subdivision and future development of the lots. In addition, County fire protection and suppression services are in compliance with the State Department of Forestry and Fire Protection contract requirements regarding funding of these services. Thus, this finding can be made.

- 20. To the extent practicable, ingress and egress for the subdivision meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and any applicable local ordinance.**

Access to the proposed subdivision and the proposed buildable sites on Lots 1, 2 and 3 will be provided by an onsite private driveway adjacent to Burnham Road. The TPM (Exhibit 3) indicates that the onsite driveways will be a minimum of 20 feet in width, which meets the minimum road standards for fire equipment access pursuant to Section 4290 of the Public Resources Code and any applicable local ordinance. Thus, 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) and VCSO (Section 8205-5.1). On, August 16, 2021, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located. On August 16, 2021, the Planning Division placed a legal ad in the *Ventura County Star*. As of the date of this document, no public comments were received with regard to the proposed project.

On July 19, 2021, the Ojai Valley Municipal Advisory Committee (MAC) considered the proposed project and recommended approval of the project as proposed on a 3 to 0 vote.

The project site is located within the City of Ojai's Area of Interest. On March 15, 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. No public comments were received.

G. RECOMMENDED ACTIONS

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

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, including the proposed MND, Mitigation Measures and Mitigation Monitoring and Reporting Program (Exhibit 4.a, Exhibit 4.b and Exhibit 5), and has considered all comments received during the public comment process;
2. **FIND**, based on the whole of the record before the Planning Director, including the Initial Study and any comments received, that upon implementation of the project revisions and/or mitigation measures there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the Planning Director's independent judgment and analysis;
3. **ADOPT** the MND (Exhibit 4.a) and Mitigation Monitoring Program (Exhibit 5);
4. **FIND** that the Tentative Parcel Map No. 6011 (Case No. PL18-0137) complies with the Tentative Parcel Map approval standards of the Ventura County Subdivision Ordinance, based on the substantial evidence presented in Section E of this staff report and the entire record;
5. **APPROVE** Tentative Parcel Map No. 6011 (Case No. PL18-0137), subject to the conditions of approval (Exhibit 5);

6. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

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

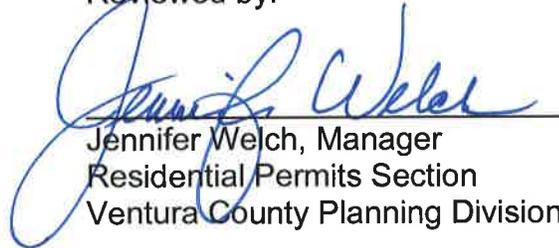
If you have any questions concerning the information presented above, please contact Kristina Boero at (805) 654-2467 or kristina.boero@ventura.org.

Prepared by:



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

Reviewed by:



Jennifer Welch, Manager
Residential Permits Section
Ventura County Planning Division

EXHIBITS

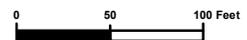
- Exhibit 2 Maps
- Exhibit 3 Subdivision Map
- Exhibit 4.a Mitigated Negative Declaration
- Exhibit 4.b Response to Public Comment on the Mitigated Negative Declaration
- Exhibit 5 Conditions of Approval and Mitigation Monitoring and Reporting Program



Ventura County
Resource Management Agency
Information Systems GIS Services
Map created on 10-12-2020
Source: Pictometry: 2019



County of Ventura
Planning Director Hearing
PL18-0137
Exhibit 2 - Maps

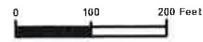


Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does no warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



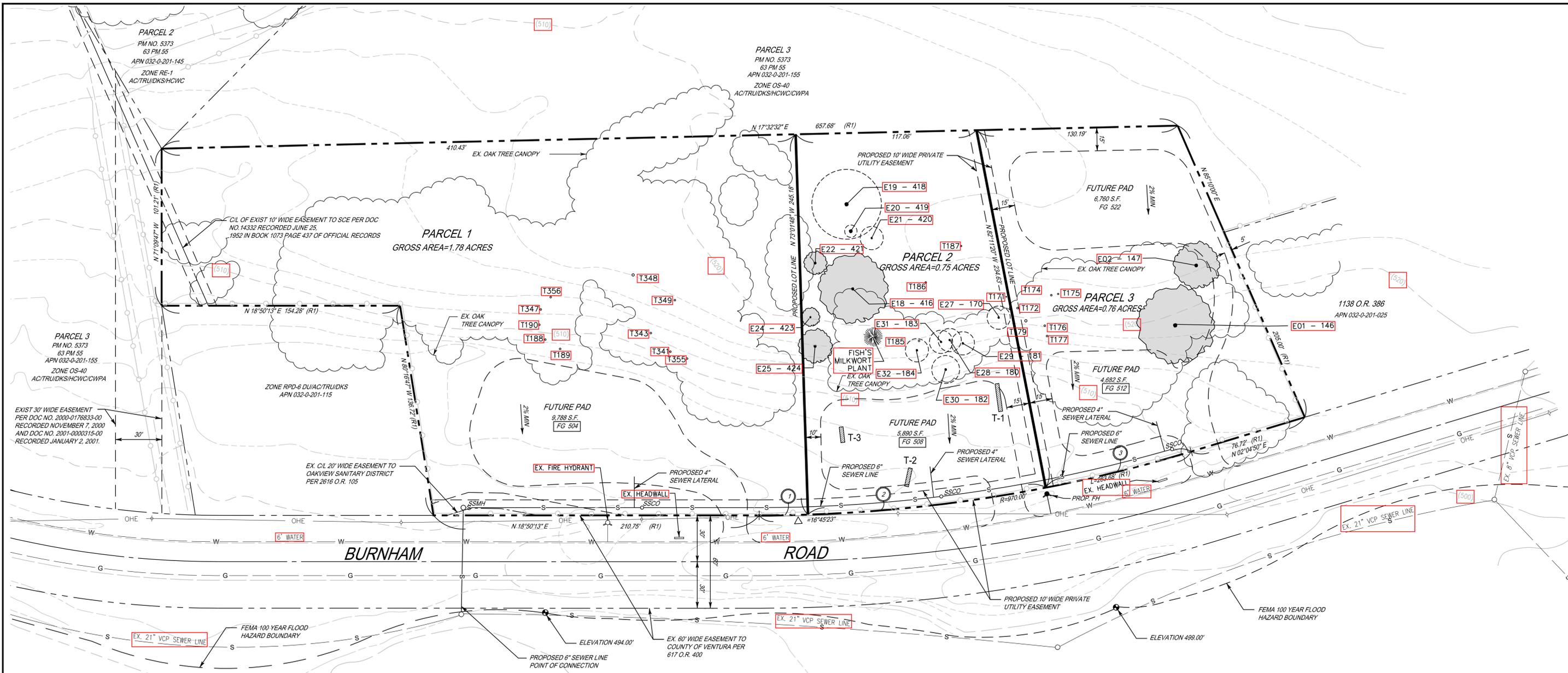


Ventura County
 Resource Management Agency
 Information Systems GIS Services
 Map created on 04-09-2021
 Source: Pictometry; 2019



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





PUBLIC UTILITIES

ELECTRIC: SOUTHERN CALIFORNIA EDISON CO. (SCE)
 GAS: SOUTHERN CALIFORNIA GAS CO.
 TELEPHONE: AT&T
 CABLE TELEVISION: SPECTRUM
 WATER: VENTURA RIVER WATER DISTRICT
 SEWER: OJAI VALLEY SANITATION DISTRICT

LAND USE DATA

- A. **AREA**
GROSS AREA 3.29 ACRES
- B. **PROJECT LOCATION**
BURNHAM ROAD, VENTURA COUNTY
- C. **ZONING & GENERAL PLAN DESIGNATION**
R1 20,000 SF FT/TRUIDKSHCWC
- D. **ASSESSORS PARCEL No.**
032-0-201-105
- E. **PROPERTY USE**
EXISTING-VACANT
PROPOSED-RESIDENTIAL/SINGLE-FAMILY
- G. **FLOOD ZONE**
FLOOD ZONE X - AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER PANEL NO. 06111C0566E DATED JANUARY 20, 2010.

LEGEND

PROPOSED		EXISTING	
20	PARCEL NUMBER	— W —	WATER
T17	PAD ELEV.	— S —	SEWER
W	WATER	— G —	GAS
S	SEWER	— OHE —	OVERHEAD ELEC.
---	EASEMENT LINE	⊕	FIRE HYDRANT
⊕	FIRE HYDRANT	⊖	POWER POLE
○	SANITARY SEWER MANHOLE	(510)	CONTOUR LINE
○	SANITARY SEWER CLEANOUT	○	SANITARY SEWER MANHOLE
---	FENCE LINE	---	FENCE LINE
---	FENCE LINE	---	FENCE LINE
T-3	TRENCH LOCATION PER SOILS REPORT		
T348	TREE NUMBER & LOCATION PER TREE REPORT		
E21-420	TREE NUMBER & LOCATION PER TREE REPORT		

ABBREVIATIONS

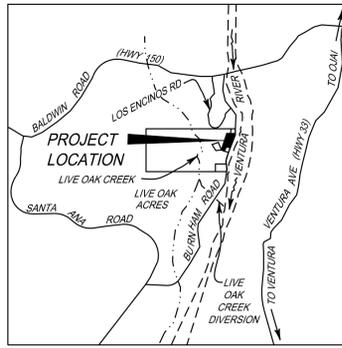
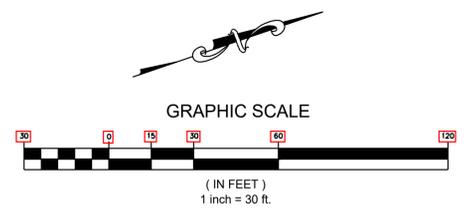
FS	FINISH SURFACE
FG	FINISH GRADE
EX	EXISTING
SSMH	SANITARY SEWER MANHOLE
SSCO	SANITARY SEWER CLEANOUT
SF	SQUARE FOOTAGE
PM	PARCEL MAP
OR	OFFICIAL RECORD
APN	ASSESSOR PARCEL NUMBER
CL	CENTER LINE
T	TREE
MIN	MINIMUM

CURVE DATA (THIS SHEET ONLY)

STATIONING	Δ	R	L	T
1	01°52'01"	970.00 (R1)	31.61'	15.81'
2	09°09'32"	970.00 (R1)	155.06'	77.70'
3	05°43'50"	970.00 (R1)	97.01'	48.55'

NOTE:
 1. FOR EXISTING TREE INFORMATION AND ASSESSMENT, SEE THE ARBORIST'S TREE PROTECTION PLAN.
 2. TOPOGRAPHIC SURVEY PREPARED BY JENSEN DESIGN & SURVEY INC.

SUBDIVIDER/OWNER:
MATTHEW PORTENSTEIN
 P.O. BOX 472
 OAK VIEW, CA 93022
 (909) 725-9743 CELL
 MPORTENSTEIN@GMAIL.COM



County of Ventura
 Planning Director Hearing
 PL18-0137
 Exhibit 3 - Subdivision Map



PREPARED BY:
GE
 Gamble Engineering Inc.
 Civil Engineering & Surveying
 1279 Poli Street - Ventura, CA 93001
 (805) 652-1973 - www.gambleengineering.com
 12/17/2020
 DATE

PROJECT NO. 78-2020
TENTATIVE PARCEL MAP No. 6011
 FOR
MATTHEW PORTENSTEIN
 PARCEL 1 OF PARCEL MAP No. 5373, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 63, PAGES 55 TO 58 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



County of Ventura Planning Division

800 South Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2488 • <http://www.ventura.org/rma/planning>

INITIAL STUDY FOR TENTATIVE PARCEL MAP NO. 6011 (CASE NO. PL18-0137)

Section A – Project Description

1. **Subdivision Case Number:** PL18-0137
2. **Name of Subdivider:** Matthew and Pamela Portenstein, PO Box 472, Oak View, CA, 93022
3. **Subdivision Location and Assessor's Parcel Number:** The 3.29-acre undeveloped property is located along Burnham Road, approximately 817 feet south of the intersection of Burnham Road and Los Encinos Road, in the community of Oak View, in the unincorporated area of Ventura County. State Highway 150 is located approximately 0.40 miles north of the subdivision. The Tax Assessor's parcel number for the parcel that constitutes the subdivision is 032-0-201-105 (Attachment 1).
4. **General Plan Land Use Designation and Zoning Designation of the Subdivision:**
 - a. **General Plan Land Use Designation:** Very Low Density Residential (Attachment 2)
 - b. **Ojai Valley Area Plan Land Use Map Designation:** Urban Residential 1-2 dwelling units per acre (UR 1-2 DU/AC) (Attachment 2)
 - c. **Zoning Designation:** (R1-20,000 sq. ft. / TRU / DKS / HCWC) Single-Family Residential, 20,000 square feet minimum lot size / Temporary Rental Unit Regulation overlay zone / Dark Sky overlay zone / Habitat Connectivity Wildlife Corridor overlay zone (Attachment 2)
5. **Description of the Environmental Setting:** The site is undeveloped. The subject lot (APN 032-0-201-105) has existing wildlife impermeable fencing along the perimeter forming an enclosed area and was installed prior to Planning staff's November 11, 2018 site visit. The fencing is comprised of barbed wire and does not exceed 60 inches in height from grade. The subject lot is located approximately 250 feet west (at closet point) of the Ventura River and approximately 733 feet west (at closest point) of Live Oak Creek, which are Ventura County Watershed Protection District (District) jurisdictional redline channels. The topography of the subdivision is relatively flat on the east and west, with a ridge approximately 15 feet in height running in a north-south direction along the western boundary. The subdivision contains an oak woodland

County of Ventura
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Exhibit - 4.a Mitigated Negative Declaration

that consists predominantly of coast live oak (*Quercus agrifolia*), with an understory of non-native annual grasses and herbs. The site has been cleared for horse and burro grazing, which resulted in the loss of woody vegetation under the canopy. Residential development is to the north and south and agricultural crop production and grazing land to the west of the subject lot. The Los Encinos residential neighborhood is located approximately 139 feet north of the subdivision.

6. **Project Description:** Matthew and Pamela Portenstein (“Subdivider”), request approval of a Tentative Parcel Map (TPM) to subdivide an approximately 3.29-gross acre lot into 3 separate lots. After Parcel Map No. 6011 records, proposed Lot 1 will be 1.78 acres (77,531.4 square feet [sq. ft.]), proposed Lot 2 will be 0.75 acres (32,782 sq. ft.) and proposed Lot 3 will be 0.76 acres (32,930 sq. ft.). The net acreage and gross acreage will be the same after Parcel Map No. 6011 records because there are no proposed or existing right of way or private drive easements within the exterior boundary of the tentative parcel map. Residential development of each lot could occur with a ministerial zoning clearance following recordation of the TPM. Future development would be restricted to designated building sites as shown on the TPM (Attachment 3). A private onsite driveway on each proposed lot will provide direct access to Burnham Road.

The proposed building sites minimize adverse impacts to the oak woodland, however, the access road on Lot 3 would be located under oak tree canopies and would adversely affect 0.11 acres of coast live oak woodland (*Quercus agrifolia* Woodland Alliance). Two protected coast live oak trees, identified as tree no. 146 and no. 147 (Attachment 4), would be encroached upon as a result of future development on Lot 3. The Subdivider provided a Tree Protection Plan (Attachment 4) to minimize tree encroachment and mitigate for any loss to protected trees.

The Ventura River Water District (VRWD) will provide potable water service to the subdivision. Public sewer is operated by the Ojai Valley Sanitary District (OVSD) and the subdivision is located within the sphere of influence of the OVSD. The nearest sewer connection is located approximately 77 feet east of the subdivision. The Subdivider proposes to connect future residential development to public sewer. On December 19, 2019, the Ventura Local Agency Formation Commission (LAFCo) approved and recorded with the Ventura County Recorder, a Certificate of Completion¹ (Document No. 20191216-0015639-0), which authorized the annexation of the subject lot into OVSD.

7. **List of Responsible and Trustee Agencies:** California Department of Fish and Wildlife (CDFW) and Local Agency Formation Commission (LAFCo).

¹ Parcel B of LAFCO 19-03 Ojai Sanitary District Annexation Amber Cuyama Burnham (Parcels A – D)

8. **Methodology for Evaluating Cumulative Impacts:** Pursuant to the California Environmental Quality Act (CEQA) Guidelines [§ 15064(h)(1)], this Initial Study evaluates the cumulative impacts of the project, by considering the incremental effects of the proposed subdivision in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects within a 5-mile radius of the subdivision. The projects listed in Table 1 (Ventura County Unincorporated Area projects) are included in the evaluation of the cumulative impacts of the project, due to their proximity to the proposed subdivision site and potential to contribute to environmental effects of the proposed subdivision. Attachment 5 (Pending and Recently Approved Projects Ventura County Unincorporated Area) of this initial study includes a map of pending and recently approved projects within the Ventura County Unincorporated Area.

Table 1 – List of Pending and Approved Projects within 5 miles of the Subdivision for the Ventura County Unincorporated Area

Case No.	Use	Status
PL20-0095	Request to grant a new CUP for the installation of a 45 ft. tall Mono-Eucalyptus tree with 5 feet of branches on top. The tree includes (9) Panel Antennas, (36) RRU Radio Units, (2) Microwave Antennas, (4) Surge Suppressors, (2) Power Cabinets, (4) Purcell Cabinets, (1) GPS Antenna, Utility Cabinets, (3) DC-12_Outdoor, (1) 20 KW DC Generator, and a 8 ft. high chain link fence.	Pending
PL20-0084	Request for approval of new Planned Development (PD) permit to authorize demolition of two existing buildings in order to construct a proposed 6,797 sq. ft. commercial retail building on North Ventura Ave (Highway 33). The request includes removal of the existing parking area to resurface the existing pavement. Roadway improvements such as a concrete sidewalk, installation of a trash enclosure and landscaping will be installed as part of this project.	Pending
PL20-0069	Request for continued operation of an auction house conditionally permitted via CUP No. LU07-0147 for an additional 10-year period. Auctions will continue to occur on the weekends with approximately 80 persons from the public in attendance during each auction. Access to the site is made from Highway 33 and approximately 43	Pending

	parking spaces are provided for the public. No new structures are proposed with this project.	
PL20-0065	New 10-year Agricultural Land Conservation Act Contract for the 106.57 acre property located at 10999 Santa Ana Road, Oak View, CA on APN 011-0-190-305.	Pending
PL20-0017	Request for continued operation of a wireless communication facility for an additional 10-year period, as authorized by CUP No. LU09-0044. Facility consists of an existing 50 foot high antenna tower and a 10 foot by 15 foot equipment building located within a 968 sq. ft. lease area and surrounded by a 6 foot high chain-link fence.	Approved
PL19-0089	Request for a Minor Modification of CUP No. LU05-0118 for the continued operation of an equipment rental yard, known as Greg Rents, with associated sales of landscaping materials. As part of the CUP renewal, the applicant requests removal of Condition No. 25 of LU05-0118, which requires street improvements (sidewalk, curb and gutter) along Highway 33. The project site is serviced by Casitas Municipal Water District and Ojai Valley Sanitation District.	Pending
PL19-0086	PMW / LLA between two lots in compliance with the subdivision map act pursuant to Govt. Sec. 66499.34. Parcel 1 will decrease in lot area from 20 acres to 19.99 acres. Parcel 2 will increase in lot area from 1.38 acres to 1.39 acres. Both of lots are non-conforming to minimum lot size designated in the OS-40 ac zone. Parcel 2 contains three existing non-conforming dwellings which will be removed prior to recordation of lot line adjustment.	Pending
PL19-0057	A new CUP to expand a legal non-conforming cemetery with the construction of a columbarium to intern 48 cremated remains (48 niches). The columbarium is 4 feet 10 inches in height and 37 sq. ft. in area with 93 sq. ft. of concrete paving. A 21-space gravel parking lot is proposed for guests allowed on the property only by appointment. Events for interments would be for no more than 40 guests and the hours to hold these events will be between 9:00 am and 3:00 pm (Monday-Friday).	Approved

PL19-0050	PMW / LLA between two lots with a referenced address of 197 Villanova Rd, Ojai. Both parcels are legal, as confirmed by certificate of compliance. Parcel 1, a 2.51 acre lot, will acquire 1.18 acres from Parcel 2, a 2.19 acre lot.	Pending
PL18-0052	Major Modification to CUP No. 3048 to add 3 new parcels, a new Machon Building, and six, 432 sq. ft. cabins to Camp Ramah CUP. Camp-related events will continue to occur throughout the calendar year. Several accessory structures are proposed to be legalized as a part of the project request.	Pending
PL17-0134	Minor Modification to CUP No. 4966 for an additional 30-year period to continue the operation of the Montessori School of Ojai. The number of students (maximum of 140), the number of faculty and employees (maximum of 35), and hours of operation will not change.	Pending
PL16-0090	Parcel Map Waiver/Lot Line Adjustment (PMW / LLA) between three parcels. As a result of the LLA APN 033-0-440-105 will be 43,859 sq. ft., APN 033-0-440-095 will be 27,241 sq. ft., and APN 033-0-270-575 will be 447,903 sq. ft.	Pending
PL13-0178	Minor modification to Conditional Use Permit (CUP) No. 4408 to allow for the continued operation of the Ojai Valley Organics Recycling Facility for an additional 10-year period.	Pending

Section B – Initial Study Checklist and Discussion of Responses²

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
RESOURCES:								
1. Air Quality (VCAPCD)								
Will the proposed project:								

² The threshold criteria in this Initial Study are derived from the *Ventura County Initial Study Assessment Guidelines* (April 26, 2011). For additional information on the threshold criteria (e.g., definitions of issues and technical terms, and the methodology for analyzing each impact), please see the *Ventura County Initial Study Assessment Guidelines*.

a) Exceed any of the thresholds set forth in the air quality assessment guidelines as adopted and periodically updated by the Ventura County Air Pollution Control District (VCAPCD), or be inconsistent with the Air Quality Management Plan?		X				X		
b) Be consistent with the applicable General Plan Goals and Policies for Item 1 of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

1a. Based on information provided by the Subdivider, air quality impacts will be below the five pounds per day threshold for reactive organic compounds and oxides of nitrogen as described in the Ventura County Air Quality Assessment Guidelines and for parcels within the jurisdiction of the Ojai Valley Area Plan. Furthermore, based on information in the project application, the subdivision will generate local air quality impacts, but those impacts are not likely to be significant.

Although the proposed subdivision will not create a significant impact with regard to air quality, future property owners of Lots 1 through 3 will be required to comply with the provisions of applicable VCAPCD Rules and Regulations (2008), in order to minimize fugitive dust and particulate matter that may result from future development that may occur on the site. These Rules include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust)³.

Thus, the proposed subdivision would have less than significant project-specific and cumulative impacts related to air quality.

1b. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 1 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS

³ <http://www.vcapcd.org/Rulebook/Rule4.htm>

2A. Water Resources – Groundwater Quantity (WPD)								
Will the proposed project:								
1) Directly or indirectly decrease, either individually or cumulatively, the net quantity of groundwater in a groundwater basin that is overdrafted or create an overdrafted groundwater basin?		X				X		
2) In groundwater basins that are not overdrafted, or are not in hydrologic continuity with an overdrafted basin, result in net groundwater extraction that will individually or cumulatively cause overdrafted basin(s)?		X				X		
3) In areas where the groundwater basin and/or hydrologic unit condition is not well known or documented and there is evidence of overdraft based upon declining water levels in a well or wells, propose any net increase in groundwater extraction from that groundwater basin and/or hydrologic unit?		X				X		
4) Regardless of items 1-3 above, result in 1.0 acre-feet, or less, of net annual increase in groundwater extraction?		X				X		
5) Be consistent with the applicable General Plan Goals and Policies for Item 2A of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

2A-1 through 2A-4.

The County’s Subdivision Ordinance requires each of the resulting lots to have a water supply source. Water supply is provided by the VRWD. Water service is from the Casitas Municipal Water District (CMWD). A conditional Water Availability Letter (WAL) (dated October 23, 2018) from CMWD was submitted with the application by the Subdivider.

There are currently no structures on the property, however an existing water meter is located on the lot. The water bill supplied by the Subdivider shows no water use. The

Subdivider proposes that the existing water service water allocation be assigned to the 1.78 acre-lot (proposed Lot 1). New water service from the VRWD for proposed Lots 2 and 3 would require an allocation of 0.85 acre feet of water per year (AFY) for each lot.

Water Availability Certificates for each resulting lot must be obtained prior to the recordation of the Parcel Map No. 6011. The proposed subdivision is within VRWD's service area and VRWD would provide Water Availability Certificates upon notification from CMWD that the Subdivider has completed all water service requirements. VRWD has an approved Water Availability Letter (WAL, 15-0012) that complies with the Ventura County Waterworks Manual by issuance letter dated April 13, 2006. Prior to entering into an agreement to assign an allocation, the Subdivider will need to obtain approval from CMWD through (1) the submittal of water improvement plans and an estimated water demand for each lot; (2) demonstrate that each lot created by Parcel Map No. 6011 has been assigned an APN; (3) and, (4) complete all necessary financial and legal arrangements with CMWD to secure the additional water allocation for proposed Lots 2 and 3.

Reasonably foreseeable development may occur after Parcel Map No. 6011 records. The lots are located within the Ojai Valley Area Plan (OVAP) boundary. Policy WR-64.2 of the OVAP requires new development that creates a new water demand more than existing demand, will require a water offset plan to offset the new water demand. For the proposed TPM, a total offset of 1.7 AFY for future development of Lots 2 and 3 would be required (0.85 AFY for each lot). The future property owner of each resulting lot will be subject to a standard condition of approval that will require submittal and approval of a water offset plan prior to the issuance of the building permit. The water offset plan shall discuss how future development on the resulting lots will not add any net increased demand on the existing water supply. For instance, this can be accomplished through the installation of residential water leak detection devices, installation of drought tolerant and water efficient landscaping, or installation of water efficient plumbing fixtures. The water offset plan will be subject to review and approval by the Ventura County Watershed Protection District. With the implementation of this standard condition, the project-specific and cumulative impacts to groundwater quantity will be less than significant.

With implementation of a condition of approval to submit a water offset plan prior to development, the proposed subdivision will result in less than 1 acre-foot of net annual groundwater extraction, which is considered less than significant.

Thus, the proposed subdivision would have a less than significant project-specific and cumulative impacts related to groundwater quantity.

2A-5. The proposed subdivision will be consistent with the *Ventura County 2040 General Plan* for Item 2A of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
2B. Water Resources - Groundwater Quality (WPD)								
Will the proposed project:								
1) Individually or cumulatively degrade the quality of groundwater and cause groundwater to exceed groundwater quality objectives set by the Basin Plan?		X				X		
2) Cause the quality of groundwater to fail to meet the groundwater quality objectives set by the Basin Plan?		X				X		
3) Propose the use of groundwater in any capacity and be located within two miles of the boundary of a former or current test site for rocket engines?	X				X			
4) Be consistent with the applicable General Plan Goals and Policies for Item 2B of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

2B-1 and 2B-2. The proposed subdivision overlies the Upper Ventura River Basin which is identified as a medium priority basin not in critical overdraft. Reasonably foreseeable development of Lot 1 through 3 will have a less than significant impact on groundwater quality because each of the proposed lots will be required to connect to sewer via the OVSD. By connecting to sewer, the proposed subdivision would not individually or cumulatively degrade the quality of groundwater and cause groundwater to exceed groundwater quality objectives set by the Basin Plan.

2B-3. The proposed subdivision is not located within two miles of the boundary of a former or current test site for rocket engines.

Thus, the proposed subdivision would have less than significant project-specific and cumulative impacts related to groundwater quality.

2B-4. The proposed subdivision will be consistent with the *Ventura County 2040 General Plan* for Item 2B of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
2C. Water Resources - Surface Water Quantity (WPD)								
Will the proposed project:								
1) Increase surface water consumptive use (demand), either individually or cumulatively, in a fully appropriated stream reach as designated by SWRCB or where unappropriated surface water is unavailable?		X				X		
2) Increase surface water consumptive use (demand) including but not limited to diversion or dewatering downstream reaches, either individually or cumulatively, resulting in an adverse impact to one or more of the beneficial uses listed in the Basin Plan?		X				X		
3) Be consistent with the applicable General Plan Goals and Policies for Item 2C of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

2C-1 and 2C-2. Water supply will be provided by VRWD and is a combination of groundwater pumped by VRWD and surface water from Lake Casitas supplied to VRWD by CMWD. A limited number of new allocations are able to be supplied by CMWD based on their approved Water Availability Letter on file with the County (WAL 16-0001). Reasonably foreseeable development of Lots 2 and 3 would require a total allocation from

CMWD of 1.70 AFY. Based on the approved CMWD WAL the proposed subdivision would be within CMWD's available supply and would not significantly increase surface water consumptive use (demand). Policy WR-64.2 of the OVAP requires that if new development creates a new water demand that is more than existing demand, then a water offset plan is required to offset the 1.70 AFY required for development on Lots 2 and 3, (0.85 AFY for each lot). The property owner of each resulting lot will be subject to a condition of approval that will require submittal of a water offset plan to be reviewed and approved by the Ventura County Watershed Protection District prior to the issuance of the building permit for residential development on Lots 2 and 3. With the implementation of this condition of approval, project-specific and cumulative impacts related to surface water quantity will be less than significant.

2C-3. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 2C of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
2D. Water Resources - Surface Water Quality (WPD)								
Will the proposed project:								
1) Individually or cumulatively degrade the quality of surface water causing it to exceed water quality objectives as contained in Chapter 3 of the three Basin Plans?		X				X		
2) Directly or indirectly cause storm water quality to exceed water quality objectives or standards in the applicable MS4 Permit or any other NPDES Permits?		X				X		
3) Be consistent with the applicable General Plan Goals and Policies for Item 2D of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

1) Be located on or immediately adjacent to land zoned Mineral Resource Protection (MRP) overlay zone, or adjacent to a principal access road for a site that is the subject of an existing aggregate Conditional Use Permit (CUP), and have the potential to hamper or preclude extraction of or access to the aggregate resources?	X				X				
2) Have a cumulative impact on aggregate resources if, when considered with other pending and recently approved projects in the area, the project hampers or precludes extraction or access to identified resources?					X				
3) Be consistent with the applicable General Plan Goals and Policies for Item 3A of the Initial Study Assessment Guidelines?	X				X				

Impact Discussion:

3A-1 and 3A-2. The subdivision is not located on or immediately adjacent to land that includes the Mineral Resource Protection (MRP) overlay zone, or adjacent to a principal access road for a site that is the subject of an existing aggregate CUP. Thus, the proposed subdivision and reasonably foreseeable development of proposed Lots 1 through 3 would not have the potential to hamper or preclude extraction of or access to aggregate resources.

Thus, there would not be any project-specific or cumulative impacts related to aggregate resources.

3A-3. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 3A of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**				
	N	LS	PS-M	PS	N	LS	PS-M	PS	
3B. Mineral Resources – Petroleum (Plng.)									
Will the proposed project:									

1) Be located on or immediately adjacent to any known petroleum resource area, or adjacent to a principal access road for a site that is the subject of an existing petroleum CUP, and have the potential to hamper or preclude access to petroleum resources?	X				X			
2) Be consistent with the applicable General Plan Goals and Policies for Item 3B of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

3B-1. The subdivision is not located on or immediately adjacent to any known petroleum resource area, or adjacent to a principal access road for a site that is the subject of an existing petroleum CUP. As a result, the proposed subdivision and reasonably foreseeable development of proposed Lots 1 through 3 would not have the potential to hamper or preclude access to petroleum resources.

Thus, there would not be any project-specific or cumulative impacts related to petroleum resources.

3B-2. The proposed subdivision is consistent with the applicable *Ventura County 2040 General Plan* for Item 3b of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
4. Biological Resources								
4A. Species								
Will the proposed project, directly or indirectly:								
1) Impact one or more plant species by reducing the species' population, reducing the species' habitat, fragmenting its habitat, or restricting its reproductive capacity?			X				X	

2) Impact one or more animal species by reducing the species' population, reducing the species' habitat, fragmenting its habitat, or restricting its reproductive capacity?			X				X	
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According to the United States Department of the Interior Bureau of Land Management (BLM)⁴, *sensitive species are those species requiring special management consideration to promote their conservation and reduce the likelihood and need for future listing under the Endangered Species Act. Sensitive species are managed as special-status species, along with Federally-listed and proposed species, which are automatically treated as special-status species.*

Impact Discussion:

4.A-1. This biological resource evaluation is based on an Initial Study Biological Assessment (ISBA) (Attachment 6) that was prepared by Padre Associates for the proposed subdivision (prepared October 12, 2018 and revised September 25, 2020). An Arborist Report and Tree Protection Plan (Attachment 4) evaluated the health of all protected oak trees on the proposed subdivision. The proposed subdivision includes an existing oak woodland of approximately 1.55 acres and an understory of approximately 1.74 acres of non-native annual grasses and herbs. Various oak trees are also located throughout the subdivision that are considered protected trees under Section 8107-25 et. seq. of the Ventura County Non-Coastal Zoning Ordinance (NCZO) Tree Protection Regulations. Based on the location of the proposed building sites on Lots,1 through 3, no protected trees will need to be removed. However, the access road on Lot 3 would be located under oak tree canopies and would adversely affect 0.11 acres of coast live oak woodland (*Quercus agrifolia Woodland Alliance*).

Future construction of the driveway on proposed Lot 3 will encroach into Tree No. 146 and Tree No. 147 identified in the Tree Protection Plan prepared by Arborist Bill Millet (Attachment 4). The Ventura County NCZO Tree Protection Regulations (Section 8107-25 et. seq.) and Tree Protection Guidelines (Sections 8107-25.9 and 8107-25.10) set forth regulations that protect certain species of trees within unincorporated Ventura County. The Tree Protection Guidelines identify mitigation options that are available when tree removal and/or tree encroachment will occur. Options include transplanting trees on or offsite, reforestation, planting new trees, dedication of land in fee or through easements, and financial contributions. Regulations also require a Tree Protection Plan that must address the condition and protection of all trees, including those affected by alteration and limbing, within 20 feet of the building site (which includes the fuel modification zone).

⁴ <https://www.blm.gov/policy/ca-ib-2020-006>

Site grading and construction has the potential to adversely affect on-site oak trees through inadvertent damage to trunks, branches, and root zones during operation of heavy equipment, trenching, and other construction activities. Impacts from the permitted or inadvertent encroachment into the tree protection zone of Tree Nos. 146 and 147 is considered potentially significant. To ensure impacts to protected trees are reduced to a less than significant, the property owner of proposed Lot 3 will be required to implement the Tree Protection Plan that was prepared for the proposed subdivision in compliance with the County's Tree Protection Guidelines, Oak Woodland Conservation Act (Public Resources Code, 2014d, Section 21083.4), and Fish and Game Code (Section 1361) (refer to Mitigation Measure BIO-1). The Tree Protection Plan discussed above includes, but is not limited to, construction fencing to delineate the trees and their respective protection areas, prohibiting construction equipment or materials to be stored within tree protection areas, requiring hand trenching in the tree protection zone, putting new utilities beneath roadways, driveways or in designated utility corridors, and arborist monitoring. In addition, the future property owner of proposed Lot 3 will be required to submit annual monitoring reports for five years following construction of the access driveway, prepared by an arborist, that addresses the success of tree protection measures and the overall condition of encroached-upon trees relative to their condition (refer to Mitigation Measure BIO-2).

With the implementation of Mitigation Measures (MM) BIO-1 and MM BIO-2, impacts to special-status trees would be considered less than significant.

The ISBA (Attachment 6) notes Fish's milkwort (*Polygala cornuta ssp. Fishiae*), a special-status species, was observed within the survey area on Proposed Lot 2. As discussed above, the building pad on proposed Lot 2 has been located to avoid this special-status species. The ISBA (Attachment 6) notes that there is a potential for 15 special-status plant species (SSP1⁵ through SSP15) to occur within the Survey Area. Some of these special-status species include: Miles' milkvetch, Davidson's salt scale, California satin tail and White rabbit tobacco⁶. There are no federally-identified plant species known to occur or were observed in the Survey Area. The late-flowered Mariposa Lilly (*Calochortus fimbriatus*) and the White-veined monardella (*Monardella hypoleuca ssp. Hypoleucahave*) are the only two special-status plant species that have a "low to moderate" potential to occur within the Survey Area. These plants are listed as rare or endangered in California and ranked as California Native Plant Society (CNPS) 1B, according to the California Natural Diversity Database and CDFW, are not ranked as federally or State-protected⁷, but considered a sensitive species. The habitat for these two special-status plant species is chaparral, woodland and riparian woodland. Due to the long disturbance history of the Survey Area and lack of suitable habitat, impacts to these special-status species is less than significant.

⁵ Special-status Plant

⁶ Refer to the table on pg. 14 of the September 2020 ISBA.

⁷ Attachment A of the September 2020 ISBA

4A-2. Critical habitat for the endangered southwestern willow flycatcher (*Empidonax traillii extimus*) is designated along the Ventura River, as close as 230 feet east (at closet point) of the subject property. The Ventura River is designated as critical habitat. Habitat loss or change prompts migration of the willow flycatcher to move into the Ventura River. The Ventura River is designated as critical habitat to the Southwestern Willow Flycatcher. A total of 28 vertebrate animal species were observed within the area, including 22 bird species and six mammal species. Species included: Eurasian collared dove, Mourning dove, Western scrub jay, Wilson warbler, Deer mouse, Coyote and Domestic horse⁸. No special-status wildlife species were observed within the Survey Area.

The ISBA (Attachment 6) also notes that there is a potential for 15 special-status wildlife species (SSP16 through SSP30) known to occur within the Survey Area. Cooper's hawk has been observed in the area and could nest in oak trees within the Survey Area. Additional special-status wildlife species known in the area include: Western pond Turtle, Coast horned lizard and Burrowing owl⁹. Due to the long disturbance history of the Survey Area, lack of suitable habitat, and because there were no protected special-status wildlife species observed within the Survey Area, impacts to these other special-status wildlife species is less than significant.

The Federal Migratory Bird Treaty Act (MBTA) and the California Department of Fish and Game (CDFG) Code (Sections 3503, 3503.5, 3511, 3513, and 3800) protect most native birds. In addition, the federal and state endangered species acts protect some bird species listed as threatened or endangered. CDFG Code Section 3513 upholds the MBTA by prohibiting any take or possession of birds designated by the MBTA as migratory nongame birds except as allowed by federal rules and regulations promulgated pursuant to the MBTA. In addition, CDFG Codes (Sections 3503, 3503.5, 3511, and 3800) further protect nesting birds and their parts, including passerine birds, raptors, and state "fully protected" birds. Impacts to birds protected by these regulations would occur during the breeding season, because unlike adult birds, eggs and chicks are unable to escape impacts.

The proposed subdivision contains habitat that includes a moderately degraded coast live oak woodland, cleared grazing lands, understory of non-native grasses and herbs and emergent shrubs that can support nesting birds, including raptors. Birds may nest in the trees associated with the woodland, the scattered shrubs, or within the disturbed vegetation during the bird nesting season, typically between February 1 and September 1. No direct impacts will occur to oak woodland habitats, except for the potential encroachment of oak tree nos. 146 and 147 on proposed Lot 3 to construct the access driveway. Encroachment of these trees, as well as indirect impacts, such as noise, vibration, and human presence during land clearing activities could cause potentially

⁸ Refer to Appendix SB of the September 2020 ISBA.

⁹ Refer to footnote 3 for a complete list of the special-status wildlife species.

significant impacts to nesting birds. The potential encroachment upon these two protected oak trees during the nesting season would result in a significant project-specific impact and would be a cumulatively considerable contribution to a significant cumulative impact to nesting birds—including the special-status species (i.e., Cooper's hawk). To ensure impacts to nesting birds is avoided, the map will be conditioned to require land clearing activities occur outside the bird nesting season (February 1 – September 1) or prior to land clearing activities on Lots 1, 2 and 3, a qualified biologist conducts pre-construction surveys within the nesting season to determine presence or absence and if present, to avoid impacts to nesting birds (Refer to MM BIO-3).

Mitigation/Residual Impact(s)

With the implementation of the mitigation measures set forth below, project-specific impacts to biological resources, as well as the project's contribution to significant cumulative impacts to special-status plant and animal species, will be less than significant.

Biological Resources MM BIO-1: Tree Protection Plan (TPP)

Purpose: The purpose of this mitigation measure is to: (1) avoid potentially significant impacts to the coast live oak trees (*Quercus agrifolia*) and oak woodlands; and (2) ensure compliance with the County's Tree Protection Regulations (Ventura County NCZO Section 8107-25 et seq.), *Oak Woodland Conservation Act* (Public Resources Code, 2014d, Section 21083.4, and Fish and Game Code Section 1361), and Ojai Valley Area Plan Policy OV 36.8.

Requirement: The Subdivider shall prepare a TPP pursuant to the requirements set forth in the Ventura County "Content Requirements for Tree Protection Plans" (2010b), which is currently available on-line at:

<http://www.ventura.org/rma/planning/pdf/permits/tree/Tree-Protection-Plan-11-11-19.pdf>.

The Subdivider shall conduct all development activities on the lots created by the Tentative Parcel Map, pursuant to the requirements set forth in the TPP.

Documentation: The Subdivider shall retain an arborist to prepare the TPP and submit the TPP to the Planning Division for review and approval.

Timing: Prior to the recordation of the Parcel Map, the Subdivider shall submit the TPP to the Planning Division for review and approval. Prior to issuance of the first Zoning Clearance for any development activities that have the potential to adversely affect protected trees, the Subdivider must implement the tree protection measures, and submit the required documentation to demonstrate that the Subdivider implemented the tree protection measures, pursuant to the requirements set forth in the approved TPP.

Monitoring and Reporting: The Subdivider shall retain an arborist to monitor and prepare the documentation regarding the health of the protected trees, pursuant to the monitoring and reporting requirements set forth in the "Content Requirements for Tree

Protection Plans.” The Planning Division maintains a copy of the approved TPP in the project file. The Planning Division has the authority to inspect the property to ensure that the Subdivider complies with the requirements of the TPP and may implement enforcement actions in accordance with Section 8114-3 of the Ventura County NCZO.

MM BIO-2: Tree Health Monitoring and Reporting

Purpose: To comply with the County’s Tree Protection Regulations in Section 8107-25 of the Ventura County NCZO and Tree Protection Guidelines, with the Oak Woodland Conservation Act (Public Resources Code Section 21083.4, Fish and Game Code Section 1361).

Requirement: The Subdivider shall submit annual monitoring reports, prepared by an arborist, after initiation of construction activities and until five years after the completion of construction activities, which address the success of tree protection measures and the overall condition of encroached-upon trees relative to their condition prior to the initiation of construction activities. If any trees are found to be in serious decline (e.g., “D” status, or “C” status if pre-construction status was “A”), the arborist’s report must include a Damaged Tree Addendum to the TPP which recommends offsets and any associated additional monitoring.

Documentation: The Subdivider shall submit annual arborist reports as stated in the “Requirement” section of this condition (above).

Timing: The Subdivider shall submit annual arborist reports after initiation of construction activities and until five years after the completion of construction activities.

Monitoring and Reporting: The Subdivider shall implement any recommendations made by the arborist’s Damaged Tree Addendum to the satisfaction of the Planning Director. The Planning Division maintains copies of all documentation and evidence that the arborist’s recommendations are implemented. The Planning Division has the authority to inspect the site to confirm the health of the protected trees and to ensure that the recommendations made by the arborist are implemented consistent with the requirements of Section 8114-3 of the Ventura County NCZO.

MM BIO-3: Avoidance of Nesting Birds

Purpose: In order to prevent impacts on birds protected under the Migratory Bird Treaty Act, land clearing activities shall be regulated.

Requirement: The Property Owner of Lot 3 shall conduct all demolition, tree removal/trimming, vegetation clearing, and grading activities (collectively, “land clearing activities”) in such a way as to avoid nesting native birds. This can be accomplished by implementing one of the following options:

1. Timing of construction: Prohibit land clearing activities during the breeding and nesting season (February 1 – September 1) in which case the following surveys are not required; or
2. Surveys and avoidance of occupied nests: Conduct site-specific surveys prior to land clearing activities during the breeding and nesting season (February 1 – September 1) and avoid occupied bird nests. Surveys shall be conducted to identify any occupied (active) bird nests in the area proposed for disturbance. Occupied nests shall be avoided until juvenile birds have vacated the nest. All surveys shall be performed under the supervision of a qualified wildlife biologist familiar with the ecology of the species, and with experience conducting preconstruction clearance surveys.

An initial breeding and nesting bird survey shall be conducted 30 days prior to the initiation of land clearing activities. The subdivision must continue to be surveyed on a weekly basis with the last survey completed no more than 3 days prior to the initiation of land clearing activities. The nesting bird survey must cover the development footprint and 300 feet from the development footprint. If occupied (active) nests are found, land clearing activities within a setback area surrounding the nest shall be postponed or halted. Land clearing activities may commence in the setback area when the nest is vacated (juveniles have fledged) provided that there is no evidence of a second attempt at nesting, as determined by the County-approved biologist. Land clearing activities can also occur outside of the setback areas. The required setback is 300 feet for most birds and 500 feet for raptors, as recommended by the California Department of Fish and Wildlife. This setback can be increased or decreased based on the recommendation of the County-approved biologist and approval from the Planning Division.

Documentation: The Property Owner of Lot 3 shall provide to the Planning Division a Survey Report from a County-approved biologist documenting the results of the initial nesting bird survey and a plan for continued surveys and avoidance of nests in accordance with the requirements above. Along with the Survey Report, the Property Owner of Lot 3 shall provide a copy of a signed contract with a County-approved biologist responsible for the surveys, monitoring of any occupied nests discovered, and establishment of mandatory setback areas. The Property Owner of Lot 3 shall submit to the Planning Division a Mitigation Monitoring Report from a County-approved biologist following land clearing activities documenting actions taken to avoid nesting birds and results.

Timing: If land clearing activities will occur between February 1 to September 1, nesting bird surveys shall be conducted 30 days prior to initiation of land clearing activities, and weekly thereafter, and the last survey for nesting birds shall be conducted no more than 3 days prior to initiation of land clearing activities. The Survey Report documenting the results of the first nesting bird survey and the signed contract shall be provided to the Planning Division prior to issuance of a Zoning Clearance for any land clearing activities. The Mitigation Monitoring Report shall be submitted within 14 days of completion of the land clearing activities.

Monitoring and Reporting: The Planning Division shall review the Survey Report and signed contract for adequacy prior to issuance of a Zoning Clearance for land clearing activities. The Planning Division shall maintain copies of the signed contract, Survey Report, and Mitigation Monitoring Report in the project file.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
4B. Ecological Communities - Sensitive Plant Communities								
Will the proposed project:								
1) Temporarily or permanently remove sensitive plant communities through construction, grading, clearing, or other activities?			X				X	
2) Result in indirect impacts from project operation at levels that will degrade the health of a sensitive plant community?		X				X		

Impact Discussion:

4.B-1 and -2. As discussed in item 2A-1 above, Fish’s milkwort (*Polygala cornuta ssp. Fishiae*), a special-status species, was observed within the survey area on proposed Lot 2. The building pad on proposed Lot 2 has been located to avoid this special-status species. The ISBA (Attachment 6) notes that there is a potential for 15 special-status plant species (SSP1 through SSP15) to occur within the Survey Area. Some of these special-status species include: Miles’ milkvetch, Davidson’s salt scale, California satin tail and White rabbit tobacco¹⁰. There are no federally listed plant species known to occur or were observed in the Survey Area. The late-flowered Mariposa Lilly (*Calochortus fimbriatus*) and the White-veined monardella (*Monardella hypoleuca ssp. Hypoleucahave*) are the only two special-status plant species that have a “low to moderate” potential to occur within the Survey Area. These plants are listed as rare or endangered in California and ranked as California Native Plant Society (CNPS) 1B, according to the California Natural Diversity Database and CDFW and not ranked as federally or State-protected¹¹, but considered a sensitive species. The habitat for these two special-status plant species is chaparral, woodland and riparian woodland. Due to the long disturbance history of the Survey Area and lack of suitable habitat, impacts to these special-status species is less than significant.

¹⁰ Refer to the table on pg. 14 of the September 2020 ISBA.

¹¹ Attachment A of the September 2020 ISBA

Oak woodlands are considered valuable under the California Oak Woodlands Act. The proposed subdivision would avoid coast live oak trees; however, the access driveway on Lot 3 would adversely affect 0.11 acres of coast live oak woodland (*Quercus agrifolia Woodland Alliance*). Implementation of the Tree Protection Plan and Tree Health Monitoring and Reporting requirements discussed above (refer to MM BIO-1 and BIO-2), would minimize indirect impacts to oak trees and oak woodland to a less than significant level.

Mitigation/Residual Impact(s)

With the implementation of MM BIO-1 and BIO-2 as noted above in Section 4A, project-specific impacts to sensitive plant communities will be less than significant, and the proposed subdivision’s contribution to the cumulative loss of sensitive plant communities will not be cumulatively considerable.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
4C. Ecological Communities - Waters and Wetlands								
Will the proposed project:								
1) Cause any of the following activities within waters or wetlands: removal of vegetation; grading; obstruction or diversion of water flow; change in velocity, siltation, volume of flow, or runoff rate; placement of fill; placement of structures; construction of a road crossing; placement of culverts or other underground piping; or any disturbance of the substratum?	X				X			
2) Result in disruptions to wetland or riparian plant communities that will isolate or substantially interrupt contiguous habitats, block seed dispersal routes, or increase vulnerability of wetland species to exotic weed invasion or local extirpation?			X				X	
3) Interfere with ongoing maintenance of hydrological conditions in a water or wetland?	X				X			

4) Provide an adequate buffer for protecting the functions and values of existing waters or wetlands?		X				X		
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Impact Discussion:

Live Oak Creek, a perennial red-line stream, is located approximately 733 feet west (at closest point) of the proposed subdivision. The National Wetlands Inventory identifies Live Oak Creek as a Freshwater Forested/Shrub Wetland. The streambed of Live Oak Creek supports hydrophytic (wetland) vegetation including western sycamore (*Platanus racemosa*), water-cress (*Nasturtium officinale*) and spearmint (*Mentha piperata*)¹².

The proposed subdivision is located approximately 328 feet west (at closet point) of the Ventura River. The River is also considered a perennial red-line stream and a significant wetland habitat. According to Figure 3.6.1.2.1 of the Ventura River Watershed Management Plan¹³, the area of the Ventura River adjacent to the subdivision includes Palustrine (Vernal Wetlands, Marshes, Ponds, Dune Swales, Seeps & Falls) and Palustrine (Riverine-Associated) wetlands and riparian habitats.

4C-1, 4C-3 and 4C-4. All physical development will occur onsite. Grading and construction activities have the potential to increase erosion, dust, and sedimentation that could degrade water quality within the waterbodies. As noted in Section 2D (above) in accordance with NPDES Permit CAS004002, "Development Construction Program" Subpart 4.F, the future property owner of the resulting lots will be required to include Best Management Practices (BMPs) designed to ensure compliance and implementation of an effective combination of erosion and sediment control measures for a disturbed site less than one acre, disturbed area one acre and larger, or high risk site (Tables 6 and 9 in Subpart 4.F, SW-1, SW-2 or SW-HR). The size of the area of disturbance onsite and standard best management practices will limit indirect impacts associated with degradation of water quality. No other waters or wetlands occur on or near the subject property therefore, no direct, indirect, or cumulatively considerable impacts are anticipated as a result of the proposed subdivision.

4C-2¹⁴. Live Oak Creek and the Ventura River are riparian habitats within the Ventura River Watershed that support relatively undisturbed and diverse riparian vegetation and dry season surface water. All new development would be located at least 733 east of

¹² Mitigated Negative Declaration for Tentative Parcel Map No. SD12-0002 (PM No. 5878)

¹³ http://venturawatershed.org/wp-content/uploads/2011/12/VRWCPlan_Part_3-6_Ecosystems1.pdf

¹⁴ TPM No. 5878 (SD12-0002) identified a ~~created the single legal lot (APN 032-0-201-105) that is the subject of this initial study. A potentially significant but mitigable impact to wetlands was initially identified in SD12-0002 as a result of future development on the subject lot. As future development is anticipated to occur on Lots 1 through 3 of the subject TPM, impacts to wetlands would still occur. Therefore, the landscape plan mitigation measure of SD12-0002 is carried over as mitigation for the subject TPM to reduce potentially significant impacts to wetlands. (see MM MIO-4)~~

Live Oak Creek and at least 435 feet west (at closest point) of the bank of the Ventura River. Therefore, these wetlands would not be subject to direct impacts from future development on the proposed lots. However, the introduction of invasive landscaping could increase vulnerability of wetland species to exotic weed invasion or local extirpation, which is a potentially significant project-specific and cumulative impact to wetland habitats. However, with the implementation of mitigation measure MM BIO-4 (below), which will require only the use of indigenous plant material in any future landscaping on the resulting lots (consistent with Ojai Valley Area Plan Policy OV-36.1), project-specific and cumulative impacts to wetland or riparian communities will be less than significant.

Mitigation/Residual Impact(s)

With incorporation of the following mitigation measure, project-specific and cumulative impacts to wetlands will be less than significant.

Biological Resources Mitigation Measure 4 (MM BIO-4): Avoidance of Non-Native Invasive Plants in Landscaping

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

Requirement: The Property Owner shall retain a landscape architect to prepare a landscape plan that complies with the requirements of this condition and the "Ventura County Landscape Design Criteria" (1992).

Landscaping Objectives: The Property Owner must install and maintain landscaping that serves the following functions:

- Invasive plant species (e.g., species identified by the California Invasive Plant Council) shall be prohibited with landscaping on the lots created by the project.
- Ensures compatibility with community character. The Property Owner must install landscaping that visually integrates the development with the character of the surrounding community.
- Retains and treats stormwater. The Property Owner must install landscaping that retains and treats stormwater as required pursuant item 2D of this initial study.
- Compliance with the California Department of Water Resources Model Water Efficient Landscape Ordinance. The Permittee must install landscaping that complies with the requirements of the California Department of Water Resources' Model Water Efficient Landscape Ordinance, which is available on-line at: <http://www.water.ca.gov/wateruseefficiency/landscapeordinance/>.

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

- a. **Use Available Non-potable Sources of Water.** The landscaping must involve the harvesting and/or use of alternative, non-potable sources of water, including stormwater, reclaimed water, and gray water, if available to the Subdivision.
- b. **Protection of Solar Access.** The Property Owner must design the landscaping to avoid the introduction of vegetation that would now or in the future cast substantial shadow on existing solar collectors or photovoltaic cells, or impair the function of a nearby building using passive solar heat collection.
- c. **Protection of Existing Vegetation.** Existing vegetation, especially trees, must be saved and integrated into landscape design wherever feasible, appropriate, or required by other regulations (e.g., the Tree Protection Ordinance).
- d. **Create Viable Growing Environment.** The landscape design must address the needs of the plants to ensure their health, long-term viability, and protection.
- e. **Species Diversity.** The landscape plan must integrate a variety of plant species, heights, colors, and textures, as appropriate given the size of the landscape.
- f. **Fire Resistance.** Plant material installed in the fuel modification zone must be fire resistant.
- g. **Use Non-Invasive Plant Species.**
- h. **Landscaping plans shall incorporate indigenous plant species where feasible in order to restore habitat in already disturbed areas.**

Documentation: The future Property Owner of Lots 1 through 3 shall submit three sets of a draft landscape plan to the Planning Division for review and approval. A California registered landscape architect (or other qualified individual as approved by the Planning Director) shall prepare the landscape plan, demonstrating compliance with the requirements set forth in this condition (above), and the Ventura County Landscape Design Criteria. The landscape architect responsible for the work shall stamp the plan. After landscape installation, the Property Owner shall submit to Planning Division staff a statement from the project landscape architect that the Property Owner installed all landscaping as shown on the approved landscape plan. Prior to installation of the landscaping, the Property Owner must obtain the Planning Director's approval of any

changes to the landscape plans that affect the character or quantity of the plant material or irrigation system design.

Timing: The Property Owner shall submit the landscape plan to the Planning Division for review and approval prior to issuance of a Zoning Clearance for Construction on Lots 1 through 3. Landscaping installation and maintenance activities shall occur according to the timing requirements set forth in the "Ventura County Landscape Design Criteria" (§ F).

Monitoring and Reporting: Landscaping approval/installation verification, monitoring activities, and enforcement activities shall occur according to the procedures set forth in the "Ventura County Landscape Design Criteria" (§§ F and G) and [§ 8114-3 of the Non-Coastal Zoning Ordinance. The Planning Division maintains the landscape plans and statement by the landscape architect in the Project file and has the authority to conduct site inspections to ensure that the Property Owner installs and maintains the landscaping in accordance with the approved plan consistent with the requirements of § 8114-3 of the Non-Coastal Zoning Ordinance.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
4D. Ecological Communities - ESHA (Applies to Coastal Zone Only)								
Will the proposed project:								
1) Temporarily or permanently remove ESHA or disturb ESHA buffers through construction, grading, clearing, or other activities and uses (ESHA buffers are within 100 feet of the boundary of ESHA as defined in Section 8172-1 of the Coastal Zoning Ordinance)?	X				X			
2) Result in indirect impacts from project operation at levels that will degrade the health of an ESHA?	X				X			

Impact Discussion:

4D-1 and 4D-2. The proposed subdivision is not within the coastal zone and does not contain coastal habitats. Therefore, there will not be any project-specific impact or cumulative impacts related to ESHA.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
4E. Habitat Connectivity								
Will the proposed project:								
1) Remove habitat within a wildlife movement corridor?			X				X	
2) Isolate habitat?			X				X	
3) Construct or create barriers that impede fish and/or wildlife movement, migration or long term connectivity or interfere with wildlife access to foraging habitat, breeding habitat, water sources, or other areas necessary for their reproduction?			X				X	
4) Intimidate fish or wildlife via the introduction of noise, light, development or increased human presence?			X				X	

Impact Discussion:

The proposed subdivision is located within the Sierra Madre – Castaic Connection, a regional wildlife corridor linking habitats in the Sierra Madre and Castaic Mountain ranges as identified in the Habitat Connectivity and Wildlife Corridor Map adopted by the Ventura County Board of Supervisors on March 12, 2019 (Resolution No. 19-15). The proposed subdivision is located approximately 250 feet (at closet point) to the west of the Ventura River, which is considered a movement corridor connecting open space areas of the Los Padres National Forest to coastal areas. There are two connectivity areas wildlife may use for movement: (1) the area between the Ventura River and the proposed subdivision to west; and (2) along Live Oak Creek west of the proposed subdivision. Live Oak Creek provides cover and foraging habitat and could be used by local wildlife populations to move through the Rancho Matilija area and cross under State Highway 150. Urban development (i.e. Los Encinos residential neighborhood located within 139 feet north of the proposed subdivision and sparse residential development south of the proposed subdivision) may create a choke point (an area of narrow or impacted habitat that is constricted on opposite sides by development) that

directs wildlife movement across the proposed subdivision between the Ventura River to the east of the proposed subdivision and habitat to the west of the proposed subdivision.

4E-1 through 4E-4. The proposed subdivision contains an oak woodland that consists predominantly of coast live oak (*Quercus agrifolia*), with an understory of non-native annual grasses and herbs. Habitat loss would be limited to 0.11 acres of low-quality oak woodland with an understory of non-native grassland. The coast live oak woodland is part of a 1.5-acre patch isolated by grazing land to the west, residential development to the north, and Burnham Road to the east, and is not part of a contiguous woodland.

Based on the location of the proposed building sites on Lots 1 through 3, within a major wildlife corridor, potentially significant impacts to habitat connectivity could occur. The construction of the driveway for proposed Lot 3 could encroach upon the root zone of two protected oak trees resulting in inadvertent impacts to birds protected under the MBTA and the CDFG Code (i.e. Coopers Hawk) that may occupy these trees. Future development on the proposed lots and the required fuel modification for future development would further remove approximately 1.85 acres of vegetation. Residential uses including lighting and fencing has the potential to deter wildlife from utilizing the property to access the Ventura River, a wildlife migratory corridor.

Tax Assessor's Parcel 032-0-201-105 is a separate legal lot that was created by the means of Parcel Map No. PM 5373 (Parcel 1 of 63PM55), which was recorded December 28, 2004. TPM No. 5878 included the subdivision of an approximately 90.16 acre lot into four separate legal lots (Case No. SD12-0002) and included Tax Assessor's Parcel 032-0-201-105 in that TPM. The TPM was approved by the Planning Division on July 10, 2015 and the environmental document (Mitigated Negative Declaration; MND) was adopted by the Planning Division. However, this subdivision was never recorded, and APN 032-0-0-201-105 remains one legal lot as described as Parcel 1 of 63PM55

A potentially significant impact to wildlife movement was identified during the review of Case No. in SD12-0002 if the construction of fencing would create barriers for wildlife movement. PM No. 5878 included Mitigation Measure BIO-5, requiring wildlife permeable fencing for all new fences and walls, except for those within 100-feet of structures and retaining walls.

In accordance with NCZO Section 8109-4.8.3.6(c) – Wildlife Impermeable Fencing – Permitting Requirements, installation of wildlife impermeable fencing requires a Planning Director-approved Planned Development Permit for lots with existing wildlife impermeable fencing forming an enclosed area installed as of May 18, 2019, and which the cumulative area enclosed by the proposed wildlife impermeable fencing is greater than 10 percent of the lot area net of the area enclosed by existing wildlife impermeable

fencing. The subject lot (APN 032-0-201-105) is 3.29 acres (gross/net¹⁵). There is existing wildlife impermeable fencing along the perimeter forming an enclosed area installed prior to Planning staff's November 11, 2018 site visit. The fencing is comprised of barbed wire and does not exceed 60 inches in height from grade. After recordation of Parcel Map No. 6011, Lot 1 will have existing wildlife impermeable fencing along Burnham Road, along the rear of the lot and along the north facing side yard. Lot 2 will have existing wildlife impermeable fencing along Burnham Road and along the rear of the lot. Lot 3 will have existing wildlife impermeable fencing along Burnham Road, along the rear of the lot and along the south facing side yard. All three lots will not have existing wildlife impermeable fencing forming an enclosed area.

The gross/net lot area enclosed by existing wildlife impermeable fencing is 3.29 acres (143,312 square feet). Lot 1 represents 54 percent of the total lot area and Lot 2 represents 24 percent of the lot area and Lot 3 represents 22 percent of the lot area, respectively. After Parcel Map No. 6011 records, if wildlife impermeable fencing is proposed, Lot 1 could have wildlife impermeable fencing forming an enclosed area of 7,738 sq. ft. Lot 2 could have wildlife impermeable fencing that forms an enclosed area of 3,439 sq. ft. and Lot 3 could have wildlife impermeable fencing that forms an enclosed area of 3,152 sq. ft. These areas equal the cumulative area of 10 percent of the existing lot or 14,331 square feet. At the time fencing is proposed on Lots 1, 2 or 3, property owners will be required to submit a fencing plan. Depending on the type of fence will determine the permit required. Therefore, with implementation of Mitigation Measure BIO-5 (below), project-specific and cumulative impacts will be less than significant.

The introduction of new sources of lighting could also limit wildlife movement into open space (horse grazing pasture) to the west and the Ventura River to the east. With implementation of mitigation measure MM BIO-6 (below), future property owners are required to submit a Lighting Plan in accordance with NCZO Section 8109-4.8.2 (Dark Sky Overlay Zone Lighting Requirements). Therefore, with implementation of Mitigation Measure BIO-6 (below), project-specific and cumulative impacts will be less than significant.

Mitigation/Residual Impact(s)

With the implementation of mitigation measures that will prohibit invasive landscaping (MM BIO-4, above), require the submittal of a fencing plan (MM BIO-5), and prohibit lighting that will interfere with wildlife movement (MM BIO-6), project specific impacts to habitat connectivity will be less than significant, and the proposed subdivision's contribution to significant cumulative impacts to habitat connectivity will not be cumulatively considerable.

¹⁵ The net acreage and gross acreage will be the same after Parcel Map No. 6011 records because there are no proposed or existing right of way or private drive easements within the exterior boundary of the tentative parcel map.

Biological Resources Mitigation Measure 5 (MM BIO-5): Wildlife Fencing

Purpose: To mitigate potentially significant environmental impacts to wildlife migration corridors from fencing, in accordance with §§ 8109-4.8.3.6(c)(2) and 8109-4.8.3.7(a) of the Ventura County NCZO.

Requirement: A zoning clearance is required for wildlife impermeable fencing that forms an enclosed area all of which is located within 50 feet of an exterior wall of a legally established dwelling.

A Planned Development Permit is required for the installation of new or replacement wildlife impermeable fencing that forms an enclosed area as follows:

- Lot 1: An enclosed area of 7,738 square feet
- Lot 2: An enclosed area of 3,439 square feet
- Lot 3: An enclosed area of 3,152 square feet

Documentation: The Property Owner shall submit a fencing plan for all new or replacement fencing located on Lots 1, 2 and 3. The fencing plan must include the fence location, type of fence, elevations detailing construction and materials for both permeable and impermeable fences. Any fence over six feet in height requires a Building Permit.

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

Monitoring and Reporting: The Property Owner shall submit plans to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for fencing. The Planning Division has the authority to conduct site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County NCZO.

Biological Resources Mitigation Measure 6 (MM BIO-6): Wildlife Corridor or Wildlife Habitat Outdoor Lighting/Glare

Purpose: To mitigate potentially significant environmental impacts from light and glare to wildlife migration corridors and/or wildlife habitat and ensure lighting on the subject property is provided in compliance with § 8109-4.1.5 of the Ventura County NCZO.

Requirement: Prior to the future development of Lots 1 through 3, the Property Owner shall prepare a lighting plan that meets the following objectives:

- avoids interference with reasonable use of adjoining properties;
- avoids conflict with landscape features;

- minimizes on-site and eliminates off-site glare;
- minimizes impacts to wildlife movement;
- minimizes energy consumption; and
- includes devices that are compatible with the design of the permitted structure and minimize energy consumption.
- Is consistent with Ventura County NCZO Section 8109-4.7.4 (Dark Sky Overlay Zone)
- Is consistent with Ventura County NCZO Sections 8109-4.8.2 (Habitat Connectivity and Wildlife Corridors Overlay Zone (Outdoor Lighting)) and 8109-4.8.2.3 (Habitat Connectivity and Wildlife Corridors Overlay Zone Prohibited Lighting)

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

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

Timing: The Property Owner shall obtain the Planning Division's approval of the lighting plan prior to the issuance of a Zoning Clearance for construction on Lots 1 through 3. The Property Owner shall maintain the lighting as approved in the lighting plan for the life of the permit that authorizes the lighting.

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

have the authority to ensure that the lighting plan is installed according to the approved lighting plan. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County NCZO.

Issue (Responsible Department)*	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
4F. Will the proposed project be consistent with the applicable General Plan Goals and Policies for Item 4 of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

4F. The project was reviewed and found to be consistent with *Ventura County 2040 General Plan Policy COS-1.1*, which requires discretionary development which could potentially impact biological resources to be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures. An ISBA (Attachment 6) was prepared by Padre Associates. As discussed in Sections 4(a) through 4(e) above, six mitigation measures were developed to reduce potential impacts to biological resources to less than significant. In accordance with General Plan Policy COS-1.1, the proposed access road on Lot 3 has been sited and designed to incorporate all feasible measures to mitigate any significant impacts to biological resources related to oak trees. In accordance with General Plan Policies COS-1.4, COS-1.5 and COS-1.12, future property owners of Lots 1 through 3 will be required to install non-invasive landscaping, wildlife impermeable fencing and lighting that will not adversely impact wildlife movement within the identified wildlife corridor.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
5A. Agricultural Resources – Soils (Plng.)								
Will the proposed project:								
1) Result in the direct and/or indirect loss of soils designated Prime, Statewide Importance, Unique or Local Importance, beyond the threshold amounts set forth in Section 5a.C of the Initial Study Assessment Guidelines?	X				X			

2) Involve a General Plan amendment that will result in the loss of agricultural soils?	X				X			
3) Be consistent with the applicable General Plan Goals and Policies for Item 5A of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

5A-1. According to Planning GIS data (February 2021), the lot has an agricultural soil designation of grazing land. Therefore, the proposed TPM and reasonably foreseeable development of proposed Lots 1 through 3 will not result in the direct or indirect loss of soils designated Prime, Statewide Importance, Unique or Local Importance soil.

5A-2. The proposed subdivision does not involve a General Plan amendment that will result in the loss of agricultural soils.

Thus, there will not be any project-specific or cumulative impacts related to agricultural soils.

5A-3. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 5A of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
5B. Agricultural Resources - Land Use Incompatibility (AG.)								
Will the proposed project:								

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
1) If not defined as Agriculture or Agricultural Operations in the zoning ordinances, be closer than the threshold distances set forth in Section 5b.C of the Initial Study Assessment Guidelines?	X				X			
2) Be consistent with the applicable General Plan Goals and Policies for Item 5b of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

5B-1. The proposed subdivision is not located on land designated Agriculture or zoned Agriculture. Agricultural-zoned parcels are located approximately 6,000 feet northwest of the proposed subdivision. Thus, the proposed subdivision and reasonably foreseeable development of proposed Lots 1 through 3 will result in less than significant project-specific and cumulative impacts related to agricultural land use incompatibility.

5B-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 5B of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
6. Scenic Resources (Plng.)								
Will the proposed project:								
a) Be located within an area that has a scenic resource that is visible from a public viewing location, and physically alter the scenic resource either individually or cumulatively when combined with recently approved, current, and reasonably foreseeable future projects?		X				X		

b) Be located within an area that has a scenic resource that is visible from a public viewing location, and substantially obstruct, degrade, or obscure the scenic vista, either individually or cumulatively when combined with recently approved, current, and reasonably foreseeable future projects?		X				X		
c) Be consistent with the applicable General Plan Goals and Policies for Item 6 of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

6a and 6b. The proposed subdivision is located within the Ventura County unincorporated area of Oak View, just south of the established Los Encinos residential neighborhood. The proposed subdivision is located within 0.5 miles of an identified scenic highway; State Highway 150. Views of the proposed subdivision from State Highway 150 are obscured by topography, existing vegetation in the Ventura River and adjoining lots that are currently developed with single-family dwellings. The subject property, as viewed from this public vantage point, would not be discernable based on the existing developed community, orchards and other horticultural practices.

Burnham Road is a public road that abuts the proposed subdivision to the east. The proposed subdivision is visible from Burnham Road. Access to each of the three proposed lots would be from Burnham Road. An oak woodland encompasses the entirety of the proposed subdivision and will remain undisturbed. Each of the resulting lots includes a building site adjacent to Burnham Road. Proposed Lot 3 includes a second building site at the rear of the property north of the oak woodland. The second building site would not be visible from Burnham Road due to the existing oak woodland. Future development on the first building site would be visible from Burnham Road. The proposed subdivision is zoned R1. The purpose of this zone is to provide for and maintain areas which are appropriate for single-family dwellings on individual lots. The development of the three proposed lots would be compatible with the residential uses north of the site while still providing adequate distance and protection to agricultural uses nearby. Preservation of the oak woodland also provides a backdrop minimizing the views of development as seen from Burnham Road. Future development will be subject to the development standards of the R1 zone, which limits the height of a single-family dwelling to 25 feet and requires development be setback 20 feet from the front property line. With these height and setback limitations, future development on the resulting lots will not create an adverse visible impact. Thus, project-specific and cumulative impacts related to scenic resources is considered less than significant.

6c. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 6 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
7. Paleontological Resources								
Will the proposed project:								
a) For the area of the property that is disturbed by or during the construction of the proposed project, result in a direct or indirect impact to areas of paleontological significance?		X				X		
b) Contribute to the progressive loss of exposed rock in Ventura County that can be studied and prospected for fossil remains?		X				X		
c) Be consistent with the applicable General Plan Goals and Policies for Item 7 of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

7a and 7b. As stated in the Geologic and Geotechnical Engineering Investigation Report, prepared by Mark Kruger Geology, Inc., dated, October 2018 (Attachment 7), the proposed subdivision is underlain with Quaternary Alluvium and Older Alluvium deposits. In accordance with to the *Ventura County Initial Study Assessment Guidelines*, these deposits do not have a strong likelihood of containing paleontological resources.

Reasonably foreseeable development of the proposed lots will result in ground disturbance. Although future development is unlikely to result in impacts to paleontological resources, during ground disturbance activities, the property owner of each resulting lot will be subject to a standard condition of approval that will assure that in the event that paleontological resources are encountered, grading shall cease and the property owner shall obtain the services of a paleontological consultant or professional geologist who shall assess the find and provide recommendations on the

proper disposition of the site. The property owner shall obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming construction activities and implement the agreed upon recommendations.

With the implementation of this standard condition of approval, project-specific and cumulative impacts related to paleontological resources will be less than significant.

7c. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 7 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
8A. Cultural Resources - Archaeological								
Will the proposed project:								
1) Demolish or materially alter in an adverse manner those physical characteristics that account for the inclusion of the resource in a local register of historical resources pursuant to Section 5020.1(k) requirements of Section 5024.1(g) of the Public Resources Code?		X				X		
2) Demolish or materially alter in an adverse manner those physical characteristics of an archaeological resource that convey its archaeological significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for the purposes of CEQA?		X				X		
3) Be consistent with the applicable General Plan Goals and Policies for Item 8A of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

8a-1 and 8a-2. On August 13, 2014, Planning Division staff submitted a detailed project description to the California State University, Fullerton South Central Coast Information Center (SCCIC) and requested if any archeological reports had been conducted for

Subdivision Case No. SD12-0002, a subdivision approved by the Planning Division in 2015 that included the subject parcel (APN 032-0-201-100) and a parcel immediately northwest of the subdivision (APN 032-0-201-150). SCCIC determined that these APNs are located within the vicinity of known archaeological sites. The Subdivider retained an archaeologist to prepare a Phase I study (Schmidt and Romani, 2014) to evaluate the proposed subdivision’s potential to adversely affect archaeological resources. The Phase I record search and surface survey of the subdivision did not reveal the presence of archaeological resources. Thus, the proposed subdivision will not have any project-specific or cumulative impact related to archaeological resources.

On May 29, 2020, in accordance with Assembly Bill (AB) 52, Planning Division staff contacted the Barbareno-Ventureno Mission Indians for comment and review of the proposed subdivision. As of March 9, 2021, no responses were received from the Barbareno-Ventureno Mission Indians regarding the proposed subdivision.

To ensure potential impacts to cultural resources is avoided, the map will include a standard condition of approval that in the unlikely event that cultural resources are uncovered during ground disturbance activities associated with reasonable foreseeable development of proposed Lots 1 through 3, the property owner shall cease grading activities and obtain the services of an archeological consultant who shall assess the find and provide recommendations on the proper disposition of the site. The property owner shall obtain the Planning Director’s written concurrence of the recommended disposition of the site before resuming development; and implement the agreed upon recommendations.

With the implementation of this standard condition of approval, project-specific and cumulative impacts related to archeological resources will be less than significant.

8a-3. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 8a of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
8B. Cultural Resources – Historic (PIng.)								
Will the proposed project:								

1) Demolish or materially alter in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources?	X				X				
2) Demolish or materially alter in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the Public Resources Code or its identification in a historical resources survey meeting the requirements of Section 5024.1(g) of the Public Resources Code?	X				X				
3) Demolish or materially alter in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA?	X				X				
4) Demolish, relocate, or alter an historical resource such that the significance of the historical resource will be impaired [Public Resources Code, Sec. 5020(q)]?	X				X				

Impact Discussion:

8B-1 through 8B-4. According to Planning GIS data layers (February 2021), the proposed subdivision does not include any historic resources. There are also no historic resources located within 0.5 miles of the proposed subdivision. As a result, the proposed subdivision and reasonably foreseeable development of the proposed lots will not result in the demolition, relocation or will materially alter in an adverse manner those physical characteristics of an historical resource. Thus, there would not be any project-specific or cumulative impacts related to historical resources.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
9. Coastal Beaches and Sand Dunes								
Will the proposed project:								
a) Cause a direct or indirect adverse physical change to a coastal beach or sand dune, which is inconsistent with any of the coastal beaches and coastal sand dunes policies of the California Coastal Act, corresponding Coastal Act regulations, Ventura County Coastal Area Plan, or the Ventura County General Plan Goals, Policies and Programs?	X				X			
b) When considered together with one or more recently approved, current, and reasonably foreseeable probable future projects, result in a direct or indirect, adverse physical change to a coastal beach or sand dune?					X			
c) Be consistent with the applicable General Plan Goals and Policies for Item 9 of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

9a and 9-b. The proposed subdivision is located approximately 8.4 miles north of the coast. Thus, there would not be any project-specific or cumulative impacts related to coastal beach or sand dunes.

9c. The proposed subdivision is consistent with the *Ventura County General Plan Goals and Policies for Item 9 of the Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
10. Fault Rupture Hazard (PWA)								

Will the proposed project:									
a) Be at risk with respect to fault rupture in its location within a State of California designated Alquist-Priolo Special Fault Study Zone?	X								
b) Be at risk with respect to fault rupture in its location within a County of Ventura designated Fault Hazard Area?	X								
c) Be consistent with the applicable General Plan Goals and Policies for Item 10 of the Initial Study Assessment Guidelines?	X					X			

Impact Discussion:

Any discussion of potential impacts of seismic and geologic hazards to the proposed subdivision is provided for informational purposes only and is neither required by CEQA nor subject to its requirements.

10a and 10b. There are no known active or potentially active faults extending through the proposed subdivision based on State of California Earthquake Fault Zones in accordance with the Alquist-Priolo Earthquake Fault Zoning Act, and Ventura County 2040 General Plan Policy Haz-4.1. Thus, no future habitable structures would be proposed within 50 feet of a mapped trace of an active fault.

Thus, the proposed subdivision will not have any project-specific or cumulative impact related to potential fault rupture hazard.

10c. The project is consistent with the *Ventura County 2040 General Plan* for Item 10 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
11. Ground Shaking Hazard (PWA)								
Will the proposed project:								

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
a) Be built in accordance with all applicable requirements of the Ventura County Building Code?		X				X		
b) Be consistent with the applicable General Plan Goals and Policies for Item 11 of the Initial Study Assessment Guidelines?		X			X			

Impact Discussion:

Any discussion of potential impacts of seismic and geologic hazards to the proposed subdivision is provided for informational purposes only and is neither required by CEQA nor subject to its requirements.

11a. The property will be subject to moderate to strong ground shaking from seismic events on local and regional fault systems. The County of Ventura Building Code adopted from the California Building Code, dated 2019, Chapter 16, Section 1613 requires structures be designed to withstand this ground shaking. The Geologic and Geotechnical Engineering Investigation Report, prepared by Mark Kruger Geology, Inc., dated, October 2018 (Attachment 7), provides the structural seismic design criteria for the proposed subdivision. The requirements of the building code will reduce project-specific and cumulative impacts from the effects of ground shaking to less than significant.

11b. The proposed subdivision is consistent with the *Ventura County 2040 General Plan Policies* for Item 11 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
12. Liquefaction Hazards (PWA)								
Will the proposed project:								

a) Expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving liquefaction because it is located within a Seismic Hazards Zone?		X						
b) Be consistent with the applicable General Plan Goals and Policies for Item 12 of the Initial Study Assessment Guidelines?		X				X		

Any discussion of potential impacts of seismic and geologic hazards to the proposed subdivision is provided for informational purposes only and is neither required by CEQA nor subject to its requirements.

Impact Discussion:

12a. Portions of the property are located within a potential liquefaction zone based on the State of California Seismic Hazards Maps for the County of Ventura¹⁶. This map is used as the basis for delineating the potential liquefaction hazards within the County. The Geological/Geotechnical report (Attachment 7) indicates the proposed building sites are not located within potential liquefaction zones.

Thus, project-specific and cumulative impacts from the potential hazards resulting from liquefaction will be less than significant.

12b. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 12 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
13. Seiche and Tsunami Hazards (PWA)								
Will the proposed project:								

¹⁶ <https://www.conservation.ca.gov/cgs/maps-data>

a) Be located within about 10 to 20 feet of vertical elevation from an enclosed body of water such as a lake or reservoir?	X								
b) Be located in a mapped area of tsunami hazard as shown on the County General Plan maps?	X								
c) Be consistent with the applicable General Plan Goals and Policies for Item 13 of the Initial Study Assessment Guidelines?	X					X			

Impact Discussion:

Any discussion of potential impacts of seismic and geologic hazards to the proposed subdivision is provided for informational purposes only and is neither required by CEQA nor subject to its requirements

13a and 13b. The site is not located adjacent to a closed or restricted body of water based on aerial imagery review (Planning GIS; February 2021) and is not subject to seiche hazard. The project is also not mapped within a tsunami inundation zone based on the Tsunami Inundation Map for Emergency Planning for the State of California County of Ventura, dated February 15, 2009¹⁷. Thus, there will not be any project-specific or cumulative impact from potential seiche and tsunami hazards.

13c. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 13 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
14. Landslide/Mudflow Hazard (PWA)								
Will the proposed project:								

¹⁷

https://www.conservation.ca.gov/cgs/Documents/Tsunami/Maps/Tsunami_Inundation_Oxnard_Quad_Ventura.pdf

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
a) Result in a landslide/mudflow hazard, as determined by the Public Works Agency Certified Engineering Geologist, based on the location of the site or project within, or outside of mapped landslides, potential earthquake induced landslide zones, and geomorphology of hillside terrain?		X						
b) Be consistent with the applicable General Plan Goals and Policies for Item 14 of the Initial Study Assessment Guidelines?		X				X		

Any discussion of potential impacts of seismic and geologic hazards to the proposed subdivision is provided for informational purposes only and is neither required by CEQA nor subject to its requirements.

Impact Discussion:

14a. The site is in a hillside area in the unincorporated area of Oak View. Based on an analysis conducted by the California Geological Survey as part of the California Seismic Hazards Mapping Act of 1991, Public Resources Code Sections 2690-2699.6, portions of the property are in potential seismically induced landslide zone. The site also contains surficial failures along the descending slopes of Live Oak Creek, based on field observations by Mark Kruger Geology, Inc. (Attachment 7; page 19). The mapped landslides and potential seismically induced landslide areas are not anticipated to affect the stability of the proposed building sites (*Ibid*, page 19) and no substantial hazard exists. Thus, project-specific and cumulative impacts from potential landslide hazards are less than significant.

14b. The proposed subdivision is consistent with the *Ventura County 2040 General* for Item 14 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS

15. Expansive Soils Hazards (PWA)								
Will the proposed project:								
a) Expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving soil expansion because it is located within a soils expansive hazard zone or where soils with an expansion index greater than 20 are present?		X						
b) Be consistent with the applicable General Plan Goals and Policies for Item 15 of the Initial Study Assessment Guidelines?		X				X		

Any discussion of potential impacts of seismic and geologic hazards to the proposed subdivision is provided for informational purposes only and is neither required by CEQA nor subject to its requirements.

Impact Discussion:

15a. Future development of the site will be subject to the requirements of the County of Ventura Building Code (2020) adopted from the California Building Code, in effect at the time of reasonably foreseeable development of the lots. The present Building Code (Section 1808.6) requires mitigation of potential adverse effects of expansive soils. The Geotechnical report (Attachment 7) indicates that the near surface soils have a low expansion index. Thus, project-specific impacts and cumulative impacts associated with expansive soils is less than significant.

15b. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 15 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
16. Subsidence Hazard (PWA)								
Will the proposed project:								

a) Expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving subsidence because it is located within a subsidence hazard zone?	X								
b) Be consistent with the applicable General Plan Goals and Policies for Item 16 of the Initial Study Assessment Guidelines?	X				X				

Any discussion of potential impacts of seismic and geologic hazards to the proposed subdivision is provided for informational purposes only and is neither required by CEQA nor subject to its requirements.

Impact Discussion:

16a. The subject property is not within the probable subsidence hazard zone as delineated on the United States Geological Survey Areas of Land Subsidence in California Map (December 7, 2018)¹⁸. As the proposed subdivision does not include any new oil, gas, or groundwater withdrawal and the proposed subdivision is not located within a probable subsidence hazard zone, there will not be any impacts related to subsidence. Thus, there will not be any project-specific impact or cumulative impacts related to subsidence hazards.

16b. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 16 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
17a. Hydraulic Hazards – Non-FEMA (PWA)								
Will the proposed project:								

¹⁸ https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html

<p>1) Result in a potential erosion/siltation hazard and flooding hazard pursuant to any of the following documents (individually, collectively, or in combination with one another): 2007 Ventura County Building Code Ordinance No.4369 Ventura County Land Development Manual Ventura County Subdivision Ordinance Ventura County Coastal Zoning Ordinance Ventura County Non-Coastal Zoning Ordinance Ventura County Standard Land Development Specifications Ventura County Road Standards Ventura County Watershed Protection District Hydrology Manual County of Ventura Stormwater Quality Ordinance, Ordinance No. 4142 Ventura County Hillside Erosion Control Ordinance, Ordinance No. 3539 and Ordinance No. 3683 Ventura County Municipal Storm Water NPDES Permit State General Construction Permit State General Industrial Permit National Pollutant Discharge Elimination System (NPDES)?</p>		X				X				
<p>2) Be consistent with the applicable General Plan Goals and Policies for Item 17A of the Initial Study Assessment Guidelines?</p>		X				X				

Impact Discussion:

17A-1. The proposed subdivision will be subject to the requirements of the Grading Ordinance (Ventura County Building Code 2020, Appendix J) and Uniform Building Code (ICC 2018). Runoff from reasonably foreseeable development of the proposed lots will be required to be released at no greater than the undeveloped flow rate and in such manner as to not cause an adverse impact downstream in peak velocity or duration. Compliance with Public Works Agency conditions that will be applied to the TPM will assure that the post project runoff is maintained at or below existing quantities. Thus, project-specific and cumulative impacts related to flood hazards will be less than significant.

17A-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 17a of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
17b. Hydraulic Hazards – FEMA (WPD)								
Will the proposed project:								
1) Be located outside of the boundaries of a Special Flood Hazard Area and entirely within a FEMA-determined 'X-Unshaded' flood zone (beyond the 0.2% annual chance floodplain: beyond the 500-year floodplain)?		X				X		
2) Be located outside of the boundaries of a Special Flood Hazard Area and entirely within a FEMA-determined 'X-Shaded' flood zone (within the 0.2% annual chance floodplain: within the 500-year floodplain)?		X				X		
3) Be located, in part or in whole, within the boundaries of a Special Flood Hazard Area (1% annual chance floodplain: 100-year), but located entirely outside of the boundaries of the Regulatory Floodway?		X				X		
4) Be located, in part or in whole, within the boundaries of the Regulatory Floodway, as determined using the 'Effective' and latest available DFIRMs provided by FEMA?		X				X		
5) Be consistent with the applicable General Plan Goals and Policies for Item 17B of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

17B-1 thru 17B-4. The proposed subdivision is in a location identified by the Federal Emergency Management Agency (FEMA) as an area of minimal flood hazard (Zone X unshaded) and is located outside of the 100-year and 500-year floodplain, as noted on the Planning GIS data layers (February 2021). This is evidenced on FEMA Map Panel 06111C0566E, effective date January 21, 2010. Given the location of the property outside of severe flood hazard zones, project-specific and cumulative impacts related to flood hazards will be less than significant.

17B-5. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 17b of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
18. Fire Hazards (VCFPD)								
Will the proposed project:								
a) Be located within High Fire Hazard Areas/Fire Hazard Severity Zones or Hazardous Watershed Fire Areas?		X				X		
b) Be consistent with the applicable General Plan Goals and Policies for Item 18 of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

18a. The proposed subdivision is in a High Fire Hazard Area/Fire Severity Zone or Hazardous Watershed Fire Area that is under the jurisdiction of the State of California Department of Forestry (Cal Fire). To ensure that potential fire impacts are maintained at a less than significant level, ~~a standard condition of approval will be placed on the TPM that will require future property owners of the lots to maintain a fuel modification area of 100 feet from all habitable structures.~~ Ventura County Fire Protection District Ordinance No. 31, Section W105.1 requires future property owners of the resulting lots to maintain a fuel modification area of 100 feet from all habitable structures.

Based on the location of the proposed building pads identified on the TPM (Attachment 3), the required 100 feet of fuel modification would affect approximately 1.85 acres within the proposed subdivision.

The proposed subdivision, along with other projects included in the analysis of cumulative impacts, would increase the density of development within the area, thereby resulting in an incremental increase in the number of buildings, structures, and residents who will be exposed to fire hazards. However, the TPM, infrastructure, and future development of Lots 1 through 3, will be required to be designed in conformance with the 2019 International Fire Code as adopted and amended by the Ventura County Fire Protection District (VCFPD), the current Ordinance for Fire Hazard Abatement, as well as the construction standards established in the adopted Building Code. Compliance with VCFPD fire protection regulations would ensure that project-specific impacts relating to fire hazards would be less than significant. With the implementation of this

condition of approval project-specific and cumulative impacts related to fire hazards will be less than significant.

18b. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 18 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
19. Aviation Hazards (Airports)								
Will the proposed project:								
a) Comply with the County's Airport Comprehensive Land Use Plan and pre-established federal criteria set forth in Federal Aviation Regulation Part 77 (Obstruction Standards)?	X				X			
b) Will the proposed project result in residential development, a church, a school, or high commercial business located within a sphere of influence of a County airport?	X				X			
c) Be consistent with the applicable General Plan Goals and Policies for Item 19 of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

19a and 19b. The proposed subdivision is located outside of a County Airport Sphere of Influence (Planning GIS; February 2021). Santa Paula Airport is located approximately 14.8 miles northwest of the proposed subdivision. The proposed development is not expected to adversely impact the operational activities of a County airport. This is because reasonably foreseeable residential development on the lots is limited to a maximum of 25 feet in height for principal structures and 15 feet in height for accessory structures, such as an accessory dwelling unit. Based on these development limitations, there would not be any project-specific or cumulative impact on aviation hazards. The proposed subdivision will comply with the County's Airport Conservation Land Use Plan and pre-established federal criteria set forth in Federal Aviation

Regulation Part 77 (Obstruction Standards). Thus, there will not be any project-specific or cumulative impacts related to aviation hazards.

19c. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 19 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
20a. Hazardous Materials/Waste – Materials (EHD/Fire)								
Will the proposed project:								
1) Utilize hazardous materials in compliance with applicable state and local requirements as set forth in Section 20a of the Initial Study Assessment Guidelines?		X				X		
2) Be consistent with the applicable General Plan Goals and Policies for Item 20a of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

20A-1. The proposed subdivision will not utilize any hazardous materials. Reasonably foreseeable development of the proposed lots is not expected to utilize hazardous materials which require permitting or inspection from Ventura County Environmental Health Division/Certified Unified Program Agency. However, future development of the proposed lots may include the use of hazardous materials typically associated with construction activities. Improper storage, handling, and disposal of these materials may contribute to adverse impacts to the environment. Compliance with applicable state and local regulations will reduce the potential environmental impact to less than significant.

Thus, project-specific and cumulative impacts related to hazardous materials is less than significant.

20A-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 20a of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
20b. Hazardous Materials/Waste – Waste (EHD)								
Will the proposed project:								
1) Comply with applicable state and local requirements as set forth in Section 20b of the Initial Study Assessment Guidelines?	X				X			
2) Be consistent with the applicable General Plan Goals and Policies for Item 20b of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

20b-1. The proposed subdivision is not considered an activity that generates hazardous waste. Thus, the proposed subdivision will not have any project-specific or cumulative impact to hazardous waste.

20b-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 20b of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
21. Noise and Vibration								
Will the proposed project:								
a) Either individually or when combined with other recently approved, pending, and probable future projects, produce noise in excess of the standards for noise in the Ventura County General Plan Goals, Policies and Programs (Section 2.16) or the applicable Area Plan?		X				X		

<p>b) Either individually or when combined with other recently approved, pending, and probable future projects, include construction activities involving blasting, pile-driving, vibratory compaction, demolition, and drilling or excavation which exceed the threshold criteria provided in the Transit Noise and Vibration Impact Assessment (Section 12.2)?</p>		X				X		
<p>c) Result in a transit use located within any of the critical distances of the vibration-sensitive uses listed in Table 1 (Initial Study Assessment Guidelines, Section 21)?</p>		X				X		
<p>d) Generate new heavy vehicle (e.g., semi-truck or bus) trips on uneven roadways located within proximity to sensitive uses that have the potential to either individually or when combined with other recently approved, pending, and probable future projects, exceed the threshold criteria of the Transit Use Thresholds for rubber-tire heavy vehicle uses (Initial Study Assessment Guidelines, Section 21-D, Table 1, Item No. 3)?</p>		X				X		
<p>e) Involve blasting, pile-driving, vibratory compaction, demolition, drilling, excavation, or other similar types of vibration-generating activities which have the potential to either individually or when combined with other recently approved, pending, and probable future projects, exceed the threshold criteria provided in the Transit Noise and Vibration Impact Assessment [Hanson, Carl E., David A. Towers, and Lance D. Meister. (May 2006) Section 12.2]?</p>		X				X		
<p>f) Be consistent with the applicable General Plan Goals and Policies for Item 21 of the Initial Study Assessment Guidelines?</p>		X				X		

Impact Discussion:

21a. To determine whether a project will result in a significant noise impact, the *Ventura County Initial Study Assessment Guidelines* set forth standards to determine whether the proposed use is a "Noise Sensitive Use" or a "Noise Generator." Noise sensitive uses are dwellings, schools, hospitals, nursing homes, churches and libraries. The

proposed residential subdivision is considered a noise sensitive use. The *Ventura County 2040 General Plan*, and the *Ventura County initial Study Assessment Guidelines* consider residential land uses a noise-sensitive use, but not a long-term noise generating use since it will not generate new heavy vehicle (e.g., semi-truck or bus) trips on uneven roadways, does not involve the creation of a new transit use, and does not involve the creation of a new commercial or industrial use that involves noise generating activities. As the proposed subdivision does not include a noise generating use (except with regard to construction noise, which is addressed separately in Section 21e of this Initial Study, below), the proposed subdivision will have no impacts related to the introduction of a new noise generator near noise sensitive uses.

The proposed subdivision would be located adjacent to the west of Burnham Road and south of Highway 150. The subdivision is located outside of the Community Noise Equivalent Level (CNEL) 60 dB(A) noise contour for Highway 150 as indicated in Table 7.1 of the *Ventura County 2040 General Plan*. In addition, the proposed subdivision site is not located near any railroads or within the flight path of air traffic from Santa Paula Airport. As the subdivision is not located within this noise contour, future ministerial residential development on Lots 1 through 3 would not be subject to noise levels from traffic along a roadway that meets or exceeds the CNEL 60dB(A) noise contour. In any case, to ensure the reasonable foreseeable ministerial development does not exceed exterior noise level thresholds specified in Ventura County 2040 General Policy HAZ-9.2.1 and Initial Study Assessment Guidelines item 21, future property owners of the lots will be required to be in compliance with the requirements of the Ventura County 2040 General Plan Policy HAZ-9.2.5, Construction Noise Threshold Criteria and Control Plan (2010a), noise goals. The Subdivider and/or property owner will be required to limit site preparation and construction activity for future development to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday, and State holidays. Construction equipment maintenance shall be limited to the same hours.

21b. and 21e. The proposed subdivision may result in the reasonably foreseeable future development of three single family dwellings and one accessory dwelling unit. At this time, it is unclear if reasonably foreseeable future development would require pile-driving, vibratory compaction, demolition, drilling, excavation within relatively hard substrate (e.g., rock formations), or other similar types of vibration-generating activities. Although construction is unlikely to generate excessive ground-borne vibration or ground-borne noise levels, to ensure that development of the proposed subdivision complies with the requirements of the Ventura County 2040 General Plan Policy HAZ-9.2.5, Construction Noise Threshold Criteria and Control Plan (2010a), the proposed subdivision will be subject to a construction noise condition noted above.

21c. The proposed subdivision does not involve the creation of a vibration generating transit use. Therefore, the proposed subdivision will not have a project specific impact, and will not make a cumulatively considerable contribution to a significant cumulative impact

related to the creation of a transit use located within any of the critical distances of the vibration-sensitive uses listed in Table 1 of the *Ventura County Initial Study Assessment Guidelines* (Section 21)

21d. The proposed subdivision will not involve the use of heavy vehicle (e.g., semi-truck or bus) trips on uneven roadways located within proximity to sensitive uses that have the potential to either individually or when combined with other recently approved, pending, and probable future projects, exceed the threshold criteria of the Transit Use Thresholds for rubber-tire heavy vehicle uses (Initial Study Assessment Guidelines, Section 21-D, Table 1, Item No. 3). The proposed subdivision will not have a project-specific vibratory impact and will not make a cumulatively considerable contribution to a significant cumulative vibratory impact, related to the use of rubber-tire heavy vehicle uses.

Thus, project-specific and cumulative impacts related to noise and vibration is considered less than significant.

21f. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 21 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
22. Daytime Glare								
Will the proposed project:								
a) Create a new source of disability glare or discomfort glare for motorists travelling along any road of the County Regional Road Network?		X				X		
b) Be consistent with the applicable General Plan Goals and Policies for Item 22 of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

22a. Reasonably foreseeable residential development on proposed Lots 1 through 3 is anticipated following recordation of the final map. The three building sites are located

adjacent to Burnham Road where vegetation is less dense than the remainder of the subdivision. To ensure reasonably foreseeable development adjacent to Burnham Road does not create any disability or discomfort glare for motorists, the map will be conditioned to require the property owner for each lot to use non-reflective materials on future development. Additionally, as discussed in Section 4e (above), the property owner for each lot will be required to submit a Lighting Plan (refer to Mitigation Measure BIO-6 of this initial study) in compliance with the Ventura County NCZO Dark Sky lighting standards (NCZO Section 8109-4.7.4). With implementation of these standard conditions of approval, project-specific and cumulative impacts related to glare will be less than significant.

22b. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 22 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
23. Public Health (EHD)								
Will the proposed project:								
a) Result in impacts to public health from environmental factors as set forth in Section 23 of the Initial Study Assessment Guidelines?	X				X			
b) Be consistent with the applicable General Plan Goals and Policies for Item 23 of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

23a. The proposed subdivision will not create any impacts on public health. Reasonably foreseeable development on the resulting lots does not have the potential to impact public health as future development will connect to public sewer. Therefore, the proposed subdivision and reasonably foreseeable development on the three resulting lots will not result in any project-specific or cumulative impacts related to public health.

23b. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 23 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
24. Greenhouse Gases (VCAPCD)								
Will the proposed project:								
a) Result in environmental impacts from greenhouse gas emissions, either project specifically or cumulatively, as set forth in CEQA Guidelines §§ 15064(h)(3), 15064.4, 15130(b)(1)(B) and -(d), and 15183.5?		X				X		

Impact Discussion:

24a. Neither the APCD nor the County has adopted a threshold of significance applicable to Greenhouse Gas (GHG) emissions from projects subject to the County’s discretionary land use permitting authority. The County has, however, routinely applied a 10,000 MTCO₂e/yr threshold of significance to such projects, in accordance with CEQA Guidelines Section 15064.4(a)(2), with VCAPCD concurrence with this numeric threshold, stating that “all of the air districts in California that have adopted or recommended a GHG emissions threshold of significance for a CEQA threshold of significance analysis related to stationary sources have all set the threshold at 10,000 MTCO₂e/yr., including neighboring air districts in Ventura County”, including South Coast Air Quality Management District, Santa Barbara County Air Pollution Control District, and San Diego County Air Pollution Control District. Furthermore, the amount of greenhouse gasses anticipated from the project will be a small fraction of the levels being considered by the APCD for greenhouse gas significance thresholds and far below those adopted to date by any air district in the state. Thus, project-specific and cumulative impacts related to greenhouse gases is less than significant.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
25. Community Character (PIng.)								

Will the proposed project:								
a) Either individually or cumulatively when combined with recently approved, current, and reasonably foreseeable probable future projects, introduce physical development that is incompatible with existing land uses, architectural form or style, site design/layout, or density/parcel sizes within the community in which the project site is located?		X					X	
b) Be consistent with the applicable General Plan Goals and Policies for Item 25 of the Initial Study Assessment Guidelines?		X					X	

Impact Discussion:

25a. The proposed subdivision is located in a community of Oak View that includes residential development, agriculture and open space. Existing development includes single-family dwellings in the Los Encinos neighborhood approximately 139 feet north of the proposed subdivision, orchards to the west, the Ventura River to the east, single-family dwellings with accessory agricultural/animal keeping development to the south, and undeveloped, mountainous, chaparral-covered terrain to the west.

The minimum lot size for the R1 zone is 6,000 sq. ft. The subject parcel is 143,312.4 sq. ft. or 3.29 acres in size. Lot 1 will be 1.78 acres in size, Lot 2 will be 0.75 acres in size Lot 3 will be 0.76 acres in size. Adjacent residential parcels zoned R1 20,000 sq. ft. range in size from 0.41 acres to 1.0 acre. The character of this residential community will not be substantially altered with the proposed subdivision and reasonably foreseeable development of Lots 1 through 3.

Future development of Lots 1 through 3 must meet the development standards noted in NCZO Section 8106.1.1 These standards are noted below.

Standards for Future Development of Lots 1 through 3

Zone	Maximum Percentage of Building Coverage	Required Minimum Setbacks	Maximum Structure Height
R1 20,000	25%*	Front: 20 feet (Lot 1) 15 feet** (Lot 2)	Principal: 25 feet
		Side: 5 feet	Accessory: 15 feet
		Rear: 15 feet	

* Per Table 2-2 of the Ventura County 2040 General Plan, this percentage represents the maximum cumulative calculation.

** In accordance with Ventura County NCZO Section 8106-5.11, in the R1 and R2 zones, dwellings constructed with carports or garages having a curved or "swing" driveway, with the entrances to the carports or garages facing the side property line, may have a minimum front setback of 15 feet. Parcel 2 and Parcel 3 will have swing driveways.

With the implementation of these standards, future development of the proposed parcels would be compatible with existing residential development, and project-specific and cumulative impacts related to community character will be less than significant.

25b. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 25 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
26. Housing (PIng.)								
Will the proposed project:								
a) Eliminate three or more dwelling units that are affordable to: moderate-income households that are located within the Coastal Zone; and/or, lower-income households?	X				X			
b) Involve construction which has an impact on the demand for additional housing due to potential housing demand created by construction workers?		X				X		
c) Result in 30 or more new full-time-equivalent lower-income employees?		X				X		
d) Be consistent with the applicable General Plan Goals and Policies for Item 26 of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

26a. The proposed subdivision will not eliminate any existing dwelling units. The project would result in the creation of two new lots which would increase single-family dwelling units by a minimum of three units, which will add to the County's housing stock.

26b. As stated in the *Ventura County Initial Study Assessment Guidelines* (p. 146), any project that involves construction has an impact on the demand for additional housing due to potential housing demand created by construction workers. However, construction worker demand is a less than significant project-specific impact, and does not qualify as a cumulatively considerable contribution to a significant cumulative impact, related to the demand for new housing, because construction work is short-term and there is a sufficient pool of construction workers within Ventura County and the Los Angeles metropolitan regions to implement future construction activities on the proposed lots.

26c. The proposed subdivision will not result in 30 or more new full-time-equivalent lower-income employees, as the proposed subdivision will not facilitate the development of a new commercial or industrial use on the subject property.

Thus, project-specific and cumulative impacts related to housing is considered less than significant.

26d. The proposed subdivision is consistent with the *Ventura County 2040 General* for Item 26 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
27a(1). Transportation & Circulation - Roads and Highways - Level of Service (LOS) (PWA)								
Will the proposed project:								
a) Cause existing roads within the Regional Road Network or Local Road Network that are currently functioning at an acceptable LOS to function below an acceptable LOS?		X				X		

Impact Discussion:

27a(1)-a. Based on the Office of Planning and Research (OPR) Screening Criteria under Senate Bill (SB) 743, the Regional Transportation Plan/Sustainable Communities Strategy (SCS) regionally adopted by SCAG, and Ventura County Public Works Roads and Transportation Division, projects that generate or attract fewer than 110 trips per day are presumed to have a less-than-significant impact on VMT. For residential land uses, OPR recommends a VMT per capita threshold set at 15 percent below baseline levels. Using the Ventura County Transportation Commission (VCTC) Ventura County Traffic Model (VCTM), the average trip length of all home-based model trip types has been used as a more reflective of Ventura County's transportation setting while still containing a per capita estimate. Based on the VCTM's baseline, the average trip length for all home-based trips is 9.66 miles. Applying the 15 percent reduction yields a VMT threshold of 8.21 miles which is the threshold of significance for residential land use projects.

The proposed subdivision is in the Oak View area adjacent to Burnham Road. Burnham Road is approximately 0.4 miles south of State Highway 150. From State Highway 150, State Highway 33 is approximately two miles east. The term 'average' of all home-based trips refers to the 'middle' or 'central' point that is a typical representation of several trips generated in one day. The proposed subdivision's home-based trips will likely average one per day given the distance to employment centers and public services. Based on the above 8.21 mile VMT and the location of the subdivision in relation to State Highways 150 and 33, the VMT that would be generated from reasonably foreseeable residential development of the 3 lots would not exceed the threshold.

Vehicle trips generated by the subdivision are not expected to result in a VMT impact consistent with the VMT reduction goals of the OPR's Technical advisory on Evaluating Transportation Impacts and would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

The proposed subdivision will create the potential for new development that will generate additional traffic on the local public roads and the Regional Road Network. The nearest county-maintained roadways are Burnham Road and Highway 150. No development is proposed at this time. Therefore, this subdivision will not generate additional traffic on the Regional Road Network and local public roads. Therefore, a Traffic Impact Mitigation Fee (TIMF) is not due at this time. The County of Ventura 2040 General Plan Policy CTM-1.7 and Ventura County Ordinance 4226 require the Public Works Agency Transportation Department to collect a TIMF from proposed developments. If the Subdivider or future property owners choose to develop the newly created (and recorded) lots, then a cumulative adverse traffic impact will occur and a TIMF would be due to the County. Thus, project-specific and cumulative impacts related to level of service is considered less than significant.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
27a(2). Transportation & Circulation - Roads and Highways - Safety and Design of Public Roads (PWA)								
Will the proposed project:								
a) Have an Adverse, Significant Project-Specific or Cumulative Impact to the Safety and Design of Roads or Intersections within the Regional Road Network (RRN) or Local Road Network (LRN)?		X				X		

Impact Discussion:

27a(2)-a. The proposed subdivision will create the potential for new development that will generate additional traffic on the local public roads and the Regional Road Network. The level of new traffic that could be generated by new development on the proposed lots, will not adversely affect the safety and design of roads or intersections within the Regional or Local Road Network. The map will be subject to a roadway improvements standard condition of approval, that will require roadway improvements along the proposed subdivision’s frontage adjacent to Burnham Road, pursuant to the requirements of County Road Standard Plate B-5[A]¹⁹, the Ventura County 2040 General Plan, Ordinance 1607 (November 10, 1964), the “Paveout Policy” (January 16, 1968), and Ventura County Code of Ordinances (Division 8, Chapter 4 – Urban Area Development). This will involve the installation of curb, gutter and sidewalk at the time future development is proposed on the lots. Thus, project-specific impact and cumulative impacts related to the safety and design of roads or intersections within the Regional or Local Road Network will be less than significant.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**	Cumulative Impact Degree Of Effect**
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¹⁹http://pwaportal.ventura.org/TD/Residents/Streets_and_Transportation/Reports_and_Programs/AP_RoadStds.pdf

	N	LS	PS-M	PS	N	LS	PS-M	PS
27a(3). Transportation & Circulation - Roads & Highways – Safety & Design of Private Access (VCFPD)								
a) If a private road or private access is proposed, will the design of the private road meet the adopted Private Road Guidelines and access standards of the VCFPD as listed in the Initial Study Assessment Guidelines?		X				X		
b) Will the project be consistent with the applicable General Plan Goals and Policies for Item 27a(3) of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

27a(3)-a. No private roads are proposed for this project. Each resulting lot will have a 20-foot wide all-weather private driveway with direct access from Burnham Road, a public road. These on-site driveways are required to meet the adopted Private Road Guidelines and Access Standards of the Ventura County Fire Protection District (VCFPD), as identified in the Initial Study Assessment Guidelines. Thus, project-specific and cumulative impacts related to the safety and design of private access will be less than significant.

27a(3)-b. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 27a(3) of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
27a(4). Transportation & Circulation - Roads & Highways - Tactical Access (VCFPD)								
Will the proposed project:								
a) Involve a road or access, public or private, that complies with VCFPD adopted Private Road Guidelines?		X				X		

b) Be consistent with the applicable General Plan Goals and Policies for Item 27a(4) of the Initial Study Assessment Guidelines?		X				X		
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Impact Discussion:

27a(4)-a. Access to the proposed subdivision will be provided from Burnham Road, a public road. Three private driveways are proposed for each resulting lot. Access and driveways will be required to meet the County access standards and current VCFPD road standards [Standard 501, Fire Apparatus Access Standard, Chapter 3 and Sections 5.2.1 through Section 5.2.5]. The proposed subdivision is located approximately 2.5 miles northwest of the nearest fire station, Station No. 23, addressed at 15 Kunkle Street in the unincorporated area of Oak View. The distance and response time is adequate and no new fire stations or personnel are required as a result of the proposed subdivision., Thus, project-specific and cumulative impacts related to tactical access will be less than significant.

27a(4)-b. The proposed subdivision is consistent with the *Ventura County General Plan Goals and Policies* for Item 27a(4) of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
27b. Transportation & Circulation - Pedestrian/Bicycle Facilities (PWA/Plng.)								
Will the proposed project:								
1) Will the Project have an Adverse, Significant Project-Specific or Cumulative Impact to Pedestrian and Bicycle Facilities within the Regional Road Network (RRN) or Local Road Network (LRN)?	X				X			

2) Generate or attract pedestrian/bicycle traffic volumes meeting requirements for protected highway crossings or pedestrian and bicycle facilities?	X				X				
3) Be consistent with the applicable General Plan Goals and Policies for Item 27b of the Initial Study Assessment Guidelines?	X				X				

Impact Discussion:

27b-1 and 27b-2. The proposed subdivision will not generate pedestrian/bicycle volumes meeting requirements for protected highway crossings or pedestrian and bicycle facilities. Burnham Road, which is the nearest County road to the proposed subdivision, does not have pedestrian or bicycle facilities. Pursuant to County road standard Plate B-5[A] pedestrian or bicycle facilities are not required for Burnham Road. Thus, there will not be any project-specific or cumulative impacts related to pedestrian / bicycle facilities.

27b-3. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 27b of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
27c. Transportation & Circulation - Bus Transit								
Will the proposed project:								

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
1) Substantially interfere with existing bus transit facilities or routes, or create a substantial increase in demand for additional or new bus transit facilities/services?	X				X			
2) Be consistent with the applicable General Plan Goals and Policies for Item 27c of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

27c-1. There are no bus facilities within the vicinity of the proposed subdivision with which the proposed subdivision could interfere. The nearest transit stop is located approximately 1.25 miles northeast of the subdivision at the intersection of Highway 150 and Highway 33. The proposed subdivision and reasonably foreseeable development of Lots 1 through 3 will not interfere with existing bus transit facilities and routes or create a substantial increase in the demand for additional or new transit services. Thus, there will not be any project-specific or cumulative impacts related to bus transit facilities/services.

27c-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 27c of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
27d. Transportation & Circulation - Railroads								
Will the proposed project:								
1) Individually or cumulatively, substantially interfere with an existing railroad's facilities or operations?	X				X			

2) Be consistent with the applicable General Plan Goals and Policies for Item 27d of the Initial Study Assessment Guidelines?	X					X			
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Impact Discussion:

27d-1. The nearest railroad facility is located 6.4 miles north of the proposed subdivision. At this distance, the proposed subdivision and reasonably foreseeable development of Lots 1 through 3 will not create additional demand for railroad facilities or operations. Thus, there will not be any project-specific or cumulative impacts related to railroads.

27d-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 27d of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
27e. Transportation & Circulation – Airports (Airports)								
Will the proposed project:								
1) Have the potential to generate complaints and concerns regarding interference with airports?	X				X			
2) Be located within the sphere of influence of either County operated airport?	X				X			
3) Be consistent with the applicable General Plan Goals and Policies for Item 27e of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

27e-1 and 27e-2. The proposed subdivision is located outside of a County Airport Sphere of Influence (Planning GIS; February 2021). Santa Paula Airport is located approximately 14.8 miles northwest of the subdivision. The proposed development is not expected to adversely impact the operational activities of a County airport. This is

because reasonably foreseeable residential development on the lots is limited to a maximum of 25 feet in height for principal structures and 15 feet in height for accessory structures, such as an accessory dwelling unit. This type of development is not expected to generate complaints or concerns regarding interference with airports. The proposed subdivision will comply with the County's Airport Conservation Land Use Plan and pre-established federal criteria set forth in Federal Aviation Regulation Part 77 (Obstruction Standards). Thus, there will not be any project-specific or cumulative impacts related to airports.

27e-3. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 27e of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
27f. Transportation & Circulation - Harbor Facilities (Harbors)								
Will the proposed project:								
1) Involve construction or an operation that will increase the demand for commercial boat traffic and/or adjacent commercial boat facilities?	X				X			
2) Be consistent with the applicable General Plan Goals and Policies for Item 27f of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

27f-1. The proposed subdivision is not located adjacent to a harbor, will not affect the operations of a harbor, and/or will not increase the demands on harbor facilities. The nearest harbor facility, Ventura Harbor, is located more than 15 miles south of the subdivision. Thus, there will not be any project-specific or cumulative impacts related to harbor facilities.

27f-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 27f of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
27g. Transportation & Circulation - Pipelines								
Will the proposed project:								
1) Substantially interfere with, or compromise the integrity or affect the operation of, an existing pipeline?	X				X			
2) Be consistent with the applicable General Plan Goals and Policies for Item 27g of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

27g-1. The County GIS Maps (RMA GIS; February 2021) indicate that there are no major or minor pipelines that traverse or enter the subject property, nor are there any pipelines within close proximity to the subdivision. The closest pipeline is located approximately 7 miles north of the subdivision. Therefore, there will not be any project-specific or cumulative impacts related to pipelines.

27g-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 27g of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
28a. Water Supply – Quality (EHD)								
Will the proposed project:								

1) Comply with applicable state and local requirements as set forth in Section 28a of the Initial Study Assessment Guidelines?	X				X			
2) Be consistent with the applicable General Plan Goals and Policies for Item 28a of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

28a-1. Domestic water supply for reasonably foreseeable development of Lots 1 through 3 will be provided by VRWD. An approved Water Availability Letter (WAL15-0012) is on-file with the Ventura County Public Works Agency. A Water Availability Letter dated October 23, 2018 from Casitas Municipal Water District confirms the subdivision is within the VRWD service area, and the additional water service connections to the proposed lots will not adversely affect other uses within the District.

VRWD is regulated by the State Water Resources Control Board. The quality of domestic water must comply with applicable State drinking water standards. Design and construction of the future development on the resulting three lots must conform with applicable State and Building Code requirements pertaining to water systems. Thus, the proposed subdivision will not have any project-specific impact or cumulative impacts related to the quality of water supplied by VRWD.

28a-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 28a of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
28b. Water Supply – Quantity (WPD)								
Will the proposed project:								
1) Have a permanent supply of water?		X				X		

2) Either individually or cumulatively when combined with recently approved, current, and reasonably foreseeable probable future projects, introduce physical development that will adversely affect the water supply - quantity of the hydrologic unit in which the project site is located?		X				X		
3) Be consistent with the applicable General Plan Goals and Policies for Item 28b of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

28b-1. As discussed in Sections 2A-1 through 2A-4 of this Initial Study (above), the VRWD will supply domestic water service to the proposed subdivision. Due to the supplementary water supplies that CMWD provides to the VRWD, the VRWD is considered to have the ability to provide a permanent supply of domestic water for the proposed subdivision. Thus, project-specific and cumulative impacts related to water supply quantity are less than significant.

28b-2. As discussed in Sections 2A-1 through 2A-4 of this Initial Study (above), the proposed subdivision, when combined with recently approved, current, and reasonably foreseeable probable future projects, will not introduce physical development that would adversely affect the quantity of water of the hydrologic unit in which the subdivision is located.

28b-3. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 28b of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
28c. Water Supply - Fire Flow Requirements (VCFPD)								
Will the proposed project:								
1) Meet the required fire flow?		X				X		

2) Be consistent with the applicable General Plan Goals and Policies for Item 28c of the Initial Study Assessment Guidelines?		X				X		
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Impact Discussion:

28c-1. Although no development is proposed at this time, the existing water supply lines will be required to be extended to serve the new lots. ~~To ensure that the required fire flow is met, the future property owner of each lot will be subject to a standard condition of approval that will require the submittal of documentation to the VCFPD that demonstrates that the water purveyor can provide the required fire flow for the proposed development on the lot being developed. Prior to development of the lots, the future property owners will be required to verify with VRSD and CMWD that the adequate fire flow can be provided.~~ With the implementation of this standard condition of approval, project-specific and cumulative impacts related to fire flow are less than significant.

28c-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan Goals and Policies for Item 28c of the Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts would be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
29a. Waste Treatment & Disposal Facilities - Individual Sewage Disposal Systems (EHD)								
Will the proposed project:								
1) Comply with applicable state and local requirements as set forth in Section 29a of the Initial Study Assessment Guidelines?	X				X			
2) Be consistent with the applicable General Plan Goals and Policies for Item 29a of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

29a-1. The proposed subdivision will not utilize an individual sewage disposal system.

The OVSD (Krout, March 27, 2018) has indicated that adequate sewer capacity is available for this subdivision. Thus, there will not be any project-specific or cumulative impacts related to on-site sewage disposal systems.

29a-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* Item 29a of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
29b. Waste Treatment & Disposal Facilities - Sewage Collection/Treatment Facilities (EHD)								
Will the proposed project:								
1) Comply with applicable state and local requirements as set forth in Section 29b of the Initial Study Assessment Guidelines?		X				X		
2) Be consistent with the applicable General Plan Goals and Policies for Item 29b of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

29b-1. Reasonably foreseeable development on the three lots would include connection to the public sewer. The OVSD (Krout, March 27, 2018) has indicated that sewer is available for this subdivision. The subdivision is partially located within the sphere of influence—but not the service area—of the OVSD. Therefore, in order to receive sewer service, the Subdivider will need to apply for, and receive approval of annexation of the subject property into the OVSD service area. On December 19, 2019, LAFCo approved and recorded with the Ventura County Recorder, a Certificate of Completion, which authorized the annexation of the subject lot into OVSD. Thus, project-specific and cumulative impacts related to sewage collection system are considered less than significant.

29b-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* Item 29b of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
29c. Waste Treatment & Disposal Facilities - Solid Waste Management (PWA)								
Will the proposed project:								
1) Have a direct or indirect adverse effect on a landfill such that the project impairs the landfill's disposal capacity in terms of reducing its useful life to less than 15 years?		X				X		
2) Be consistent with the applicable General Plan Goals and Policies for Item 29c of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

29c-1. As required by California Public Resources Code (PRC) 41701, Ventura County's Countywide Siting Element (CSE), adopted in June 2001 and updated annually, confirms 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 state PRC, the proposed subdivision will have less than significant project specific impacts upon Ventura County's solid waste disposal capacity.

Ventura County Ordinance 4421 requires all discretionary permit Subdividers whose proposed subdivision includes construction and/or demolition activities, to reuse, salvage, recycle, or compost a minimum of 60% of the solid waste generated by a project. The Public Works Agency, Integrated Waste Management Division's waste diversion program (Form B Recycling Plan / Form C Report) ensures this 60% diversion goal is met prior to issuance of a final Zoning Clearance for use inauguration or occupancy, consistent with the Ventura County 2040 General Plan Policy HAZ-5.2. In addition, the proposed subdivision will be consistent with the Ojai Valley Area Plan Policy OV-27.1 that encourages practices that reduce the volume of waste disposed of in landfills. Thus, project-specific and cumulative impacts related to solid waste disposal capacity are considered less than significant.

29c-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 29c of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
29d. Waste Treatment & Disposal Facilities - Solid Waste Facilities (EHD)								
Will the proposed project:								
1) Comply with applicable state and local requirements as set forth in Section 29d of the Initial Study Assessment Guidelines?	X				X			
2) Be consistent with the applicable General Plan Goals and Policies for Item 29d of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

29d-1. The proposed subdivision does not include a solid waste operation or facility. Thus, there will be any project-specific or cumulative impacts relating to solid waste facilities.

29d-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 29D of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
30. Utilities								
Will the proposed project:								

a) Individually or cumulatively cause a disruption or re-routing of an existing utility facility?	X				X			
b) Individually or cumulatively increase demand on a utility that results in expansion of an existing utility facility which has the potential for secondary environmental impacts?		X				X		
c) Be consistent with the applicable General Plan Goals and Policies for Item 30 of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

30a and 30b. Extension of utilities to the three lots would not result in the disruption or re-routing of an existing facility. Future residential development of the lots will require an expansion of the utility facilities to provide services in compliance with building energy efficiency standards of the California Energy Code (Title 24). The proposed subdivision creates two additional lots and as such, the demand on utility services would not be significant. Therefore, project-specific and cumulative impacts related to utilities would be less than significant.

30c. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 30 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
31a. Flood Control Facilities/Watercourses - Watershed Protection District (WPD)								
Will the proposed project:								

1) Either directly or indirectly, impact flood control facilities and watercourses by obstructing, impairing, diverting, impeding, or altering the characteristics of the flow of water, resulting in exposing adjacent property and the community to increased risk for flood hazards?		X				X		
2) Be consistent with the applicable General Plan Goals and Policies for Item 31a of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

31a-1. The subject property is located approximately 250 feet west (at closet point) of the Ventura River and approximately 733 feet west (at closest point) of Live Oak Creek, which are Ventura County Watershed Protection District (District) jurisdictional redline channels. No new direct connections to these jurisdictional watercourses are proposed. Potential impacts from increases in impervious area and stormwater drainage design within the subdivision area will be required to be mitigated to less than significant under the conditions imposed by the County of Ventura Public Works Agency, Engineering Services Department, Development & Inspection Services Division, by reference to Appendix J of the Ventura County Building Code. This regulation requires runoff from the proposed subdivision site be released at no greater than the undeveloped flow rate and in such manner as to not cause an adverse impact downstream in peak, velocity or duration. District staff determined that the proposed TPM design with the conditions mentioned above mitigates the direct and indirect project-specific and cumulative impacts to flood control facilities and watercourses. Thus, project-specific and cumulative impacts related to redline channels under the jurisdiction of the Ventura County Watershed Protection District are considered less than significant.

31a-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 31A of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
31b. Flood Control Facilities/Watercourses - Other Facilities (PWA)								

Will the proposed project:								
1) Result in the possibility of deposition of sediment and debris materials within existing channels and allied obstruction of flow?		X				X		
2) Impact the capacity of the channel and the potential for overflow during design storm conditions?		X				X		
3) Result in the potential for increased runoff and the effects on Areas of Special Flood Hazard and regulatory channels both on and off site?		X				X		
4) Involve an increase in flow to and from natural and man-made drainage channels and facilities?		X				X		
5) Be consistent with the applicable General Plan Goals and Policies for Item 31b of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

31b-1 through 31b-4. The proposed subdivision preserves the existing trend of runoff and local drainage patterns. The project will not create an obstruction of flow in the existing drainage as any runoff will be similar to the present conditions. The difference in runoff from the existing condition to the developed condition will be detained onsite prior to being released to the historic drainages. Future development of each lot will be required to maintain the drainage conditions present before development by a method of detention that will remove sediment and debris materials prior to being released offsite. Thus, project-specific and cumulative impacts related to flood control facilities/watercourses are considered less than significant.

31b-5. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 30 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**	Cumulative Impact Degree Of Effect**
----------------------------------	-----------------------------------	--------------------------------------

	N	LS	PS-M	PS	N	LS	PS-M	PS
32. Law Enforcement/Emergency Services (Sheriff)								
Will the proposed project:								
a) Have the potential to increase demand for law enforcement or emergency services?		X				X		
b) Be consistent with the applicable General Plan Goals and Policies for Item 32 of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

32a. The future development of the proposed three-lot subdivision would result in the potential increase in demand for law enforcement and emergency services. However, development of the lots would not significantly reduce response times or increase service areas, which would require the construction of new law enforcement or emergency services facilities. Thus, project-specific and cumulative impacts related to emergency services are considered less than significant.

32b. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 32 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
33a. Fire Protection Services - Distance and Response (VCFPD)								
Will the proposed project:								
1) Be located in excess of five miles, measured from the apron of the fire station to the structure or pad of the proposed structure, from a full-time paid fire department?	X				X			

2) Require additional fire stations and personnel, given the estimated response time from the nearest full-time paid fire department to the project site?	X				X			
3) Be consistent with the applicable General Plan Goals and Policies for Item 33a of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

33a-1 and 33a-2. The proposed subdivision is located approximately 2.5 miles northwest of the nearest fire station, Station No. 23, addressed at 15 Kunkle Street in the unincorporated area of Oak View. The distance and response time is adequate and no new fire stations or personnel are required as a result of the proposed subdivision. Thus, there will not be any project-specific or cumulative impacts related to fire protection services distance and response time.

33a-3. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 33a of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
33b. Fire Protection Services – Personnel, Equipment, and Facilities (VCFPD)								
Will the proposed project:								
1) Result in the need for additional personnel?	X				X			
2) Magnitude or the distance from existing facilities indicate that a new facility or additional equipment will be required?	X				X			
3) Be consistent with the applicable General Plan Goals and Policies for Item 33b of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

33b-1 and 33b-2. As noted in item 33a above, the proposed subdivision is located approximately 2.5 miles northwest of Fire Station No. 23. Based on this distance from an existing fire station, the need for additional fire personnel is not required. Thus, there will not be any project-specific or cumulative impacts related to fire protection services personnel, equipment and facilities.

33b-3. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 33b of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
34a. Education - Schools								
Will the proposed project:								
1) Substantially interfere with the operations of an existing school facility?	X				X			
2) Be consistent with the applicable General Plan Goals and Policies for Item 34a of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

34a-1. The proposed subdivision is located within an area that is served by the Ventura Unified School District. The nearest school, Santa Ana Elementary School, is over 1,800 feet from the subdivision.

Future residential development on the three lots would marginally increase demands for school services. However, Senate Bill 50 (SB 50, The Leroy F. Greene School Facilities Act) and Proposition 1A (both of which passed in 1998) provide a comprehensive school facility financing and reform program. Any additional demand created by the proposed subdivision would be mitigated by payment of school fees pursuant to Section 65996 of the California Government Code (2014b). Thus, there will not be any project-specific or cumulative impacts related to existing school facilities.

34a-2. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 34a of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
34b. Education - Public Libraries (Lib. Agency)								
Will the proposed project:								
1) Substantially interfere with the operations of an existing public library facility?	X							
2) Put additional demands on a public library facility which is currently deemed overcrowded?		X						
3) Limit the ability of individuals to access public library facilities by private vehicle or alternative transportation modes?	X							
4) In combination with other approved projects in its vicinity, cause a public library facility to become overcrowded?						X		
5) Be consistent with the applicable General Plan Goals and Policies for Item 34b of the Initial Study Assessment Guidelines?	X				X			

Impact Discussion:

34b-1 through 34b-4. The closest library to the proposed subdivision is the Oak View Library, addressed as 555 Mahoney Avenue, which is located approximately 1.9 miles south of the subdivision. The proposed subdivision and future development of the three lots does not have the potential to create project-specific impacts which would interfere with the use of the library. Moreover, the modest incremental increase in the demand for library services that would result from future development would not result in a significant demand on library resources, thereby warranting the need for the construction of new library facilities.

Thus, there will not be any project-specific or cumulative impacts related to library services.

34b-5. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 34b of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. No residual impacts.

Issue (Responsible Department) *	Project Impact Degree Of Effect**				Cumulative Impact Degree Of Effect**			
	N	LS	PS-M	PS	N	LS	PS-M	PS
35. Recreation Facilities (GSA)								
Will the proposed project:								
a) Cause an increase in the demand for recreation, parks, and/or trails and corridors?		X				X		
b) Cause a decrease in recreation, parks, and/or trails or corridors when measured against the following standards: <u>Local Parks/Facilities</u> - 5 acres of developable land (less than 15% slope) per 1,000 population; <u>Regional Parks/Facilities</u> - 5 acres of developable land per 1,000 population; or, <u>Regional Trails/Corridors</u> - 2.5 miles per 1,000 population?		X				X		
c) Impede future development of Recreation Parks/Facilities and/or Regional Trails/Corridors?		X				X		
d) Be consistent with the applicable General Plan Goals and Policies for Item 35 of the Initial Study Assessment Guidelines?		X				X		

Impact Discussion:

35a through 35c. The proposed subdivision and reasonably foreseeable development of the resulting lots does not have the potential to impede the development of parks/facilities and/or regional trails/corridors. There are no parks/facilities and/or regional trails/corridors located on, or immediately adjacent to the proposed subdivision site. Lake Casitas Recreation Area is located approximately 1.06 miles southwest of the subdivision. The closest trail, the Casitas Shoreline Lake Trail, is also located approximately 1.06 miles southwest of the subdivision. At these distances, development on the proposed lots will not have an adverse effect on the development, maintenance, or use of public trails. Furthermore, the County collects fees pursuant to the 1975 Quimby Act for the purpose of reserving land for public open space and recreation. The map will be conditioned to require the Subdivider to pay all Quimby fees as determined by the General Services Agency – Parks Department, pursuant to Ventura County Ordinance Code (2014b, § 8297-4 et seq.). This condition is for the purpose of providing fees in lieu of land dedication for local park acquisition or development for the future residents of the subdivision. Therefore, project-specific and cumulative impacts related to trails is considered less than significant.

35d. The proposed subdivision is consistent with the *Ventura County 2040 General Plan* for Item 35 of the *Ventura County Initial Study Assessment Guidelines*.

Mitigation/Residual Impact(s)

No mitigation required. Residual impacts will be less than significant.

***Key to the agencies/departments that are responsible for the analysis of the items above:**
 Airports - Department Of Airports AG. - Agricultural Department VCAPCD - Air Pollution Control District
 EHD - Environmental Health Division VCFPD - Fire Protection District GSA - General Services Agency
 Harbors - Harbor Department Lib. Agency - Library Services Agency Plng. - Planning Division
 PWA - Public Works Agency Sheriff - Sheriff's Department WPD - Watershed Protection District
****Key to Impact Degree of Effect:** N – No Impact LS – Less than Significant Impact PS-M – Potentially Significant but Mitigable Impact, PS – Potentially Significant Impact

Section C – Mandatory Findings of Significance

Based on the information contained within Section B:		
	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?		X

2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future).		X
3. Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effect of other current projects, and the effect of probable future projects. (Several projects may have relatively small individual impacts on two or more resources, but the total of those impacts on the environment is significant.)		X
4. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X

Findings Discussion:

1. As stated above in Section B, Item 4 of the Initial Study, with the imposition of the recommended mitigation measures, the proposed subdivision does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
2. The project does not involve the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
3. As stated in Section B, with the imposition of the recommended mitigation measures, the proposed subdivision does not have the potential to create a cumulatively considerable contribution to a significant cumulative impact.
4. As stated in Section B, the proposed subdivision will have at most a less than significant impact with regard to adverse effects, either directly or indirectly, on human beings.

Section D – Determination of Environmental Document

Based on this initial evaluation:

[]	I find the proposed subdivision could not have a significant effect on the environment, and a Negative Declaration should be prepared.
-----	--

[X]	I find that although the proposed subdivision could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measure(s) described in Section B of the Initial Study will be applied to the project. A Mitigated Negative Declaration should be prepared.
[]	I find the proposed subdivision, individually and/or cumulatively, MAY have a significant effect on the environment and an Environmental Impact Report (EIR) is required.*
[]	I find that the proposed subdivision MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed.*
[]	I find that although the proposed subdivision could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed subdivision, nothing further is required.



 Kristina Boero, Senior Planner



 Date

Attachments:

- Attachment 1 Aerial Map
- Attachment 2 General Plan, Area Plan and Zoning Maps
- Attachment 3 Tentative Parcel Map No. 6011
- Attachment 4 Arborist Report and Tree Protection Plan, prepared by Bill Millet, dated July 10, 2020, Revised October 6, 2020
- Attachment 5 Pending and Recently Approved Projects List
- Attachment 6 Initial Study Biological Assessment prepared by Padre Associates, dated September 25, 2020
- Attachment 7 Geologic and Geotechnical Engineering Investigation Report, prepared by Mark Kruger Geology, Inc., dated, October 18, 2018
- Attachment 8 Works Cited



Ventura County
Resource Management Agency
Information Systems GIS Services
Map created on 10-12-2020
Source: Pictometry: 2019



County of Ventura
Mitigated Negative Declaration
PL18-0137
Attachment 1 - Aerial Map



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



RH



Project: PL18-0137

APN: 032-0-201-105

Area Plans

General Plan

Zoning



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



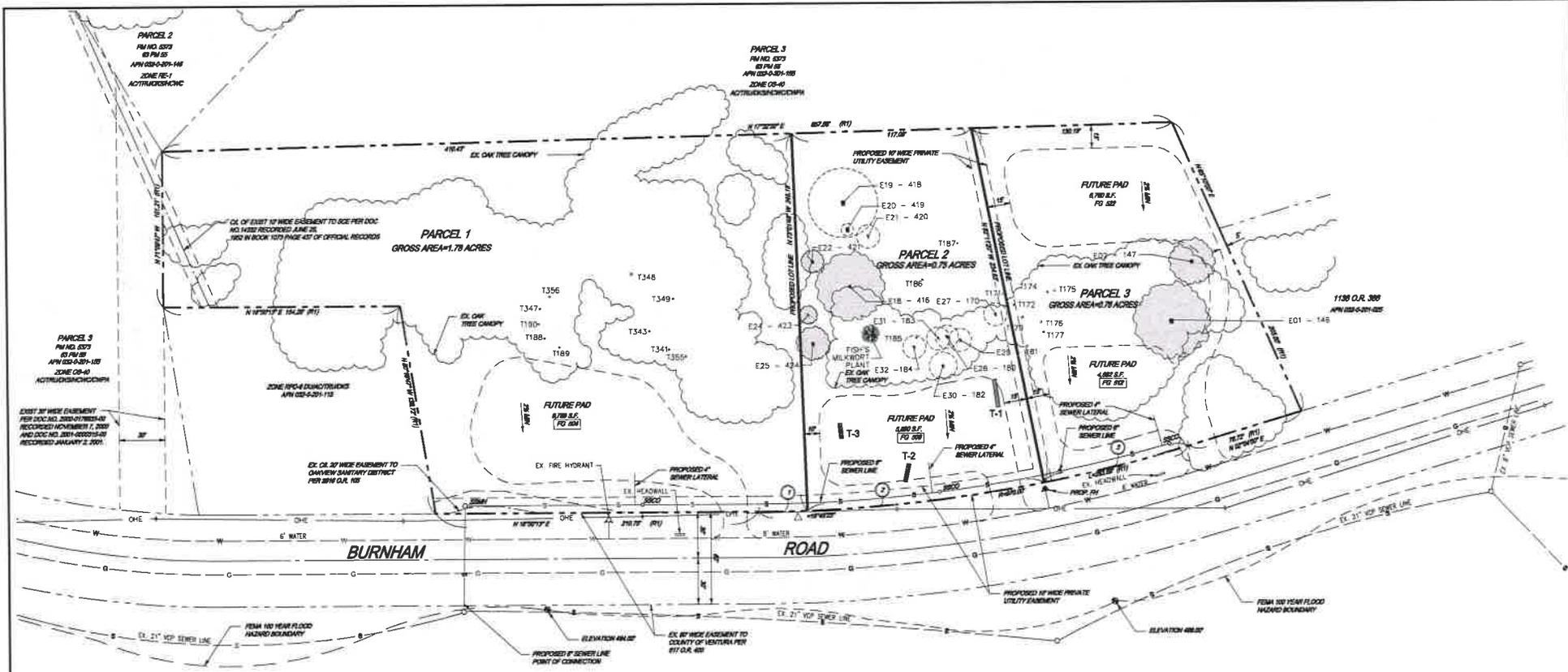
RH



Ventura County
Resource Management Agency
Information Systems GIS Services
Map created on 04-09-2021
Source: Pictometry: 2019



County of Ventura
Mitigated Negative Declaration
PL18-0137
Attachment 2 - General Plan, Ojai Valley Area Plan
and Zoning Map



PUBLIC UTILITIES

ELECTRIC: SOUTHERN CALIFORNIA Edison Co. (SCE)
 GAS: SOUTHERN CALIFORNIA GAS CO.
 TELEPHONE: AT&T
 CABLE: TELEVISION SPECTRUM
 WATER: VENTURA RIVER WATER DISTRICT
 SEWER: OAK VALLEY SANITATION DISTRICT



LAND USE DATA

A. AREA
 GROSS AREA 3.29 ACRES

B. PROJECT LOCATION
 BURNHAM ROAD, VENTURA COUNTY

C. ZONING & GENERAL PLAN DESIGNATION
 R1 20,000 SF FITTRUDNSHCNC

D. ASSESSOR'S PARCEL No.
 032-0-201-105

E. PROPERTY USE
 EXISTING-VACANT
 PROPOSED-RESIDENTIAL SINGLE-FAMILY

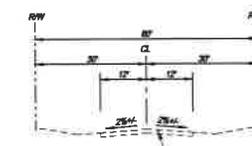
F. FLOOD ZONE
 FLOOD ZONE V - AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN PER PANEL NO. 081110088E DATED JANUARY 20, 2010.

LEGEND

PROPOSED	EXISTING
20 PARCEL NUMBER	— W— WATER
(E2) PAD ELEV.	— S— SEWER
W— WATER	— G— GAS
S— SEWER	— O— OVERHEAD ELECT.
— E— EASEMENT LINE	— F— FIRE HYDRANT
— V— FIRE HYDRANT	— P— POWER POLE
— C— CONTAIN LINE	— C— CENTER LINE
— M— SANITARY SEWER MANHOLE	— S— SANITARY SEWER MANHOLE
— C— SANITARY SEWER CLEANOUT	— F— FENCE LINE
	— F— FENCE LINE
	— T-3 TRENCH LOCATION PER SOILS REPORT
	— 1348 TREE NUMBER & LOCATION PER TREE REPORT
	— 421-420 TREE NUMBER & LOCATION PER TREE REPORT

ABBREVIATIONS

FS FINISH SURFACE
 FG FINISH GRADE
 EX EXISTING
 SSMH SANITARY SEWER MANHOLE
 SSCOC SANITARY SEWER CLEANOUT
 SF SQUARE FOOTAGE
 FM FINISH MAP
 OR OFFICIAL RECORD
 APN ASSESSOR'S PARCEL NUMBER
 CL CENTER LINE
 T TREE
 MBY MBRM



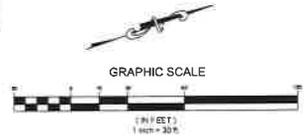
CURVE DATA (THIS SHEET ONLY)

Stationing	Δ	R	L	P
1 0+00 TO 0+15	90°	117.5'	37.87'	15.87'
2 0+15 TO 0+25	90°	117.5'	37.87'	15.87'
3 0+25 TO 0+30	90°	117.5'	37.87'	15.87'

NOTE:

1. FOR EXISTING TREE INFORMATION AND ASSESSMENT, SEE THE AIRBORNE TREE PROTECTION PLAN TOPOGRAPHIC SURVEY PREPARED BY JENSEN DESIGN & SURVEY INC.

SUBMITTER:
 MATTHEW PORTENSTEIN
 P.O. BOX 472
 OAK VIEW, CA 93022
 (805) 725-9743 CELL
 MPORTENSTEIN@GMAIL.COM



County of Ventura
 Mitigated Negative Declaration
 PL18-0137
 Attachment 3 - Tentative Parcel Map No. 6011



PREPARED BY:
GE
 Gamble Engineering Inc
 Civil Engineering & Surveying
 1200 Park Drive, Ventura, CA 93001
 (805) 651-1971 www.gambleengineering.com

TENTATIVE PARCEL MAP No. 6011
 FOR
 MATTHEW PORTENSTEIN

PARCEL 1 OF PARCEL MAP No. 6011 IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 63 PAGES 81 TO 89 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Bill Mellett Design
Landscape Architect
Certified Arborist

July 10, 2020
Revised 10/5/2020

Re: Burnham Rd.
APN: 032-0-201-105
Ojai, CA 93023

To Whom It May Concern:

ARBORIST REPORT

At the request of Matt Portenstein, the property owner, I visited the site on the following dates: 6/28/2018, 12/13/2019, 2/23/2020, 6/23/2020, 9/30/2020 and made the following observations and recommendations regarding the Coast Live Oak *Quercus agrifolia* trees referred to as trees #146 through #424 in this report. This report is a follow up to the report from 12/20/2019. A standard visual assessment of the condition of the subject trees was performed. Each of the trees was individually assessed and reported. No invasive examinations or excavation of the roots was performed.

The purpose of this report is to address the condition of existing protected trees potentially affected by the proposed subdivision of the property and any future development. Information regarding the proposed project, including a topographic map and site plan, was obtained from the property owner. Generally, the trees are all in poor to very poor condition and all are competing for limited resources. The report provides data and information concerning existing trees.

The County of Ventura requires a health assessment of each protected tree that is to be removed or where construction activities would occur within the Tree Protection Zone (TPZ). The TPZ includes the canopy of the tree plus 5 feet or a minimum of 15 feet from the trunk, whichever is greater. This report provides the results of the health assessments of the twenty-four individual Oak trees. Any future development within the TPZ of any trees should be closely monitored.

Site

The proposed development study area encompasses an approx. 3.28-acre parcel located on the west side of Burnham Rd. The site consists of Oak woodland and non-native grassland. Understory and native ground cover are lacking in this area. The site is extremely rocky and the soils are sandy.

Method Of Study

- The trees were not tagged.
- Live tree trunk and canopy diameters were recorded.
- All trees were assessed for health and structure.

This assessment is intended for planning purposes only and is not intended to be used to determine the risk of failure of any tree assessed.

County of Ventura
Mitigated Negative Declaration
PL18-0137
Attachment 4 - Arborist Report and Tree
Protection Plan, prepared by Bill Millet, dated
July 10, 2020, Revised October 6, 2020

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

Bill Mellett Design
L a n d s c a p e A r c h i t e c t
C e r t i f i e d A r b o r i s t

1. The trees are in generally poor condition and being crowded by adjacent oaks. Many trees are leaning and exhibiting signs of severe drought stress and are in advanced decline. Trees affected by decline diseases exhibit symptoms that become more numerous and severe with time. Stress indicators are as follows: Sparse foliage, Twig dieback, dead wood, exocormic growth and unhealed wounds. Some trees also have evidence of rot in the main trunk. Root, stem, and branch decay fungi commonly exploit trees in advanced stages of decline. Symptoms will persist and intensify over time with progressive deterioration in tree condition, ending in death and tree failure.
2. Information on individual trees contained in this assessment are included in the attached tree protection plan.
3. The western building pad on proposed Parcel 2 was removed which will avoid removal of any protected trees.
4. There will be no oak tree removal as a result of reasonable foreseeable development of the three proposed lots.
5. Trees #146 and #147 on Parcel 3 will have some TPZ encroachment with the construction of the driveway on Parcel 3. Tree #146 & Tree #147 are both in poor condition and advanced decline. Both trees are showing evidence of extensive beetle activity and potential root rot. The proposed construction encroachment into the TPZ of these two trees will involve grading for vehicular access. The grading required should be minimal and if care is taken during excavation for the proposed driveway and all tree protection guidelines set forth in the Tree Protection Plan dated 8/1/2018 (Rev. Dates 7/28/2020, 9/29/2020) are followed, any associated construction impact to these trees should be minimal. It is unlikely that these trees will recover from their current condition based on their advanced decline, and are likely to fail prior to the start of construction.
6. Tree #146 has an appraised value of \$9,800, and Tree #147 has an appraised value of \$6,100.

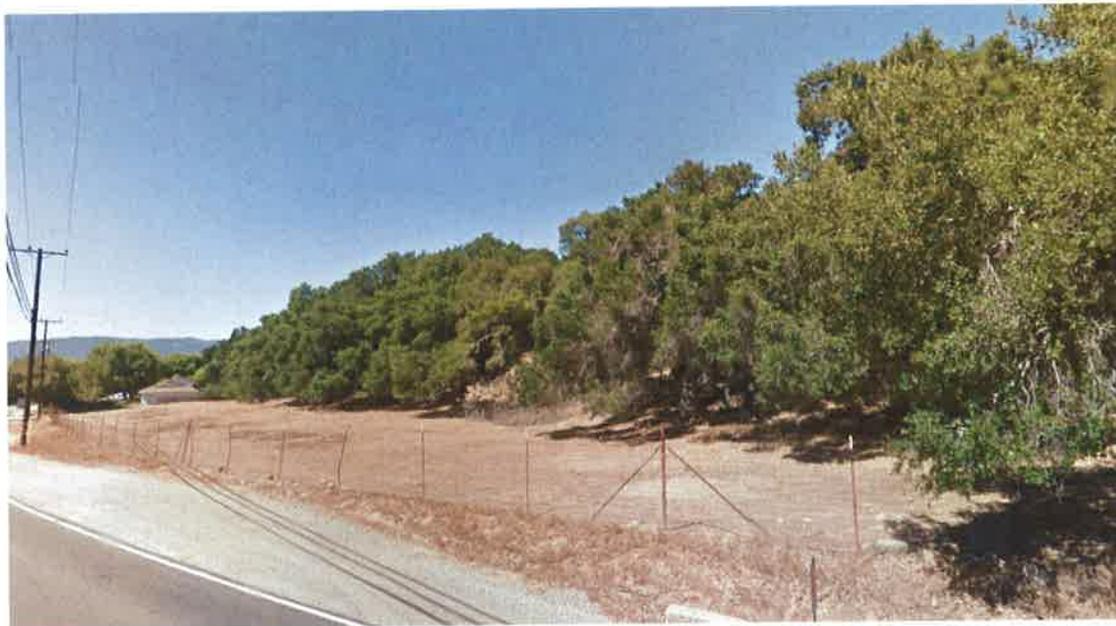
Bill Mellett Design
Landscape Architect
Certified Arborist



Photo showing exfoliating bark and continued decline.

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

Bill Mellett Design
Landscape Architect
Certified Arborist



Street view May 2017



Street View July 2018 showing decline in one year.

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L.A. Lic. # 4464 Arborist Cert. # WE-7619A

Bill Mellett Design
Landscape Architect
Certified Arborist



Condition of Trees



Condition of Trees

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Bill Mellett Design
L a n d s c a p e A r c h i t e c t
C e r t i f i e d A r b o r i s t



Recently fallen trees



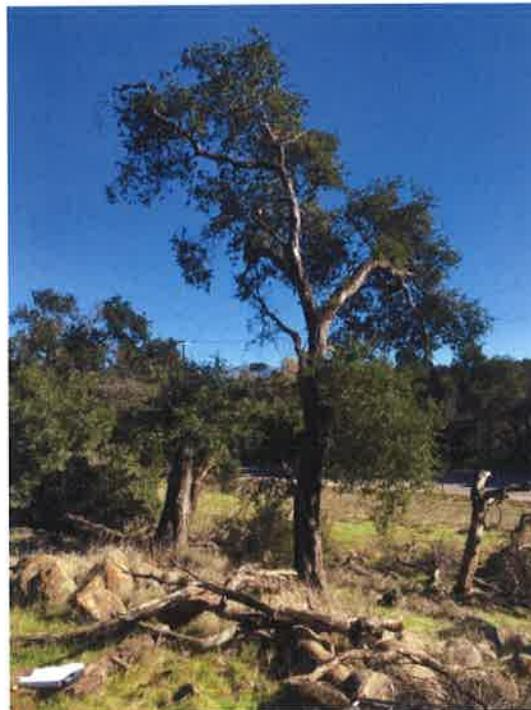
Recently fallen tree limb

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

Bill Mellett Design
Landscape Architect
Certified Arborist



Lot #2 lower terrace



Lot #2 upper terrace

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

Bill Mellett Design
Landscape Architect
Certified Arborist



Tree #182

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

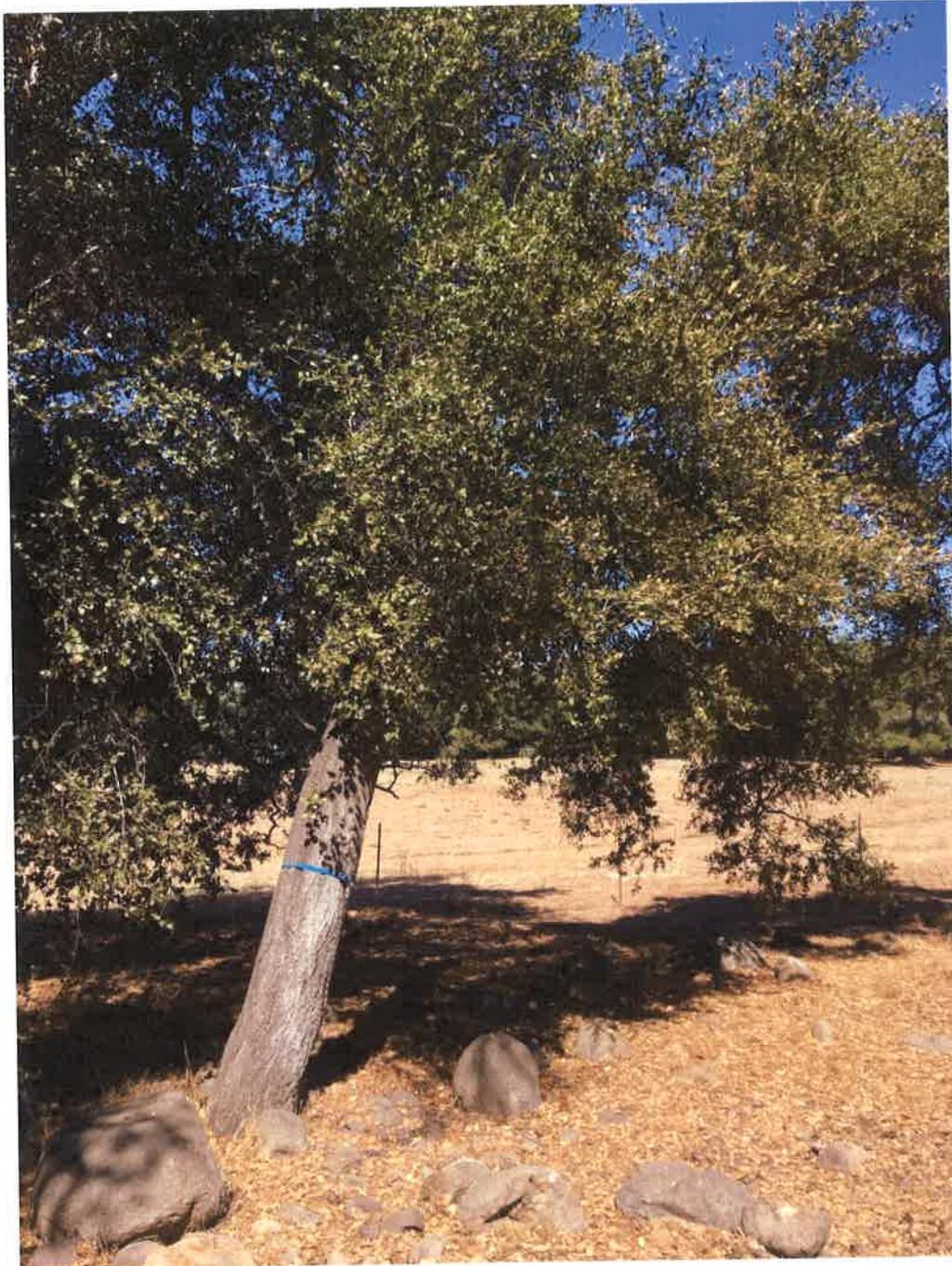
Bill Mellett Design
L a n d s c a p e A r c h i t e c t
C e r t i f i e d A r b o r i s t



Left to Right: Tree #418, Tree #419, Tree #420

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

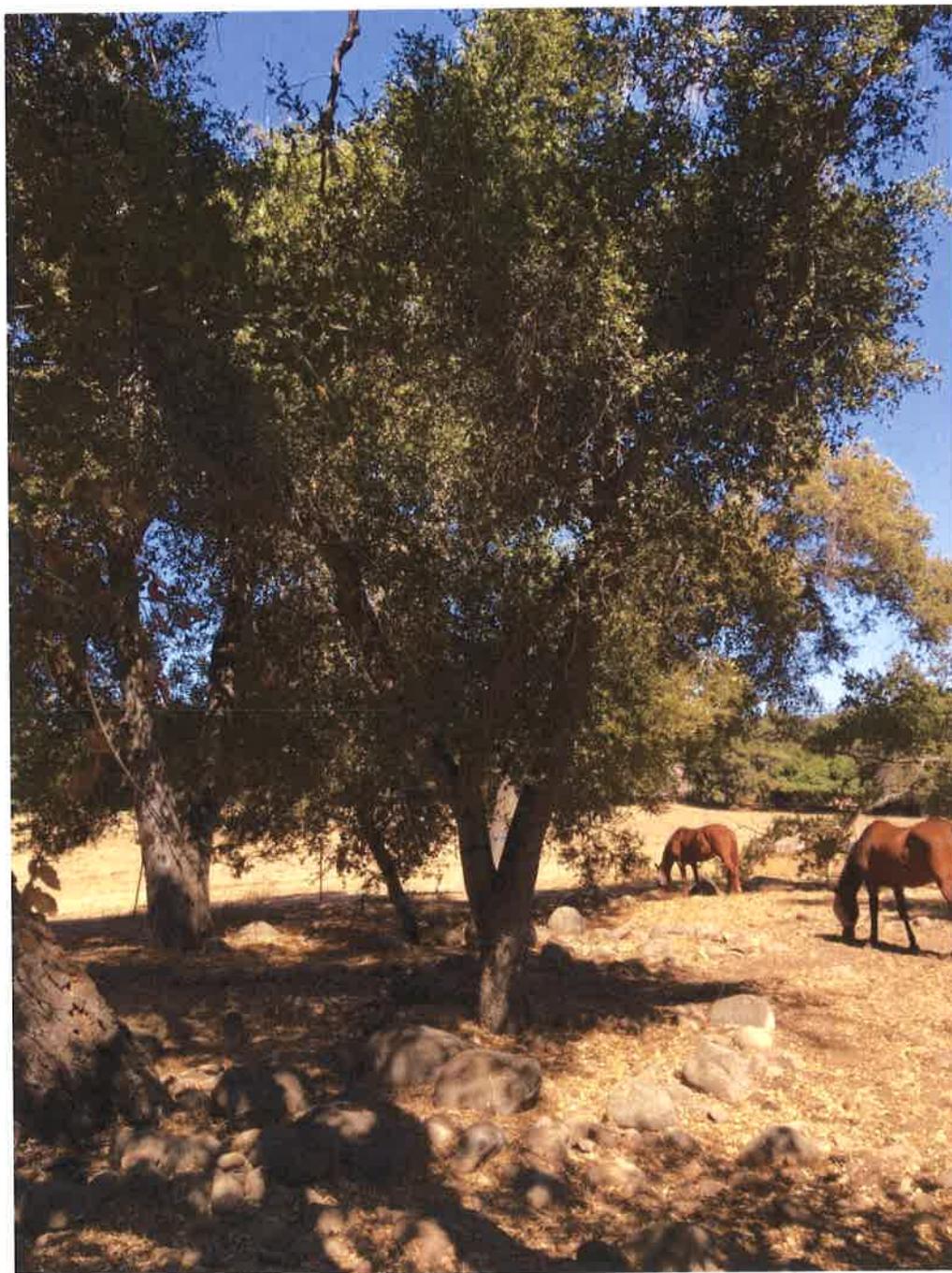
Bill Mellett Design
Landscape Architect
Certified Arborist



Tree #420

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

Bill Mellett Design
L a n d s c a p e A r c h i t e c t
C e r t i f i e d A r b o r i s t



Tree #416

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

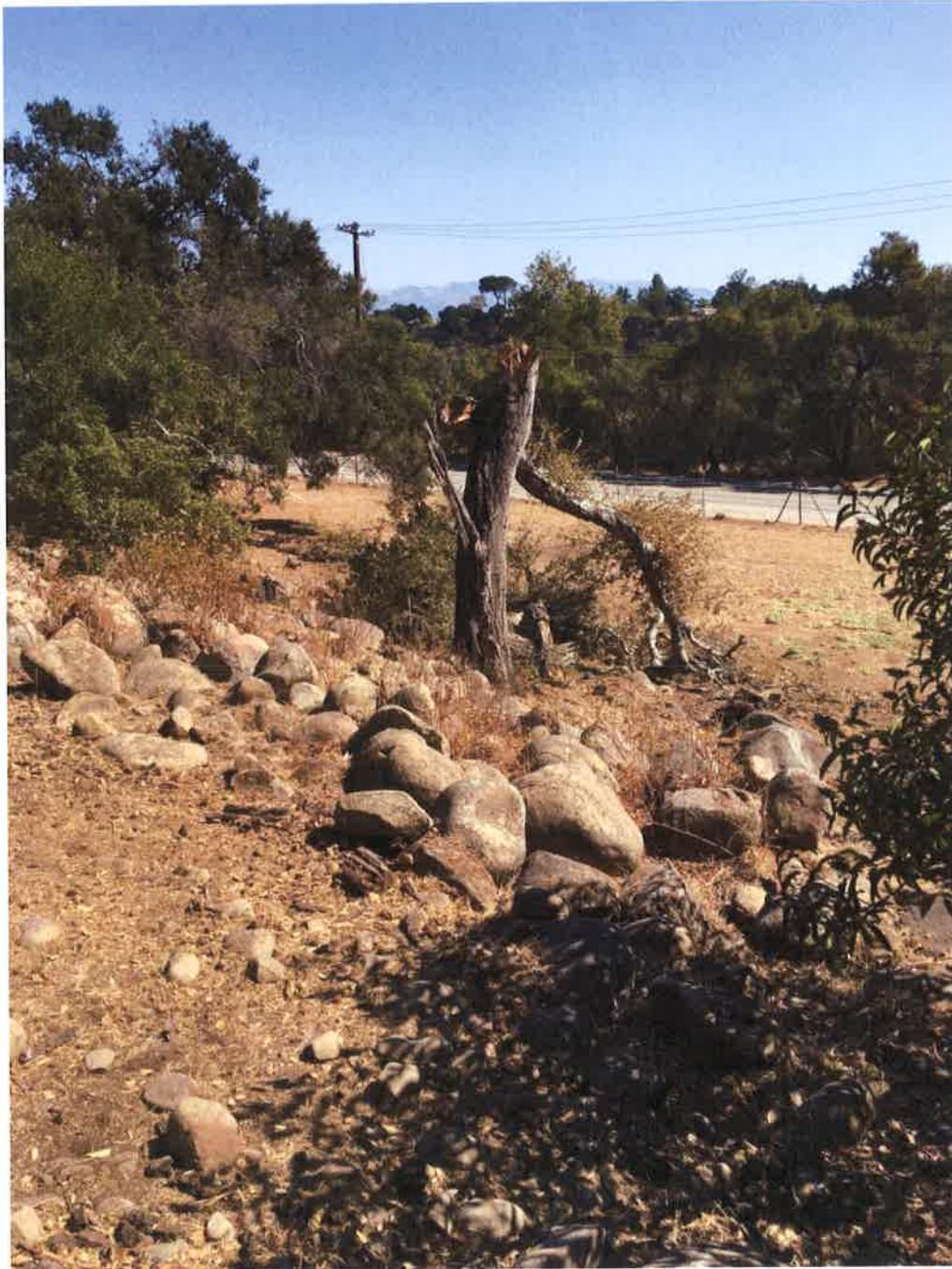
Bill Mellett Design
L a n d s c a p e A r c h i t e c t
C e r t i f i e d A r b o r i s t



Tree #424

805.640.0168 bill@bmdla.com
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L.A. Lic. # 4464 Arborist Cert. # WE-7619A

Bill Mellett Design
Landscape Architect
Certified Arborist



Tree #182

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

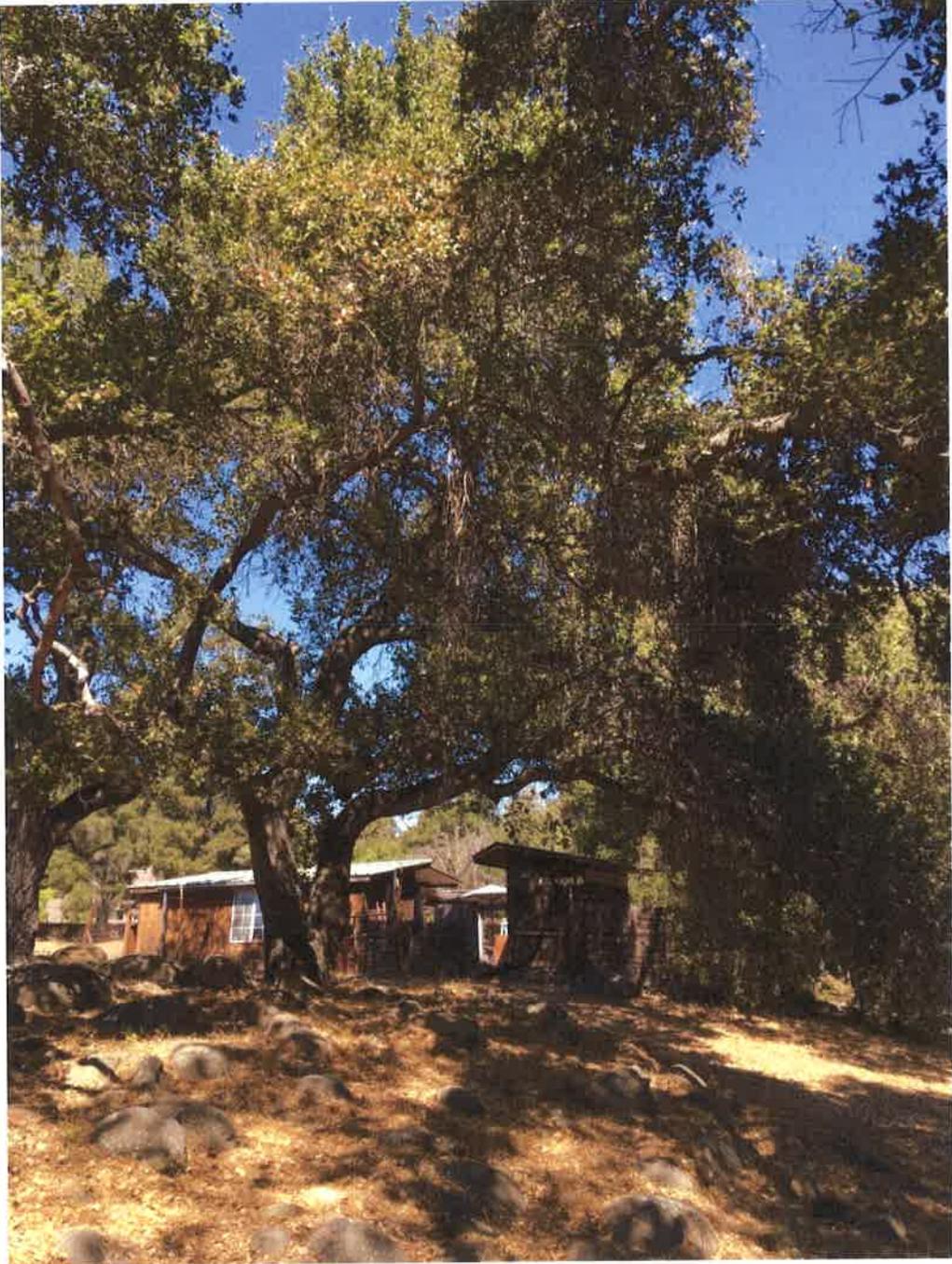
Bill Mellett Design
L a n d s c a p e A r c h i t e c t
C e r t i f i e d A r b o r i s t



Tree #146

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

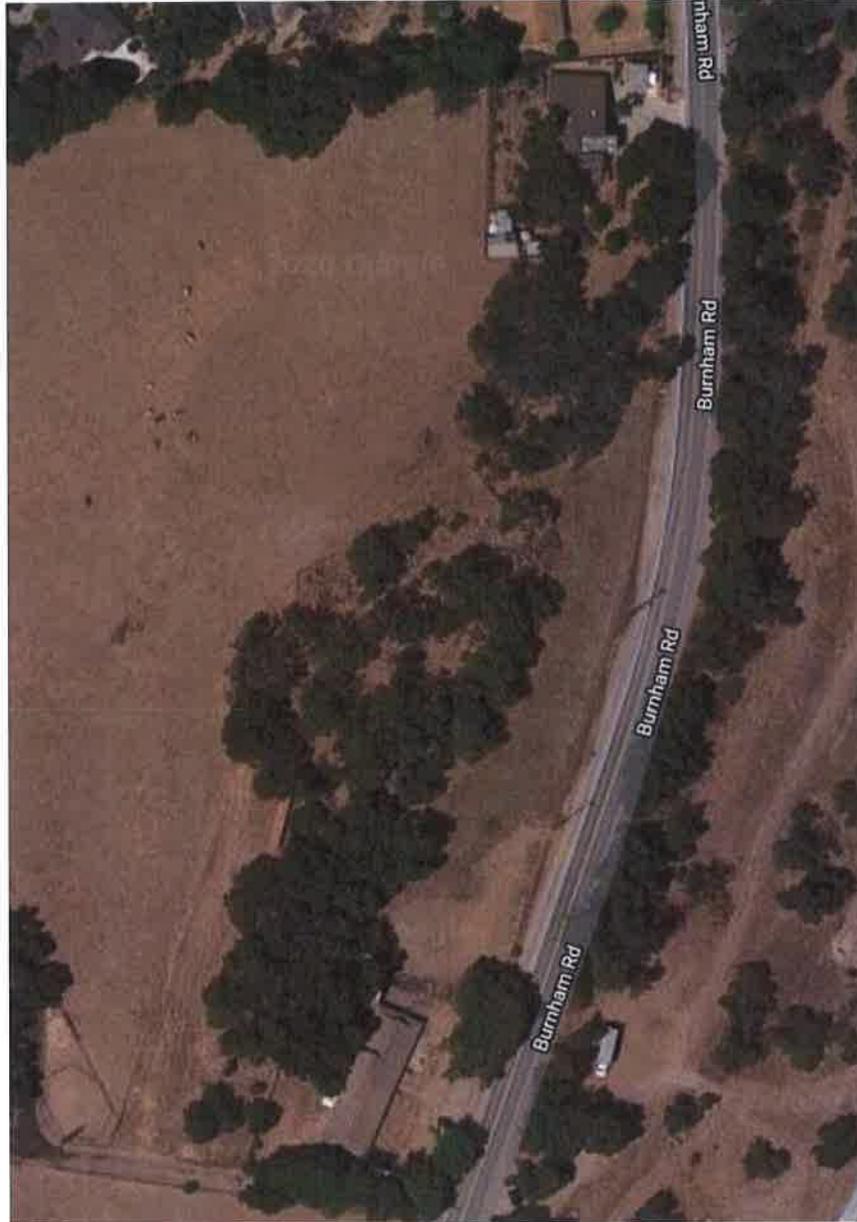
Bill Mellett Design
Landscape Architect
Certified Arborist



Tree #147

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

Bill Mellett Design
Landscape Architect
Certified Arborist



SITE PLAN

Photo showing location of subject trees and Oak woodland.

805.640.0168 bill@bmdla.com
PO Box 104 Ojai, CA 93024
L.A. Lic. # 4464 Arborist Cert. # WE-7619A

Bill Mellett Design
L a n d s c a p e A r c h i t e c t
C e r t i f i e d A r b o r i s t

Conclusion:

Most of the subject Quercus agrifolia trees are in poor to very poor condition and have declined further since my site visit on 12/13/2019. There are numerous trees and large branches which have fallen since my last visit. Because of the very poor health of these trees, it is unlikely many will recover. Competition for limited resources can predispose trees to "decline diseases" that can reduce a tree's natural ability to fight off secondary pathogens. The recent rains have helped some of the trees, but others have declined as a result of advancing root rot. I recommend that the trees in advanced decline and exhibiting signs of potential failure be removed to reduce competition with surrounding healthier trees. If the tree protection notes and guidelines are followed impacts can be reduced significantly.

I certify that all the statements of fact in this appraisal are true, complete, and correct to the best of my knowledge and belief and that they are made in good faith.

If you have any questions or need clarification on any item please do not hesitate to contact me.

Sincerely,

Bill Mellett

Bill Mellett
I.S.A. Certified Arborist # WE-7619A
ASLA Landscape Architects Lic. #485252

Trunk Formula Method

Case # E01-146 Property APN: 032-0-201-155 Date 09/14/2020
Appraiser Bill Mellett

Field Observations

1. **Species** Quercus agrifolia
2. **Condition** 30 %
3. **Trunk Circumference** 83 in./cm **Diameter** 26.5 in./cm
4. **Location %** = [**Site** 60 % + **Contribution** 40 % + **Placement** 60 %]
 $\div 3 =$ 53 %

Regional Plant Appraisal Committee and/or Appraiser-Developed or -Modified Information

5. **Species rating** 90 %
6. **Replacement Tree Size** (diameter) 4 in./cm
(Trunk Area) 12.56 in²/cm² TA_R
7. **Replacement Tree Cost** \$ 1800
(see Regional Information to use **Cost** selected)
8. **Installation Cost** \$ 1800
9. **Installed Tree Cost** (#7 + #8) \$ 3600
10. **Unit Tree Cost** \$ 120.00 per in²/cm²
(see Regional Information to use **Cost** selected)

Calculations by Appraiser using Field and Regional Information

11. **Appraised Trunk Area:**
(TA_A or ATA_A; use Tables 4.4-4.7)
or c^2 (#3) 6889 $\times 0.08$
or d^2 (#3) 702 $\times 0.785$] = 551 in²/cm²
12. **Appraised Tree Trunk Increase** (TA_{INCR}) =
TA_A or ATA_A 551 in²/cm² (#11) - TA_R 12.56 in²/cm² (#6) = 538 in²/cm²
13. **Basic Tree Cost** = TA_{INCR} (#12) 538 in²/cm² \times **Unit Tree Cost** (#10) \$ 120.00
per in²/cm² + **Installed Tree Cost** (#9) \$ 3600 = \$ 68160
14. **Appraised Value** = **Basic Tree Cost** (#13) \$ 68160 \times **Species rating**
(#5) 90 % \times **Condition** (#2) 30 % \times **Location** (#4) 53 % = \$ 9753
15. If the **Appraised Value** is \$5,000 or more, round it to the nearest \$100; if it is less, round to the nearest \$10.
16. **Appraised Value** = (#14) \$ 9,800

Items 5 through 10 are determined by the Regional Plant Appraisal Committee. The **Wholesale Replacement Tree Cost**, the **Retail Replacement Tree Cost**, or the **Installed Tree Cost** (#9) divided by the **Replacement Tree Size** (#6) can be used for the **Unit Tree Cost** (#10), or it can be set by the Regional Plant Appraisal Committee.

Trunk Formula Method

Case # E02-147 Property APN: 032-0-201-155 Date 09/14/2020
Appraiser Bill Mellett

Field Observations

1. **Species** Quercus agrifolia
2. **Condition** 30 %
3. **Trunk Circumference** 71 in./cm **Diameter** 22.5 in./cm
4. **Location %** = [Site 60 % + Contribution 30 % + Placement 45 %]
 $\div 3 = \underline{45}$ %

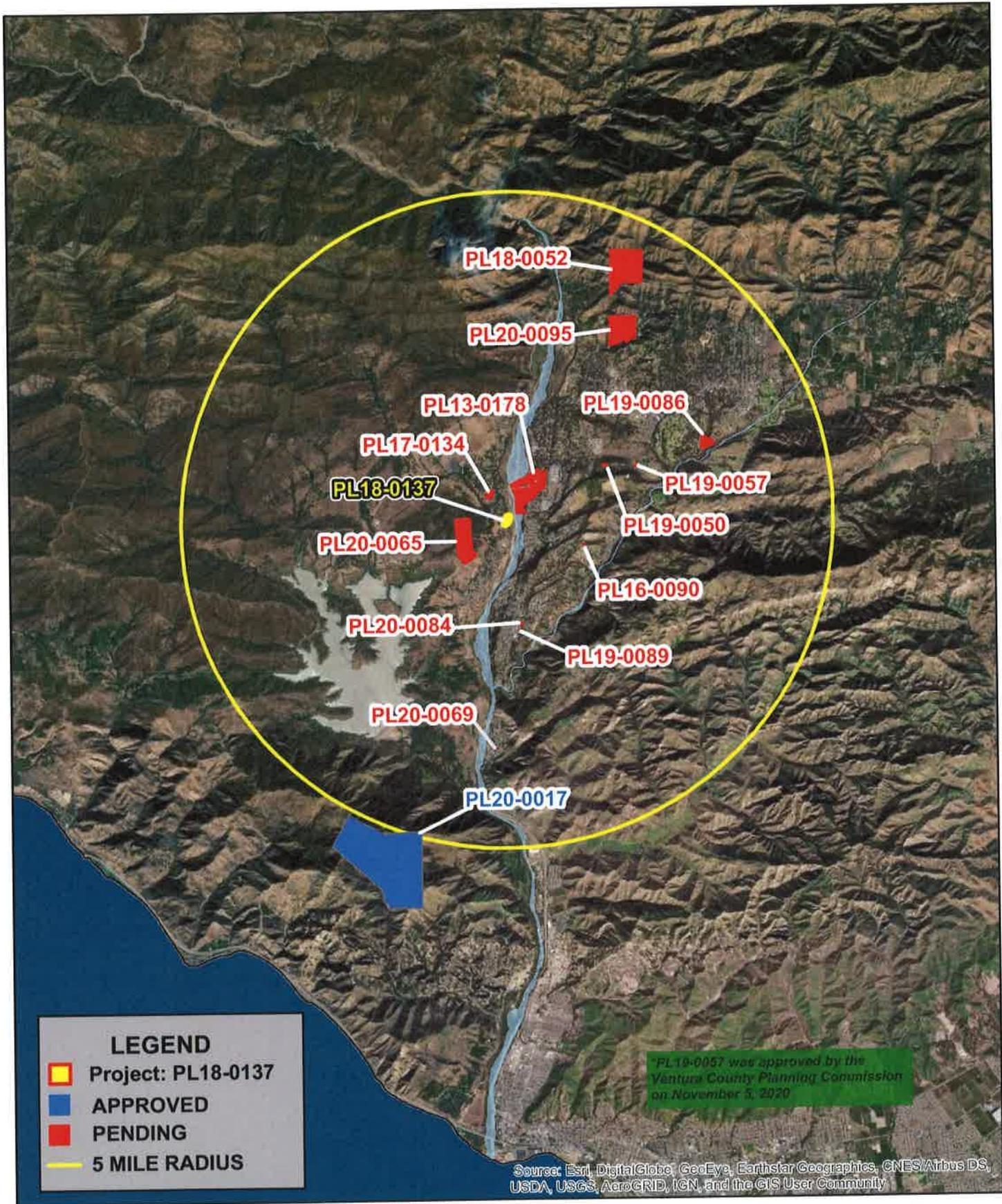
Regional Plant Appraisal Committee and/or Appraiser-Developed or -Modified Information

5. **Species rating** 90 %
6. **Replacement Tree Size** (diameter) 4 in./cm
(Trunk Area) 12.56 in²/cm² TA_R
7. **Replacement Tree Cost** \$ 1800
(see Regional Information to use **Cost** selected)
8. **Installation Cost** \$ 1800
9. **Installed Tree Cost** (#7 + #8) \$ 3600
10. **Unit Tree Cost** \$ 120.00 per in²/cm²
(see Regional Information to use **Cost** selected)

Calculations by Appraiser using Field and Regional Information

11. **Appraised Trunk Area:**
(TA_A or ATA_A; use Tables 4.4–4.7)
or c^2 (#3) 5041 × 0.08
or d^2 (#3) 506 × 0.785
= 400 in²/cm²
12. **Appraised Tree Trunk Increase** (TA_{INCR}) =
TA_A or ATA_A 400 in²/cm² (#11) – TA_R 12.56 in²/cm² (#6) = 387 in²/cm²
13. **Basic Tree Cost** = TA_{INCR} (#12) 387 in²/cm² × **Unit Tree Cost** (#10) \$ 120.00
per in²/cm² + **Installed Tree Cost** (#9) \$ 3600 = \$ 50,040
14. **Appraised Value** = **Basic Tree Cost** (#13) \$ 50040 × **Species rating**
(#5) 90 % × **Condition** (#2) 30 % × **Location** (#4) 45 % = \$ 6079
15. If the **Appraised Value** is \$5,000 or more, round it to the nearest \$100; if it is less, round to the nearest \$10.
16. **Appraised Value** = (#14) \$ 6,100

Items 5 through 10 are determined by the Regional Plant Appraisal Committee. The **Wholesale Replacement Tree Cost**, the **Retail Replacement Tree Cost**, or the **Installed Tree Cost** (#9) divided by the **Replacement Tree Size** (#6) can be used for the **Unit Tree Cost** (#10), or it can be set by the Regional Plant Appraisal Committee.



Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map Created on 10-12-2020
 This aerial imagery is under the
 copyrights of Pictometry 2018



County of Ventura
 Mitigated Negative Declaration
 PL18-0137
 Attachment 5 - Pending and Recently
 Approved Projects List



Disclaimer: This map was created by the Ventura County Resource Management Agency, Mapping Services, GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map or any decision involving a risk of economic loss or physical injury should be made in reliance thereon.



Initial Study Biological Assessment

Original ISBA report date: October 12, 2018

Revision report date: March 23, 2020; August 5, 2020, September 25, 2020

Case number: PL18-0137; TPM 6011

Permit type: Tentative Parcel Map

Applicant: Matthew Portenstein

Planning Division case planner: Kristina Boero

Total parcel(s) size (acres): 3.29

Assessor Parcel Number(s): 032-0-201-105

Development proposal description:

The applicant proposes to subdivide the 3.29-acre property into three parcels, including a primary residence on Parcels 1 and 2 and a primary residence and potential caretaker residence on Parcel 3. The three parcels would include a southern 1.79-acre parcel (Parcel 1) and two 0.75 acre parcels (Parcels 2 and 3) to the north. Access to the three parcels and all proposed building pads would be provided from Burnham Road.

Prepared for Ventura County Planning Division by:

As an approved and contracted biologist with the Ventura County Planning Division, I hereby certify that this Initial Study Biological Assessment was prepared according to the Planning Division's requirements and that the statements furnished in the report and associated maps are true and correct to the best of my knowledge.

Approved Biologist (signature):		Date:
		September 25, 2020
Name (printed): Matt Ingamells	Title: Senior Biologist	Company: Padre Associates
Phone: 805/644-2220 ext. 13	email: mingamells@padreinc.com	
Other Biologist (signature):		Date:
Name (printed):	Title:	Company:
Phone:	email:	
Role:		

County of Ventura
 Mitigated Negative Declaration
 PL18-0137
 Attachment 6 - Initial Study Biological Assessment prepared by
 Padre Associates, dated September 25, 2020

Initial Study Checklist

This Biological Assessment DID provide adequate information to make CEQA findings regarding potentially significant impacts.

Biological Resources	Project Impact Degree of Effect				Cumulative Impact Degree of Effect			
	N	LS	PS-M*	PS	N	LS	PS-M*	PS
Species			X				X	
Ecological Communities		X				X		
Habitat Connectivity		X				X		

N: No impact

LS: Less than significant impact

PS-M: Potentially significant unless mitigation incorporated.

PS: Potentially significant

* DO NOT check this box unless the Biological Assessment provided information adequate enough to develop mitigation measures that reduce the level of impact to less than significant.

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Tentative Parcel Map 6011	
Tree Protection Plan	

Summary

The applicant proposes to subdivide the 3.29-acre property into three parcels, including a southern 1.79-acre parcel (Parcel 1) and two 0.75-acre parcels (Parcels 2 and 3) to the north. Access to the three parcels and all proposed building pads would be provided from Burnham Road. The project represents a modification to TPM no. 5878 (Case SD12-002). Therefore, the ISBA prepared for Case SD12-002 was used as a background document for this assessment.

Potentially significant impacts may include:

1. Indirect impacts to Fish's milkwort, a special-status plant species.
2. Loss of breeding habitat for Cooper's hawk.
3. Take of nesting migratory birds due to vegetation removal and construction activity.

Mitigation measures have been provided to reduce these impacts to less than significant levels.

This ISBA was updated/amended on August 4, 2020 to address comments from the Ventura County Planning Division provided in an e-mail from Jennifer Welch dated June 10, 2020. These comments are summarized below:

1. The Tentative Parcel Map, Arborist Report and ISBA are not consistent with one another.
2. Confirm the elimination of the western building site on Parcel 2 as shown in the ISBA.
3. Verify 0.22 acres of oak woodland will be impacted and no oak trees would be removed if the western building site on Parcel 2 is eliminated.
4. Mitigation is required for conversion of oak woodlands.

These comments have been addressed:

1. The Tentative Parcel Map (attached) and Arborist Report Tree Protection Plan (attached) have been updated to be consistent with the ISBA, primarily the elimination of the western building pad on Parcel 2.
2. As shown on the attached Tentative Parcel Map, the western building pad on Parcel 2 has been eliminated to avoid removal of oak trees.
3. The March 23, 2020 ISBA noted that oak tree removal would be avoided and oak woodland impacts reduced from 0.22 acres (October 12, 2018 ISBA) to 0.11 acres by the elimination of the western building pad on Parcel 2. Oak woodland impacts are associated with portions of the Parcel 3 access road and the eastern building pad under oak tree canopies.
4. Oak woodlands would not be converted, tree protection measures as identified on the attached Tree Protection Plan would be implemented to preserve oak trees in the long-term. However, the project arborist indicates oak trees are continuing to decline and die at the project site due to root rot and beetle infestations.

Section 1: Construction Footprint Description

Construction Footprint Definition (per the Ventura County Planning Division): The construction footprint includes the proposed maximum limits of direct land disturbance for the project including such things as the building pad(s), roads/road improvements, grading, septic systems, wells, drainage improvements, fire hazard brush clearance area(s), storage/stockpile areas, construction staging areas, fire department turnarounds, utility trenching and other grading areas. The construction footprint on some types of projects, such as mining, oil and gas exploration or agricultural operations, may be quite different than the above.

Development Proposal Description

The applicant proposes to subdivide the 3.29-acre property into three parcels, including a primary residence on Parcels 1 and 2 and a primary residence and potential caretaker residence on Parcel 3. The three parcels would include a southern 1.79-acre parcel (Parcel 1) and two 0.75 acre parcels (Parcels 2 and 3) to the north. Access to the three parcels and all proposed building pads would be provided from Burnham Road.

Construction Footprint Size

The four proposed building pads with driveways would total approximately 0.74 acres of ground disturbance. Potential fire hazard fuel reduction areas (extending 100 feet from the building pads) would encompass an additional 1.8 acres within the property. Fire hazard fuel reduction would not occur in areas extending beyond the property boundary (Burnham Road public right-of-way and adjacent parcels).

Project Design for Impact Avoidance or Minimization

The building pads have been located to avoid oak tree removal and minimize impacts to oak woodlands. The building pads would also avoid a special-status plant species (Fish's milkwort [*Polygala cornuta* ssp. *fishiae*]) found on Parcel 2 (see Species Map).

Overlay Zones

None on the property.

Zoning

APN 032-0-201-105 (3.29 acres) is zoned R1-20,000 sf.

Elevation

Elevation across the property ranges from approximately 499 feet in the southeastern corner to about 522 feet in the northwestern corner.

Section 2: Survey Information

2.1 Survey Purpose

The purpose of this Initial Study Biological Assessment (ISBA) is to gather enough information about the biological resources associated with the proposed project, and their potential to be impacted by the project, to make a CEQA (California Environmental Quality Act) Initial Study significance finding for biological resources. In general, ISBA's are intended to:

- Provide an inventory of the biological resources on a project site and the values of those resources.
- Determine if a proposed project has the potential to impact any significant biological resources.
- Recommend project redesign to avoid, minimize or reduce impacts to significant biological resources.
- Recommend additional studies necessary to adequately assess potential impacts and/or to develop adequate mitigation measures.
- Develop mitigation measures, when necessary, in cases where adequate information is available.

2.2 Survey Area Description

Survey Area Definition (per the Ventura County Planning Division): The physical area a biologist evaluates as part of a biological assessment. This includes all areas that could potentially be subject to direct or indirect impacts from the project, including, but not limited to: the construction footprint; areas that would be subject to noise, light, dust or runoff generated by the project; any required buffer areas (e.g., buffers surrounding wetland habitat). The construction footprint plus a 100-foot buffer—beyond the required fire hazard brush clearance boundary—(or 20-foot from the cut/fill boundary or road fire hazard brush clearance boundary – whichever is greater) is generally the minimum size of a survey area. Required off-site improvements—such as roads or fire hazard brush clearance—are included in the survey area. Survey areas can extend off the project's parcel(s) because indirect impacts may cross property lines. The extent of the survey area shall be determined by the biologist in consultation with the lead agency.

Survey Area 1 (SA1)

The Survey Area encompassed the entire 3.29-acre property and up to 100-foot buffer which was limited by the lack of access to adjacent private property.

Location

The Survey Area is located in the Ventura River valley, between State Route 150 and Oak View.

Survey Area Boundaries

The Survey Area boundaries encompassed the entire 3.29-acre property and up to 100-foot buffer, including the proposed building pad locations, driveways and potential fuel reduction areas.

Survey Area Environmental Setting

The Survey Area consists of a relatively level area historically used for cattle grazing, and currently used for horse grazing, located just west of Burnham Road. The Survey Area supports annual brome grassland and *Quercus agrifolia* Woodland Alliance.

Surrounding Area Environmental Setting

Residential areas are located to the north and south of the Survey Area, with undeveloped lands and Lake Casitas to the west, and the Ventura River to the east.

Cover

55% native vegetation

45% non-native vegetation

0% agriculture/grazing

0% bare ground/cleared/graded

0% buildings, paved roads and other impervious cover



LEGEND:

-  Photo Location
-  Oak Tree Location
-  Edge of Pavement
-  Proposed Parcel Boundary
-  Property Boundary
-  Pad Limit
-  Assessor Parcel Boundary
-  Survey Area (SA1)
-  Fuel Reduction Area (100 feet from building pads)

Source: Google Earth Pro Imagery August 2015, Juniper Design & Survey, Inc.
 Coordinate System: NAD 1983 StatePlane California North Zone
 Note: This map was created for informational and display purposes only.



PROJECT NAME: TENTATIVE PARCEL MAP NO. 6011
 VENTURA COUNTY, CA
 PROJECT NUMBER: 1802-1701 DATE: March 2020

SITE AND SURVEY MAP

2.3 Methodology

References

- California Department of Fish and Wildlife, BIOS. (accessed March 19, 2020). BIOS is an internet-based biological data map server. This database was searched to identify other projects that have occurred in the vicinity of the subject property.
- California Department of Fish and Wildlife, RAREFIND5 (accessed March 19, 2020).
- A Manual of California Vegetation (Sawyer, J.O., T. Keeler-Wolf and J.M. Evens, 2009).
- California Department of Fish and Game, Vegetation Classification and Mapping Program, List of California Vegetation Alliances, September 2010.
- CNPS Inventory of Rare and Endangered Plants database.
- Critical habitat mapper, U.S. Fish & Wildlife Service (accessed March 19, 2020).
- Biological Resources CEQA Checklist for PM-5134 (Rincon Consultants, 1999).
- Biological Resources CEQA Checklist for CCC-0208/PM-5373 (Padre Associates, 2002).
- Initial Study Biological Assessment for Tentative Parcel Map. no. 5878; Case SD12-002 (Padre Associates, 2013).
- Seasonal Biological Survey Results for the Gramckow Property Project, Rancho Matilija, California: ZO 04-00008 (David Magney Environmental Consulting, 2006).
- Live Oak Creek Diversion Project Environmental Impact Report (Impact Sciences, 1998).
- Ventura River Levee Certification Vegetation Management Area Biological Survey Report (Padre Associates, 2009a).
- Ojai Valley Trail San Antonio Creek Bridge Mitigated Negative Declaration (Padre Associates, 2009b).

Survey Date & Details							
Survey Key (1)	Survey Date (2)	Survey Area Map Key(s) (3)	Survey Type (4)	Time Period (5)	Methods/Constraints (6)	GPS (7)	Surveyors
SD1	5/15/18	SA1	ISBA	720-855	Walked through all habitat areas on the property, used binoculars to survey adjacent private property		Matt Ingamells
SD2	6/19/18	SA1	Wildlife & oak tree update	710-935	Mapped and measured oak trees within and near proposed building pads, noted any wildlife observed		Matt Ingamells
SD3	3/20/20	SA1	ISBA update	830-1040	Updated botanical and wildlife inventory, and vegetation mapping		Matt Ingamells
ReconReconnaissance ISBAInitial Study Biological Assessment Botanical.....Botanical Survey							

Section 3: The Biological Inventory

See Appendix One for an overview of the types of biological resources that are protected in Ventura County.

3.1 Ecological Communities: Plant Communities, Physical Features and Wetlands

Background Research

Each of the references listed in Section 2.3 were consulted to identify biological resources of concern.

Plant Communities

Locally important or rare plant communities were not found within the survey area(s).

Major Plant Communities Summary

The following is a description of each major plant community, based on the vegetation classification of A Manual of California Vegetation (Sawyer et al., 2009).

***Quercus agrifolia* Woodland Alliance.** This community occurs on the property as a strip of oak woodland parallel to Burnham Road. It is dominated by coast live oak (*Quercus agrifolia*) with an understory of non-native annual grasses and herbs including rip-gut grass (*Bromus diandrus*), hare barley (*Hordeum murinum*) and scattered holly-leaf redberry (*Rhamnus ilicifolia*). The health of many of the oak trees in the survey area was declining at the time of the May 15, 2018 biological survey. During the March 20, 2020 biological survey, it was observed that some of these trees had died. Grazing appears to have resulted in the loss of most woody vegetation under the oak canopy. This plant community is considered oak woodland and is subject to the California Oak Woodlands Act.

Annual Brome Grassland. This classification is used to describe historically grazed (cattle, horses, burros) and currently grazed areas (horses) dominated by non-native annual grasses. Dominant species include rip-gut grass, storks-bill (*Erodium botrys*) and fiddle-neck (*Amsinckia menziesii*). The portion of this plant community along Burnham Road appears to be mowed each year to meet County fire prevention requirements.

Physical Features

No potentially important physical features were found within the Survey Area.

Plant Communities							
Map Key (1)	Association (Santa Monica Mountains Vegetation Classification)	Misc. (2)	Status (3)	Condition (4)	Acres in Project Site	Acres Impacted	Comments (5)
PC1	<i>Quercus agrifolia</i> woodland		G5, S4 Cal OWA	Some trees have died likely due to drought stress, others are in poor health	SA1: 1.55	0.11	Impacts based on earthwork associated with the proposed building pads and driveways
PC2	<i>Annual brome grassland</i>			Grazed, mowed (in part)	SA1: 1.74	0.63	Impacts based on earthwork associated with the proposed building pads and driveways
LIC Locally Important Plant Community ESHA Environmentally Sensitive Habitat Areas (Coastal Zone) NatureServe Status: G3/S3 Vulnerable G4/S4 Apparently Secure G5 Secure Cal OWA Protected by the California Oak Woodlands Act							

Waters and Wetlands

See Appendix One for an overview of the local, state and federal regulations protecting waters, wetlands and riparian habitats. Wetlands are complex systems; delineating their specific boundaries, functions and values generally takes a level of effort beyond the scope of an Initial Study Biological Assessment (ISBA). The goal of the ISBA with regard to waters and wetlands is simply to identify whether they may exist or not and to determine the potential for impacts to them from the proposed project. This much information can be adequate for designing projects to avoid impacts to waters and wetlands. Additional studies are generally warranted to delineate specific wetland boundaries and to develop recommendations for impact minimization or impact mitigation measures.

Protected wetlands or waters were not found within the survey area(s).

Waters and Wetlands Summary

For the purposes of this ISBA, wetlands are defined as areas that support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions (see Ventura County General Plan Goals, Policies and Programs). The Ventura River is located approximately 400 feet east of the property, and a blue-line stream (Live Oak Creek) is located approximately 750 feet west of the property. The National Wetlands Inventory indicates these drainages support wetlands. However, there are no waters or wetlands on the property.

Water/Wetland Buffers

General Plan Policy 1.5.2-4 requires a minimum 100 foot buffer from significant wetland habitats, but allows adjustment of the buffer upon evaluation by a qualified biologist. Since the property is located at least 400 feet from the nearest waters or wetlands, buffers are not required.



LEGEND:

- SSO2 (Fish's milkwort)
- - Edge of Pavement
- - Proposed Parcel Boundary
- Property Boundary
- Pad Limit
- Assessor Parcel Boundary
- Fuel Reduction Area (100 feet from building pads)

Plant Communities

- PC1 - Quercus agrifolia woodland
- PC2 - Annual brome grassland



Source: Google Earth Pro Imagery August 2018, Jensen Design & Survey, Inc.
 Coordinate System: NAD 1983 StatePlane California V FIPS 5405 Feet
 Note: This map was created for informational and display purposes only.



PROJECT NAME:	
TENTATIVE PARCEL MAP NO. 6011 VENTURA COUNTY, CA	
PROJECT NUMBER:	DATE:
1802-1701	March 2020

**PLANT COMMUNITIES
AND SPECIES MAP**

3.2 Species

Observed Species

A total of 34 vascular plant species were identified during botanical surveys conducted on May 15 and June 19, 2018 and March 20, 2020, within the Survey Area (see Appendix 2-A). Only 15 (44 percent) of these species are native to California, while 19 of these species (56 percent) are non-native species. The high proportion of non-native species indicates that much of the Survey Area has been disturbed by past and current grazing, and periodic mowing (in part). One special-status plant species was found within the Survey Area, Fish's milkwort.

A total of 28 vertebrate animal species were observed within the Survey Area (see Appendix 2-B), including 22 bird species and six mammal species. This list includes one domesticated animal (horse) observed grazing at the site. No special-status wildlife species were observed within the Survey Area.

Protected Trees

Oak trees protected under the County's Non-Coastal Zoning Ordinance Tree Protection Regulations occur on the project site. The project has been revised since the preparation of the original ISBA to eliminate the western building pad on proposed Parcel 2 which would avoid removal of any protected trees. Note that oak tree removals listed in the attached Tree Protection Plan are recommendations only and based solely on tree health and safety evaluations conducted by the project arborist.

Special-Status Species and Nests

See Appendix One for definitions of the types of special status species that have federal, state or local protection and for more information on the regulations that protect birds' nests.

Special-status species were observed or have a moderate to high potential to occur within the survey area(s).

Habitat suitable for nests of birds protected under the Migratory Bird Treaty Act does exist within the survey area(s).

Special-Status Species Summary

Fish's milkwort occurs within the Survey Area on proposed Parcel 2. The Special-Status Species Table on page 15 provides a summary of the potential for 15 special-status plant species (SSP1 through SSP15) known from the area to occur within the Survey Area. Due to the long disturbance history, lack of observations during spring botanical surveys conducted in 2013 (see Padre, 2013), on May 15, 2018 and March 20, 2020 and lack of suitable habitat, other special-status plant species are not anticipated to occur within the Survey Area.

The Special-Status Species Table on page 15 provides a summary of the potential for 15 special-status wildlife species (SSP16 through SSP30) known from the area to occur within the Survey Area. Cooper's hawk is known from the area and could nest in oak trees within the Survey Area. Due to the long disturbance history and lack of suitable habitat, other special-status wildlife species are not anticipated to occur within the Survey Area.

Critical habitat for the endangered southwestern willow flycatcher (SSP28) was designated on January 3, 2013 and includes the Ventura River from the Pacific Ocean to Matilija Hot Springs, as close as 230 feet east of the subject property. However, this habitat is unoccupied and designated as critical habitat only to meet recovery goals by providing suitable habitat available to flycatchers to move into if displaced by habitat loss or change.

Special-Status Species						
Map Key (1)	Survey/Source (2)	Scientific Name (3)	Common Name	Species' Status (4)	Potential to Occur (5)	Habitat Requirements (6)
SSO1	SD1	<i>Quercus agrifolia</i>	Coast live oak	Protected tree	Observed	Woodlands, chaparral
SSO2	SD1	<i>Polygala comuta</i> var. <i>fishiae</i>	Fish's milkwort	CNPS 4	Observed	Woodlands, chaparral
SSP1	CNDDDB	<i>Astragalus didymocarpus</i> var. <i>milesianus</i>	Miles' milk-vetch	CNPS 1B	Low	Coastal scrub
SSP2	CNDDDB	<i>Atriplex serenana</i> var. <i>davisonii</i>	Davidson's salt-scale	CNPS 1B	Low	Coastal scrub, coastal bluff scrub
SSP3	CNDDDB	<i>Calochortus fimbriatus</i>	Late-flowered mariposa lily	CNPS 1B	Low-Moderate	Chaparral, woodland, riparian woodland
SSP4	CNDDDB	<i>Fritillaria ojaiensis</i>	Ojai fritillary	CNPS 1B	Low	Chaparral, broad-leaf forest, lower coniferous forest
SSP5	CNDDDB	<i>Horkelia cuneata</i> var. <i>puberula</i>	Mesa horkelia	CNPS 1B	Low	Chaparral, woodland, coastal scrub
SSP6	CNDDDB	<i>Imperata brevifolia</i>	California satin-tail	CNPS 2B	Low	Chaparral, coastal scrub, desert scrub, meadows, riparian scrub
SSP7	CNDDDB	<i>Navarretia ojaiensis</i>	Ojai navarretia	CNPS 1B	Low	Chaparral, coastal scrub, grassland
SSP8	CNDDDB	<i>Nolina cismontana</i>	Chaparral nolina	CNPS 1B	Low	Chaparral, coastal scrub
SSP9	CNDDDB	<i>Sagittaria sanfordii</i>	Sanford's arrowhead	CNPS 1B	None	Freshwater marsh
SSP10	CNDDDB	<i>Sidalcea neomexicana</i>	Salt Spring checker-bloom	CNPS 2B	Low	Chaparral, coastal scrub, lower coniferous forest, desert scrub
SSP11	CNDDDB	<i>Monardella hypoleuca</i> ssp. <i>hypoleuca</i>	White-veined monardella	CNPS 1B	Low-Moderate	Chaparral, cismontane woodland
SSP12	CNDDDB	<i>Quercus dumosa</i>	Nuttall's scrub oak	CNPS 1B	Low	Chaparral, coastal scrub, closed-cone coniferous forest
SSP13	CNPS Inventory	<i>Pseudognaphalium leucocephalum</i>	White rabbit-tobacco	CNPS 2B	Low	Chaparral, cismontane woodland, coastal scrub, riparian woodland
SSP14	CNPS Inventory	<i>Romneya coulterii</i>	Coulter's matilija poppy	CNPS 4	Low	Chaparral, coastal scrub
SSP15	CNDDDB	<i>Navarretia peninsularis</i>	Baja navarretia	CNPS 1B	None	Chaparral, coniferous forest above 5000' elevation
SSP16	CNDDDB	<i>Bombus crotchii</i>	Crotch bumble bee	SA	Low	Chaparral, coastal scrub

Special-Status Species						
SSP17	3,000 feet to the south, Impact Sciences, 1998	<i>Accipiter cooperii</i>	Cooper's hawk	WL	Moderate	Woodlands
SSP18	CNDDDB	<i>Chaetodipus californicus femoralis</i>	Dulzura pocket mouse	SSC	Low	Chaparral, coastal scrub
SSP19	CNDDDB	<i>Emys marmorata</i>	Western pond turtle	SSC	None	Ponds, stream pools
SSP20	CNDDDB	<i>Lasiurus cinereus</i>	Hoary bat	SA	Low	Woodland, chaparral
SSP21	CNDDDB	<i>Oncorhynchus mykiss</i>	Southern steelhead	FE, SSC	None	Perennial coastal streams
SSP22	CNDDDB	<i>Phrynosoma blainvillii</i>	Coast horned lizard	SSC	Low	Chaparral, coastal scrub
SSP23	CNDDDB	<i>Rana draytonii</i>	California red-legged frog	FT, SSC	Low-None	Ponds, perennial streams
SSP24	CNDDDB	<i>Diadophis punctatus modestus</i>	San Bernardino ring-neck snake	SA	Low	Chaparral, coastal scrub
SSP25	Observed in the Ventura River near Casitas Springs, 2010	<i>Thamnophis hammondi</i>	Two-striped garter snake	SSC	Low-None	Ponds, streams
SSP26	Padre Associates, 2009a - lower Ventura River	<i>Vireo bellii pusillus</i>	Least Bell's vireo	FE, SE	Low	Riparian scrub
SSP27	CNDDDB	<i>Athene cunicularia</i>	Burrowing owl	SSC	Low-None	Grassland, open shrublands
SSP28	Federal Register 1/3/13	<i>Empidonax traillii extimus</i>	Southwestern willow flycatcher	FE, SE	Low (migrant only)	Riparian forest
SSP29	CNDDDB	<i>Eumops perotis femoralis</i>	Western mastiff bat	SSC	Low	Rock outcrops, chaparral
SSP30	CNDDDB	<i>Taxidea taxus</i>	American badger	SSC	Low	Grasslands, open shrublands

Special Status Species (continued)

Map Key	Adequate Habitat Onsite	Adequate Habitat Size (7)	Acreage Impacted	Comments (8)
SSO1	Yes	Yes		Found within the Survey Area within PC1, no oak trees would be removed
SSO2	Yes	Yes		Found within the Survey Area within PC1, not within proposed disturbance area
SSP1	No			
SSP2	No			
SSP3	No			
SSP4	No			
SSP5	No			
SSP6	No			
SSP7	No			
SSP8	No			
SSP9	No			

Special-Status Species				
SSP10	No			
SSP11	No			
SSP12	No			
SSP13	No			
SSP14	No			
SSP15	No			
SSP16	No			
SSP17	Yes	Yes	0.11	Could nest in oak trees on the site
SSP18	No			
SSP19	No			
SSP20	No			
SSP21	No			
SSP22	No			
SSP23	No			
SSP24	No			
SSP25	No			
SSP26	No			
SSP27	No			
SSP28	No			Designated critical habitat (unoccupied) is located along Ventura River approximately 230 feet east of the property.
SSP29	No			
SSP30	No			
FE Federal Endangered FT Federal Threatened FC Federal Candidate Species FSC Federal Species of Concern SA CDFW Special Animal SFP California Fully Protected Species SE California Endangered ST California Threatened SR California Rare SSC California Species of Special Concern WL CDFW Watch List CDFW/NatureServe Rank G1 or S1 - Critically Imperiled Globally or Subnationally (state) G2 or S2 - Imperiled Globally or Subnationally (state) G3 or S3 - Vulnerable to extirpation or extinction Globally or Subnationally (state) CNPS 1A California Native Plant Society listed as presumed to be extinct CNPS 1B California Native Plant Society listed as rare or endangered in California and elsewhere CNPS 2B California Native Plant Society listed as rare or endangered in California but more common elsewhere CNPS 3 A review list only. California Native Plant Society listed as in need of more information. CNPS 4 A watch list only. California Native Plant Society listed as of limited distribution or infrequent throughout a broader area in California; vulnerability to threat appears relatively low. LIS Ventura County Locally Important Species				

Nesting Bird Summary

Nests of birds protected by the federal Migratory Bird Treaty Act may be present in the survey areas, primarily within *Quercus agrifolia* Woodland Alliance (PC1).

3.3 Wildlife Movement and Connectivity

Wildlife movement or connectivity features, or evidence thereof, were not found within the survey area(s).

Mapped Corridors or Linkages

The project site and Survey Area are located within a habitat connectivity and wildlife corridor as identified by the Ventura County Planning Division. However, the project site is not located within the Oak View Critical Wildlife Passage Area. The project site and Survey Area are also located within the Sierra Madre-Castaic Connection, one of 15 priority landscape linkages identified by the South Coast Missing Linkages Project.

Connectivity Feature

No connectivity features were observed within Survey Area SA1. The project site includes a perimeter fence used to contain grazing horses. The northern, southern and eastern fencing is composed of woven wire topped with barbed wire, a total of six feet high. The western fence is four feet-tall and composed of barbed wire. Based on the definition provided in Section 8102-0 of the Non-Coastal Zoning Ordinance, the northern, southern and eastern fencing is considered "wildlife impermeable fencing". The existing fencing substantially limits wildlife movement through the site. Most focused regional wildlife movement in the area is expected to occur along the Ventura River, at least 400 feet east of the Survey Area.

Section 4: Impact Assessment and Mitigation

4.1 Sufficiency of Biological Data

Biological data is sufficient for the purposes of the ISBA.

4.2 Impacts and Mitigation

Cumulative projects assessed in this section include projects listed in the Planning Division Pending Projects List and Recently Approved Projects List in the Ojai Valley and Ventura River Valley.

A. Species

Project: PS-M; Cumulative: PS-M

Listed Species

Based on field surveys and habitat assessment, endangered, threatened or rare species were not observed or anticipated to occur on the project site.

Non-listed Special-Status Species

Fish's milkwort occurs on proposed Parcel 2. Due to the long disturbance history, lack of observations during spring botanical surveys conducted in 2013 (see Padre, 2013), 2018 and 2020 and lack of suitable habitat, other special-status plant species are not anticipated to occur on the property. Fish's milkwort would be avoided by the proposed building pads and provided a minimum 20-foot buffer. However, fire hazard fuel reduction activities may result in the disturbance and/or loss of this species.

Special-status wildlife species anticipated to occur on the property are limited to Cooper's hawk, which could nest in oak trees on-site. Potential impacts to Cooper's hawk would be mitigated by measures provided below to address migratory birds.

Significance Finding – Project Impacts: Potentially Significant but Mitigable.

Significance Finding – Cumulative Impacts: Potentially Significant but Mitigable.

Avoidance and Minimization Measures

The project design was developed to avoid direct loss of Fish's milkwort.

MM-1: Avoidance of Indirect Impacts to Fish's Milkwort

Purpose: Avoid disturbance or inadvertent loss of Fish's milkwort.

Requirement: Install a fence around the Fish's milkwort population at the project site, approximately 20 feet from the nearest individual during all project-related construction. No disturbance shall be allowed within the fencing, including fuel reduction activities.

Documentation: The required fencing shall be shown on the Tentative Parcel Map and included as a condition of approval.

Timing: The required fencing shall be installed prior to any ground disturbance.

Monitoring and Reporting: Photographs shall be provided to the Planning Director showing the fencing in place prior to approval of the grading permit.

Protected Trees

Implementation of the project as revised would not result in the removal of protected coast live oak trees.

Significance Finding – Project Impacts: No Impact.

Significance Finding – Cumulative Impacts: No Impact.

Birds Protected Under the Migratory Bird Treaty Act and California Fish and Game Code

Potential impacts to nesting migratory birds protected by the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code may include take in the form of removal of active nests during vegetation clearing and grading activities.

Significance Finding – Project Impacts: Potentially Significant but Mitigable.

Significance Finding – Cumulative Impacts: Potentially Significant but Mitigable.

The following avoidance and minimization efforts have been proposed in order to offset the potentially significant impacts associated with take of nesting migratory birds (including Cooper's hawk):

MM-2: Nest Avoidance

Impact and Mitigation Goal: To reduce take of nesting migratory birds.

Mitigation Action and Timing: Removal of vegetation shall be conducted in between August 16 and February 28th or 29th, during the fall and winter, after fledging and before the initiation of breeding activities.

Monitoring: No monitoring activities are suggested due to the proposed timing of clearing activities outside of the breeding bird period (generally defined as March 1 through August 15).

Standards of Success: No loss of nesting migratory birds.

MM-3: Breeding Bird Surveys

Impact and Mitigation Goal: To prevent take of nesting migratory birds.

Mitigation Action and Timing: If vegetation removal and/or heavy equipment usage must be conducted during the breeding bird nesting period (generally defined as March 1 through August 15), pre-construction breeding bird surveys shall be performed within vegetation removal and construction areas and within 200 feet of these areas to determine the location of bird nesting sites. If active nests are detected during the breeding season, nests shall be avoided during construction.

Monitoring: A breeding bird survey report shall be submitted to the County Planning Division, including measures to minimize impacts to active nests.

Standards of Success: If active nests are detected during the breeding season, nests shall be avoided during construction. To ensure adequate protection for breeding birds, buffers shall be maintained between active nests of nesting migratory birds and vegetation clearing and other heavy equipment activity. The size of the buffers shall be established in consultation with the California Department of Fish and Wildlife (CDFW) and/or United States Fish and Wildlife Service (USFWS).

B. Ecological Communities

Project: LS; Cumulative: LS

Sensitive Plant Communities

No sensitive plant communities were found within the Survey Area. However, oak woodlands are considered valuable under the California Oak Woodlands Act. The proposed project would avoid coast live oak trees; however, proposed residential development would adversely affect 0.11 acres of coast live oak woodland (*Quercus agrifolia* Woodland Alliance) as the access road and eastern building pad on Parcel 3 would be located under oak tree canopies. Implementation of the attached Tree Protection Plan would minimize indirect impacts to oak trees and oak woodland including:

- Oak trees will be fenced to delineate a tree protection area during the construction period.
- No construction equipment or materials will be stored within tree protection areas.
- New utilities will be located in roadways, driveways or designated utility corridors (see attached Tentative Parcel Map).
- Paving within the tree protection area will consist of pervious materials, trenching within the tree protection area will be conducted by hand, and oak roots one inch or greater will be cleanly cut.

Due to the lack of a shrub understory, fuel modification within the oak woodland is anticipated to be limited to seasonal trimming of non-native grasses. Any required oak tree trimming would be conducted in compliance with the County's Tree Protection Regulations (Section 8107-25 of the Non-Coastal Zoning Ordinance). Overall, indirect impacts to coast live oak woodland are considered less than significant.

Significance Finding – Project Impacts: Less than Significant.

Significance Finding – Cumulative Impacts: Less than Significant.

Waters and Wetlands

Wetlands under the Ventura County definition do not occur within the Survey Area. All development would be located at least 400 feet from potential wetlands in the Ventura River. In addition, septic systems proposed for the new residences would be sufficiently distant from the Ventura River to avoid significant water quality impacts to aquatic habitat.

Significance Finding – Project Impacts: Less than Significant.

Significance Finding – Cumulative Impacts: Less than Significant.

C. Wildlife Movement and Connectivity

Project: LS; Cumulative: LS

Although specific wildlife movement or connectivity features or barriers were not found within the Survey Area, the project site is located with a habitat connectivity and wildlife corridor as identified by the Ventura County Planning Division. The project site is not located within the Oak View Critical Wildlife Passage Area.

Habitat Loss within a Wildlife Movement Corridor

Habitat loss would be limited to 0.11 acres of low-quality oak woodland with an understory of non-native grassland which does not provide cover for wildlife movement. The affected coast live oak woodland is part of a 1.5-acre patch isolated by grazing land to the west and Burnham Road to the east, and not part of a contiguous woodland.

Isolate Habitat within a Wildlife Movement Corridor

The project site is currently surrounded by and isolated by wildlife impermeable fencing which substantially limits wildlife movement into open space (horse grazing pasture) to the west and the Ventura River to the east. Proposed development of the project site would not further isolate on-site habitat. Future development of the site would be required to utilize wildlife permeable fencing because new wildlife impermeable fencing is prohibited under Section 8109-4.8.3.3 of the Non-Coastal Zoning Ordinance. Therefore, the proposed project should benefit wildlife movement.

Barriers to Wildlife Movement

The proposed project is composed of residential development and would not include any new barriers to wildlife movement. Fences may be erected between the parcels; however, such fences would likely be decorative and must comply with Section 8109-4.8.3.3 of the Non-Coastal Zoning Ordinance which prohibits wildlife impermeable fencing. Therefore, the proposed project should benefit wildlife movement.

Indirect Factors that May Hinder Wildlife Movement

Residences to be constructed on the proposed building pads would include exterior lighting. However, lighting would be required to comply with Section 8109-4.8.2 of the Non-Coastal Zoning Ordinance which would prevent lighting from hindering wildlife movement. In any case, the project site is located immediately adjacent to Burnham Road which is a major light source in the immediate area.

Project residents may keep domestic animals in compliance with County regulations; however, animals that may disturb wildlife (such as dogs) would be contained within the residence at nighttime when most wildlife movement occurs.

Proposed development on up to four building pads would increase human presence at the project site. However, the project area currently supports low-density residential development and the project-related increase in human presence would be minimal.

Significance Finding – Project Impacts: Less than Significant.

Significance Finding – Cumulative Impacts: Less than Significant.

Section 5: Photos

Photos									
<table border="1"> <tr><td>Location</td></tr> <tr><td>Parcel 1</td></tr> <tr><td>Map Key</td></tr> <tr><td>P1</td></tr> <tr><td>Direction</td></tr> <tr><td>South</td></tr> <tr><td>Description</td></tr> <tr><td>Building pad site on proposed Parcel 1</td></tr> </table>	Location	Parcel 1	Map Key	P1	Direction	South	Description	Building pad site on proposed Parcel 1	
Location									
Parcel 1									
Map Key									
P1									
Direction									
South									
Description									
Building pad site on proposed Parcel 1									
<table border="1"> <tr><td>Location</td></tr> <tr><td>Parcel 2</td></tr> <tr><td>Map Key</td></tr> <tr><td>P2</td></tr> <tr><td>Direction</td></tr> <tr><td>South</td></tr> <tr><td>Description</td></tr> <tr><td>Building pad site on proposed Parcel 2</td></tr> </table>	Location	Parcel 2	Map Key	P2	Direction	South	Description	Building pad site on proposed Parcel 2	
Location									
Parcel 2									
Map Key									
P2									
Direction									
South									
Description									
Building pad site on proposed Parcel 2									

Photos

Location

Parcel 3

Map Key

P3

Direction

North

Description

Eastern building
pad site on
proposed Parcel
3



Photos

Location
Parcel 3
Map Key
P4
Direction
North
Description
Western building pad site on proposed Parcel 3



Location
Parcel 2
Map Key
P5
Direction
Northwest
Description
Building pad site on proposed Parcel 2 from Burnham Road



Appendix One

Summary of Biological Resource Regulations

The Ventura County Planning Division, as "lead agency" under CEQA for issuing discretionary land use permits, uses the relationship of a potential environmental effect from a proposed project to an established regulatory standard to determine the significance of the potential environmental effect. This Appendix summarizes important biological resource regulations which are used by the Division's biologists (consultants and staff) in making CEQA findings of significance:

- Sensitive Status Species Regulations
- Nesting Bird Regulations
- Plant Community Regulations
- Waters and Wetlands Regulations
- Coastal Habitat Regulations
- Wildlife Migration Regulations
- Locally Important Species/Communities Regulations

Sensitive Status Species Regulations

Federally Protected Species

Ventura County is home to 29 federally listed endangered and threatened plant and wildlife species. The U.S. Fish and Wildlife Service (USFWS) regulates the protection of federally listed endangered and threatened plant and wildlife species.

FE (Federally Endangered): A species that is in danger of extinction throughout all or a significant portion of its range.

FT (Federally Threatened): A species that is likely to become endangered in the foreseeable future.

FC (Federal Candidate): A species for which USFWS has sufficient information on its biological status and threats to propose it as endangered or threatened under the Endangered Species Act (ESA), but for which development of a proposed listing regulation is precluded by other higher priority listing activities.

FSC (Federal Species of Concern): A species under consideration for listing, for which there is insufficient information to support listing at this time. These species may or may not be listed in the future, and many of these species were formerly recognized as "Category-2 Candidate" species.

The USFWS requires permits for the 'taking' of any federally listed endangered or threatened species. Take is defined by the USFWS as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct; may include significant habitat modification or degradation if it kills or injures wildlife by significantly impairing essential behavioral patterns including breeding, feeding, or sheltering."

The Endangered Species Act (ESA) does not provide statutory protection for candidate species or species of concern, but USFWS encourages conservation efforts to protect these species. USFWS can set up voluntary Candidate Conservation Agreements and Assurances, which provide non-Federal landowners (public and private) with the assurance that if they implement various conservation activities to protect a given candidate species, they will not be subject to additional restrictions if the species becomes listed under the ESA.

State Protected Species

The California Department of Fish and Game (CDFG) regulates the protection of endangered, threatened, and fully protected species listed under the California Endangered Species Act. Some species may be jointly listed under the State and Federal Endangered Species Acts.

SE (California Endangered): A native species or subspecies which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.

ST (California Threatened): A native species or subspecies that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as "rare" on or before January 1, 1985, is a "threatened species."

SFP (California Fully Protected Species): This designation originated from the State's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, mammals, amphibians, reptiles, and birds. Most fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations.

SR (California Rare): A species, subspecies, or variety of plant is rare under the Native Plant Protection Act when, although not presently threatened with extinction, it is in such small numbers throughout its range that it may become endangered if its present environment worsens. Animals are no longer listed as rare; all animals listed as rare before 1985 have been listed as threatened.

SSC (California Species of Special Concern): Animals that are not listed under the California Endangered Species Act, but which nonetheless 1) are declining at a rate that could result in listing, or 2) historically occurred in low numbers and known threats to their persistence currently exist.

The CDFG requires permits for the taking of any State-listed endangered, threatened, or fully protected species. Section 2080 of the Fish and Game Code prohibits "take" of any species that the California Fish and Game Commission determines to be endangered or threatened. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

The California Native Plant Protection Act protects endangered and rare plants of California. Section 1908, which regulates plants listed under this act, states: "no person shall import into this state, or take, possess, or sell within this state, except as incident to the possession or sale of the real property on which the plant is growing, any native plant, or any part or product thereof, that the commission determines to be an endangered native plant or rare native plant, except as otherwise provided in this chapter."

The California Endangered Species Act does not provide statutory protection for California species of special concern, but they should be considered during the environmental review process.

California Native Plant Society Listed Species

Plants with CNPS listings 1A, 1B and 2 should always be addressed in CEQA documents. Plants with CNPS listings 3 and 4 do not explicitly qualify for legal protection, but can be addressed in CEQA documents depending on the circumstances and opinion of the biologist conducting the assessment.

CNPS 1A: Plants presumed to be extinct because they have not been seen or collected in the wild in California for many years. This list includes plants that are both presumed extinct in California, as well as those plants which are presumed extirpated in California. A plant is extinct in California if it no longer occurs in or outside of California. A plant that is extirpated from California has been eliminated from California, but may still occur elsewhere in its range.

CNPS 1B: Plants that are rare throughout their range with the majority of them endemic to California. Most of the plants of List 1B have declined significantly over the last century.

CNPS 2: Plants that are rare throughout their range in California, but are common beyond the boundaries of California. List 2 recognizes the importance of protecting the geographic range of widespread species.

Plants identified on CNPS Lists 1A, 1B, and 2 meet the definitions of Sec. 1901, Chapter 10 (Native Plant Protection Act) or Secs. 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and are eligible for state listing. They should be fully considered during preparation of environmental documents relating to CEQA.

CNPS 3: A review list for plants for which there is inadequate information to assign them to one of the other lists or to reject them.

CNPS 4: A watch list for plants that are of limited distribution or infrequent throughout a broader area in California and their vulnerability or susceptibility to threat appears relatively low at this time.

Global and Subnational Rankings

Though not associated directly with legal protections, species have been given a conservation status rank by NatureServe, an international non-profit conservation organization that is the leading source for information about rare and endangered species and threatened ecosystems. The Ventura County Planning Division considers the following ranks as sensitive for the purposes of CEQA impact assessment (G = Global, S = Subnational or State):

- G1 or S1 - Critically Imperiled
- G2 or S2 – Imperiled
- G3 or S3 - Vulnerable to extirpation or extinction

Locally Important Species

Locally important species' protections are addressed in a separate Appendix document, "Locally Important Species/Communities Regulations."

For lists of some of the species in Ventura County that are protected by the above regulations, go to www.ventura.org/rma/planning/bio_resources/index.htm.

Nesting Bird Regulations

The Federal Migratory Bird Treaty Act (MBTA) and the California Department of Fish and Game (CDFG) Code (3503, 3503.5, 3511, 3513 and 3800) protect most native birds. In addition, the federal and state endangered species acts protect some bird species listed as threatened or endangered. Project-related impacts to birds protected by these regulations would occur during the breeding season, because unlike adult birds, eggs and chicks are unable to escape impacts.

The MBTA implements various treaties and conventions between the U.S. and Canada, Japan, Mexico, and Russia for the protection of migratory birds, which occur in two of these countries over the course of one year. The Act maintains that it is unlawful to pursue, hunt, take, capture or kill; attempt to take, capture or kill; possess, offer to or sell, barter, purchase, deliver or cause to be shipped, exported, imported, transported, carried or received any migratory bird, part, nest, egg or product, manufactured or not. Bird species protected under the provisions of the MBTA are identified by the List of Migratory Birds (Title 50 of the Code of Federal Regulations, Section 10.13 as updated by the 1983 American Ornithologists' Union (AOU) Checklist and published supplements through 1995 by the USFWS).

CDFG Code 3513 upholds the MBTA by prohibiting any take or possession of birds that are designated by the MBTA as migratory nongame birds except as allowed by federal rules and regulations promulgated pursuant to the MBTA. In addition, there are CDFG Codes (3503, 3503.5, 3511, and 3800) which further protect nesting birds and their parts, including passerine birds, raptors, and state "fully protected" birds.

NOTE: These regulations protect almost all *native nesting birds*, not just sensitive status birds.

Plant Community Regulations

Plant communities are provided legal protection when they provide habitat for protected species, when the community is in the coastal zone and qualifies as environmentally sensitive habitat area (ESHA), or when the community qualifies as locally important.

Global and Subnational Rankings

Though not associated directly with legal protections, plant communities have been given a conservation status rank by NatureServe, an international non-profit conservation organization that is the leading source for information about rare and endangered species and threatened ecosystems. The Ventura County Planning Division considers the following ranks as sensitive for the purposes of CEQA impact assessment (G = Global, S = Subnational or State):

- G1 or S1 - Critically Imperiled
- G2 or S2 - Imperiled
- G3 or S3 - Vulnerable to extirpation or extinction

CDFG Rare

Rare natural communities are those communities that are of highly limited distribution. These communities may or may not contain rare, threatened, or endangered species. Though the Native Plant Protection Act and the California Endangered Species Act provide no legal protection to plant communities, CDFG considers plant communities that are ranked G1-G3 or S1-S3 (as defined above) to be rare or sensitive, and therefore these plant communities should be addressed during CEQA review.

Environmentally Sensitive Habitat Areas

The Coastal Act specifically calls for protection of "environmentally sensitive habitat areas" or ESHA, which it defines as: "Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments" (Section 30107.5).

ESHA has been specifically defined in the Santa Monica Mountains. For projects in this location, the Coastal Commission, the agency charged with administering the Coastal Act, has developed a specific three-part test for determining whether habitat there should be considered coastal sage scrub/chaparral ESHA. A memo from a Coastal Commission biologist outlining this test can be found at:

www.ventura.org/rma/planning/pdf/bio_resources/ESHA_Santa_Monica_Mountains.pdf.

Locally Important Communities

The Ventura County Initial Study Assessment Guidelines defines a locally important community as one that is considered by qualified biologists to be a quality example characteristic of or unique to the County or region, with this determination being made on a case-by-case basis. The County has not developed a list of locally important communities, but has deemed oak woodlands to be a locally important community.

Waters and Wetlands Regulations

Numerous agencies control what can and cannot be done in or around streams and wetlands. If a project affects an area where water flows, ponds or is present even part of the year, it is likely to be regulated by one or more agencies. Many wetland or stream projects will require three main permits or approvals (in addition to CEQA compliance). These are:

- 404 Permit (U.S. Army Corps of Engineers)
- 401 Certification (Regional Water Quality Control Board)
- Streambed Alteration Agreement (California Department of Fish and Game)

In addition, the Ventura County General Plan calls for protection of wetlands and there are several other federal, state and local permits that could be required when a project involves disturbance to wetlands or waters. For a more thorough explanation of wetland permitting, see the Ventura County's "Wetland Project Permitting Guide" at www.ventura.org/rma/planning/pdf/prog_servs/bio_resources/FinalPDF.pdf.

404 Permit (U.S. Army Corps of Engineers)

Most projects that involve streams or wetlands will require a 404 Permit from the U.S. Army Corps of Engineers (USACE). Section 404 of the federal Clean Water Act is the primary federal program regulating activities in wetlands. The Act regulates areas defined as "waters of the United States." This includes streams, wetlands in or next to streams, areas influenced by tides, navigable waters, lakes, reservoirs and other impoundments. For nontidal waters, USACE jurisdiction extends up to what is referred to as the "ordinary high water mark" as well as to the landward limits of adjacent Corps-defined wetlands, if present. The ordinary high water mark is an identifiable natural line visible on the bank of a stream or water body that shows the upper limit of typical stream flow or water level. The mark is made from the action of water on the streambank over the course of years.

Permit Triggers: A USACE 404 Permit is triggered by moving (discharging) or placing materials—such as dirt, rock, geotextiles, concrete or culverts—into or within USACE jurisdictional areas. This type of activity is also referred to as a "discharge of dredged or fill material."

401 Certification (Regional Water Quality Control Board)

If your project requires a USACE 404 Permit, then you will also need a Regional Water Quality Control Board (RWQCB) 401 Certification. The federal Clean Water Act, in Section 401, specifies that states must certify that any activity subject to a permit issued by a federal agency, such as the USACE, meets all state water quality standards. In California, the state and regional water boards are responsible for certification of activities subject to USACE Section 404 Permits.

Permit Trigger: A RWQCB 401 Certification is triggered whenever a USACE 404 Permit is required, or whenever an activity could cause a discharge of dredged or fill material into waters of the U.S. or wetlands.

Streambed Alteration Agreement (California Department of Fish and Game)

If your project includes alteration of the bed, banks or channel of a stream, or the adjacent riparian vegetation, then you may need a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG). The California Fish and Game Code, Sections 1600-1616, regulates activities that would alter the flow, bed, banks, channel or associated riparian areas of a river, stream or lake—all considered "waters of the state." The law requires any person, state or local governmental agency or public utility to notify CDFG before beginning an activity that will substantially modify a river, stream or lake.

Permit Triggers: A Streambed Alteration Agreement (SAA) is triggered when a project involves altering a stream or disturbing riparian vegetation, including any of the following activities:

- Substantially obstructing or diverting the natural flow of a river, stream or lake
- Using any material from these areas
- Disposing of waste where it can move into these areas

Some projects that involve routine maintenance may qualify for long-term maintenance agreements from CDFG. Discuss this option with CDFG staff.

Ventura County General Plan

The Ventura County General Plan contains policies which also strongly protect wetland habitats.

Biological Resources Policy 1.5.2-3 states:

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

Biological Resources Policy 1.5.2-4 states:

Discretionary development shall be sited a minimum of 100 feet from significant wetland habitats to mitigate the potential impacts on said habitats. Buffer areas may be increased or decreased upon evaluation and recommendation by a qualified biologist and approval by the decision-making body. Factors to be used in determining adjustment of the 100 foot buffer include soil type, slope stability, drainage patterns, presence or absence of endangered, threatened or rare plants or animals, and compatibility of the proposed development with the wildlife use of the wetland habitat area. The requirement of a buffer (setback) shall not preclude the use of replacement as a mitigation when there is no other feasible alternative to allowing a permitted use, and if the replacement results in no net loss of wetland habitat. Such replacement shall be "in kind" (i.e. same type and acreage), and provide wetland habitat of comparable biological value. On-site replacement shall be preferred wherever possible. The replacement plan shall be developed in consultation with California Department of Fish and Game.

Coastal Habitat Regulations

Ventura County's Coastal Area Plan and the Coastal Zoning Ordinance, which constitute the "Local Coastal Program" (LCP) for the unincorporated portions of Ventura County's coastal zone, ensure that the County's land use plans, zoning ordinances, zoning maps, and implemented actions meet the requirements of, and implement the provisions and polices of California's 1976 Coastal Act at the local level.

Environmentally Sensitive Habitats

The Coastal Act specifically calls for protection of "environmentally sensitive habitat areas" or ESHA, which it defines as: "Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments" (Section 30107.5).

Section 30240 of the Coastal Act states:

- (a) "Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas."
- (b) "Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas."

There are three important elements to the definition of ESHA. First, a geographic area can be designated ESHA either because of the presence of individual species of plants or animals or because of the presence of a particular habitat. Second, in order for an area to be designated as ESHA, the species or habitat must be either rare or it must be especially valuable. Finally, the area must be easily disturbed or degraded by human activities.

Protection of ESHA is of particular concern in the southeastern part of Ventura County, where the coastal zone extends inland (~5 miles) to include an extensive area of the Santa Monica Mountains. The Coastal Commission, the agency charged with administering the Coastal Act, developed a specific three-part test for determining whether habitat in the Malibu area of the Santa Monica Mountains should be considered coastal sage scrub/chaparral ESHA. Given that Malibu is immediately adjacent to the Ventura County part of the Santa Monica Mountains, this three-part test can be used for assessing whether coastal sage scrub and chaparral habitat in the Ventura County coastal zone meets the definition of ESHA. A memo from a Coastal Commission biologist outlines this test and can be found at: www.ventura.org/rma/planning/pdf/bio_resources/ESHA_Santa_Monica_Mountains.pdf.

The County's Local Coastal Program outlines other specific protections to environmentally sensitive habitats in the Coastal Zone, such as to wetlands, riparian habitats and dunes. Protections in some cases are different for different segments of the coastal zone.

Copies of the Coastal Area Plan and the Coastal Zoning Ordinance can be found at: www.ventura.org/rma/planning/programs_services/local_coast/local_coast.htm.

Wildlife Migration Regulations

The Ventura County General Plan specifically includes wildlife migration corridors as an element of the region's significant biological resources. In addition, protecting habitat connectivity is critical to the success of special status species and other biological resource protections. Potential project impacts to wildlife migration are analyzed by biologists on a case-by-case basis. The issue involves both a macro-scale analysis—where routes used by large carnivores connecting very large core habitat areas may be impacted—as well as a micro-scale analysis—where a road or stream crossing may impact localized movement by many different animals.

Locally Important Species/Communities Regulations

Locally important species/communities are considered to be significant biological resources in the Ventura County General Plan, thus one of the County's threshold criteria for the evaluation of impacts to biological resources is whether the project impacts locally important species/communities.

Locally Important Species

The following criteria were developed with the assistance of local biologists:

Locally Important Animal Species Criteria

1. Taxa for whom habitat in Ventura County is crucial for their existence either globally or in Ventura County. This includes taxa for whom:
 - Populations in Ventura County represents 10% or more of the known extant global distribution; or
 - In Ventura County, there are less than 6 element occurrences, or less than 1,000 individuals, or less than 2,000 acres.
2. Native taxa that are generally declining throughout their range and/or are in danger of extirpation in Ventura County.

Locally Important Plant Species Criteria

A locally important plant is a taxon that is declining throughout the extent of its range AND has a maximum of five (5) element occurrences in Ventura County.

Locally Important Animal and Plant Species Criteria

In some cases, to be determined on an individual basis, there are taxa whose population(s) do not qualify as locally important species; however, certain locations where a taxon occurs will be defined as locally important. This includes:

- If known, the published type locality for a holotype specimen.
- The edge of a taxon's range. This criteria does not apply to non-native taxa or those taxa whose range and population(s) size is expanding.

The County maintains a list of locally important species, which can be found on the Planning Division website at: www.ventura.org/rma/planning/programs_services/bio_resources/bio_resources.htm. *This list should not be considered comprehensive.* Any species that meets the criteria qualifies as locally important, whether or not it is included on this list.

Locally Important Communities

The Ventura County Initial Study Assessment Guidelines defines a locally important community as one that is considered by qualified biologists to be a quality example characteristic of or unique to the County or region, with this determination being made on a case-by-case basis. The County has not developed a list of locally important communities. Oak woodlands have however been deemed by the Ventura County Board of Supervisors to be a locally important community.

The state passed legislation in 2001, the Oak Woodland Conservation Act, to emphasize that oak woodlands are a vital and threatened statewide resource. In response, the County of Ventura prepared and adopted an Oak Woodland Management Plan that recommended, among other things, amending the County's Initial Study Assessment Guidelines to include an explicit reference to oak woodlands as part of its definition of locally important communities. The Board of Supervisors approved this management plan and its recommendations.

Appendix 2-A
Vascular Plant Flora Observed within the TPM no. 6011 Survey Area (SA1)
Ventura County, California

Scientific Name	Common Name	Habit	Wetland Indicator		Family
			Status		
<i>Acourtia microcephala</i>	Acourtia	PH	UPL		Asteraceae
<i>Amsinckia menziesii</i>	Common fiddle-neck	AH	UPL		Boraginaceae
<i>Avena fatua</i> *	Wild oats	AG	UPL		Poaceae
<i>Baccharis pilularis</i>	Coyote brush	S	UPL		Asteraceae
<i>Bromus diandrus</i> *	Ripgut grass	AG	UPL		Poaceae
<i>Bromus hordeaceus</i> *	Soft chess	AG	FACU		Poaceae
<i>Capsella bursa-pastoris</i> *	Shepherd's purse	AH	UPL		Brassicaceae
<i>Carduus pycnocephalus</i> *	Italian thistle	AH	UPL		Asteraceae
<i>Chlorogalum pomeridianum</i>	Soap plant	PH	UPL		Agavaceae
<i>Erodium botrys</i> *	Storks-bill	AH	UPL		Geraniaceae
<i>Erodium cicutarium</i> *	Redstem filaree	AH	UPL		Geraniaceae
<i>Festuca microstachys</i>	Annual fescue	AG	UPL		Poaceae
<i>Festuca perennis</i> *	Italian ryegrass	AG	FAC		Poaceae
<i>Gallium aparine</i>	Goose grass	AV	UPL		Rubiaceae
<i>Heteromeles arbutifolia</i>	Toyon	S	UPL		Rosaceae
<i>Hirschfeldia incana</i> *	Summer mustard	BH	UPL		Brassicaceae
<i>Hordeum murinum</i> ssp. <i>leporinum</i> *	Hare barley	AG	FACU		Poaceae
<i>Lupinus bicolor</i>	Miniature lupine	AH	UPL		Fabaceae
<i>Malosma laurina</i>	Laurel sumac	S	UPL		Anacardiaceae
<i>Malva parviflora</i> *	Cheeseweed	AH	UPL		Malvaceae
<i>Marah macrocarpa</i>	Large-fruited manroot	PV	UPL		Cucurbitaceae
<i>Marubium vulgare</i> *	White horehound	S	FACU		Lamiaceae
<i>Medicago polymorpha</i> *	Bur-clover	AH	FACU		Fabaceae
<i>Opuntia ficus-indica</i> *	Mission prickly pear	S	UPL		Cactaceae
<i>Pholistoma auritum</i> var. <i>auritum</i>	Fiesta flower	AV	UPL		Boraginaceae
<i>Polygala cornuta</i> var. <i>fishiae</i>	Fish's milkwort	PH	UPL		Polygalaceae
<i>Quercus agrifolia</i> var. <i>agrifolia</i>	Coast live oak	T	UPL		Fagaceae
<i>Raphanus sativus</i> *	Radish	AH	UPL		Brassicaceae
<i>Rhamnus ilicifolia</i>	Holly-leaf redberry	S	UPL		Rhamnaceae
<i>Rumex crispus</i> *	Curly dock	PH	FAC		Polygonaceae
<i>Sonchus oleraceus</i> *	Common sow thistle	AH	UPL		Asteraceae
<i>Stellaria media</i> *	Common chickweed	AH	UPL		Caryophyllaceae
<i>Toxicodendron diversilobum</i>	Poison oak	S/V	UPL		Anacardiaceae
<i>Trifolium hirtum</i> *	Rose clover	AH	UPL		Fabaceae

Notes: Scientific nomenclature follows Baldwin et al. (2012) and CNPS (2001).

Wetland indicator status from Arid West 2016 Final Regional Wetland Plant List (Lichvar et al., 2016)

*** indicates non-native species which have become naturalized or persist without cultivation.

Habit Definitions:

- AF = annual fern or fern ally.
- AG = annual grass.
- AH = annual herb.
- BH = biennial herb.
- PF = perennial fern or fern ally.
- PG = perennial grass.
- PH = perennial herb.
- PV = perennial vine.
- S = shrub.
- T = tree.

Wetland Indicator Definitions

- OBL = obligate wetland species, occurs almost always in wetlands (>99% probability)
- FACW = facultative wetland species, usually found in wetlands (67-99% probability).
- FAC = facultative species, equally likely to occur in wetlands or nonwetlands (34-67% probability).
- FACU = facultative upland species, usually occur in nonwetlands (67-99% probability).
- UPL = upland species (less than 1% probability to occur in wetlands)

Appendix 2-B

Vertebrate Animal Species Observed within the TPM no. 6011 Survey Area (SA1) Ventura County, California

FAMILY <u>Common Name</u>	<u>Scientific Name</u>	<u>Native(1)</u>	<u>Status(2)</u>
BIRDS			
Eurasian collared dove	<i>Streptopelia decaocoto</i>	N	--
Mourning dove	<i>Zenaida macroura</i>	Y	--
Anna's hummingbird	<i>Calypte anna</i>	Y	--
Acom woodpecker	<i>Melanerpes formicivorous</i>	Y	--
American crow	<i>Corvus corax</i>	Y	--
Western scrub jay	<i>Aphelocoma coerulescens</i>	Y	--
Black phoebe	<i>Sayornis nigricans</i>	Y	--
Oak titmouse	<i>Baeolophus inornatus</i>	Y	--
Common bushtit	<i>Psaltiriparus minimus</i>	Y	--
European starling	<i>Sturnus vulgaris</i>	N	--
Pacific slope flycatcher	<i>Empidonax difficilis</i>	Y	--
Northern mockingbird	<i>Mimus polyglottos</i>	Y	--
Yellow-rumped warbler	<i>Setophaga coronata</i>	Y	--
Wilson's warbler	<i>Cardellina pusilla</i>	Y	--
California quail	<i>Callipepla californica</i>	Y	--
Western bluebird	<i>Sialia mexicana</i>	Y	--
Dark-eyed junco	<i>Junco hyemalis</i>	Y	--
California towhee	<i>Melospiza crissalis</i>	Y	--
Spotted towhee	<i>Pipilo maculatus</i>	Y	--
Bullock's oriole	<i>Icterus bullockii</i>	Y	--
Hooded oriole	<i>Icterus cucullatus</i>	Y	--
House finch	<i>Carpodacus mexicanus</i>	Y	--
MAMMALS			
Pocket gopher	<i>Thomomys bottae</i>	Y	--
Deer mouse	<i>Peromyscus maniculatus</i>	Y	--
Audubon's cottontail	<i>Sylvilagus audubonii</i>	Y	--
Striped skunk	<i>Mephitis mephitis</i>	Y	--
Coyote	<i>Canis latrans</i>	Y	--
Domestic horse	<i>Equus caballus</i>	N	--

(1) Native
Y= Yes
N= No

(2) Status

ATTACHMENT A

CALIFORNIA NATURAL DIVERSITY DATA BASE ELEMENT OCCURRENCES WITHIN 10 MILES OF THE SURVEY AREA

Scientific Name	Common Name	Accuracy	Presence	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank	CDFW Status
Southern Coast Live Oak Riparian Forest	Southern Coast Live Oak Riparian Forest	specific area	Presumed Extant	None	None	G4	S4		
Southern Coast Live Oak Riparian Forest	Southern Coast Live Oak Riparian Forest	specific area	Presumed Extant	None	None	G4	S4		
Southern Coast Live Oak Riparian Forest	Southern Coast Live Oak Riparian Forest	specific area	Presumed Extant	None	None	G4	S4		
Sagittaria sanfordii	Sanford's arrowhead	80 meters	Extirpated	None	None	G3	S3	1B.2	
Emys marmorata	western pond turtle	1 mile	Presumed Extant	None	None	G3G4	S3		SSC
Emys marmorata	western pond turtle	1/5 mile	Presumed Extant	None	None	G3G4	S3		SSC
Danaus plexippus pop. 1	monarch - California overwintering population	1/5 mile	Presumed Extant	None	None	G4T2T3	S2S3		
Neotoma lepida intermedia	San Diego desert woodrat	80 meters	Presumed Extant	None	None	G5T3T4	S3S4		SSC
Southern California Steelhead Stream	Southern California Steelhead Stream	nonspecific area	Presumed Extant	None	None	GNR	SNR		
Calochortus fimbriatus	late-flowered mariposa-lily	nonspecific area	Presumed Extant	None	None	G3	S3	1B.3	
Sidalcea neomexicana	salt spring checkerbloom	nonspecific area	Presumed Extant	None	None	G4	S2	2B.2	
Gymnogyps californianus	California condor	specific area	Presumed Extant	Endangered	Endangered	G1	S1		FP
Eucyclogobius newberryi	tidewater goby	nonspecific area	Presumed Extant	Endangered	Endangered	G3	S3		SSC
Southern Sycamore Alder Riparian Woodland	Southern Sycamore Alder Riparian Woodland	specific area	Presumed Extant	None	None	G4	S4		
Southern Sycamore Alder Riparian Woodland	Southern Sycamore Alder Riparian Woodland	specific area	Presumed Extant	None	None	G4	S4		
California Walnut Woodland	California Walnut Woodland	specific area	Extirpated	None	None	G2	S2.1		
Southern Coast Live Oak Riparian Forest	Southern Coast Live Oak Riparian Forest	specific area	Presumed Extant	None	None	G4	S4		
Southern Coast Live Oak Riparian Forest	Southern Coast Live Oak Riparian Forest	specific area	Presumed Extant	None	None	G4	S4		
Southern Sycamore Alder Riparian Woodland	Southern Sycamore Alder Riparian Woodland	specific area	Presumed Extant	None	None	G4	S4		
Southern Coast Live Oak Riparian Forest	Southern Coast Live Oak Riparian Forest	specific area	Presumed Extant	None	None	G4	S4		
Southern California Coastal Lagoon	Southern California Coastal Lagoon	nonspecific area	Presumed Extant	None	None	GNR	SNR		
Lasthenia glabrata ssp. coulteri	Coulter's goldfields	1 mile	Presumed Extant	None	None	G4T2	S2	1B.1	
Calochortus fimbriatus	late-flowered mariposa-lily	4/5 mile	Presumed Extant	None	None	G3	S3	1B.3	
Calochortus fimbriatus	late-flowered mariposa-lily	1 mile	Presumed Extant	None	None	G3	S3	1B.3	
Calochortus fimbriatus	late-flowered mariposa-lily	1 mile	Presumed Extant	None	None	G3	S3	1B.3	
Calochortus fimbriatus	late-flowered mariposa-lily	1 mile	Presumed Extant	None	None	G3	S3	1B.3	
Emys marmorata	western pond turtle	1/5 mile	Presumed Extant	None	None	G3G4	S3		SSC
Danaus plexippus pop. 1	monarch - California overwintering population	1/5 mile	Extirpated	None	None	G4T2T3	S2S3		
Danaus plexippus pop. 1	monarch - California overwintering population	2/5 mile	Presumed Extant	None	None	G4T2T3	S2S3		
Emys marmorata	western pond turtle	80 meters	Presumed Extant	None	None	G3G4	S3		SSC
Neotoma lepida intermedia	San Diego desert woodrat	80 meters	Presumed Extant	None	None	G5T3T4	S3S4		SSC
Centromadia parryi ssp. australis	southern tarplant	nonspecific area	Possibly Extirpated	None	None	G3T2	S2	1B.1	
Fritillaria ojaiensis	Ojai fritillary	nonspecific area	Presumed Extant	None	None	G3	S3	1B.2	
Astragalus pycnostachyus var. lanosissimus	Ventura Marsh milk-vetch	5 miles	Possibly Extirpated	Endangered	Endangered	G2T1	S1	1B.1	
Oncorhynchus mykiss irideus pop. 10	steelhead - southern California DPS	nonspecific area	Presumed Extant	Endangered	None	G5T1Q	S1		
Oncorhynchus mykiss irideus pop. 10	steelhead - southern California DPS	nonspecific area	Presumed Extant	Endangered	None	G5T1Q	S1		
Astragalus didymocarpus var. milesianus	Miles' milk-vetch	1 mile	Presumed Extant	None	None	G5T2	S2	1B.2	
Rana draytonii	California red-legged frog	80 meters	Presumed Extant	Threatened	None	G2G3	S2S3		SSC
Phrynosoma blainvillii	coast horned lizard	80 meters	Presumed Extant	None	None	G3G4	S3S4		SSC
Gila orcuttii	arroyo chub	nonspecific area	Presumed Extant	None	None	G2	S2		SSC
Nolina cismontana	chaparral nolina	4/5 mile	Presumed Extant	None	None	G3	S3	1B.2	
Fritillaria ojaiensis	Ojai fritillary	80 meters	Presumed Extant	None	None	G3	S3	1B.2	
Fritillaria ojaiensis	Ojai fritillary	specific area	Presumed Extant	None	None	G3	S3	1B.2	
Fritillaria ojaiensis	Ojai fritillary	80 meters	Presumed Extant	None	None	G3	S3	1B.2	
Horkelia cuneata var. puberula	mesa horkelia	1 mile	Presumed Extant	None	None	G4T1	S1	1B.1	
Streptanthus campestris	southern jewelflower	nonspecific area	Presumed Extant	None	None	G3	S3	1B.3	
Delphinium umbraclorum	umbrella larkspur	nonspecific area	Presumed Extant	None	None	G3	S3	1B.3	
Choeronycteris mexicana	Mexican long-tongued bat	1 mile	Presumed Extant	None	None	G4	S1		SSC

ATTACHMENT A

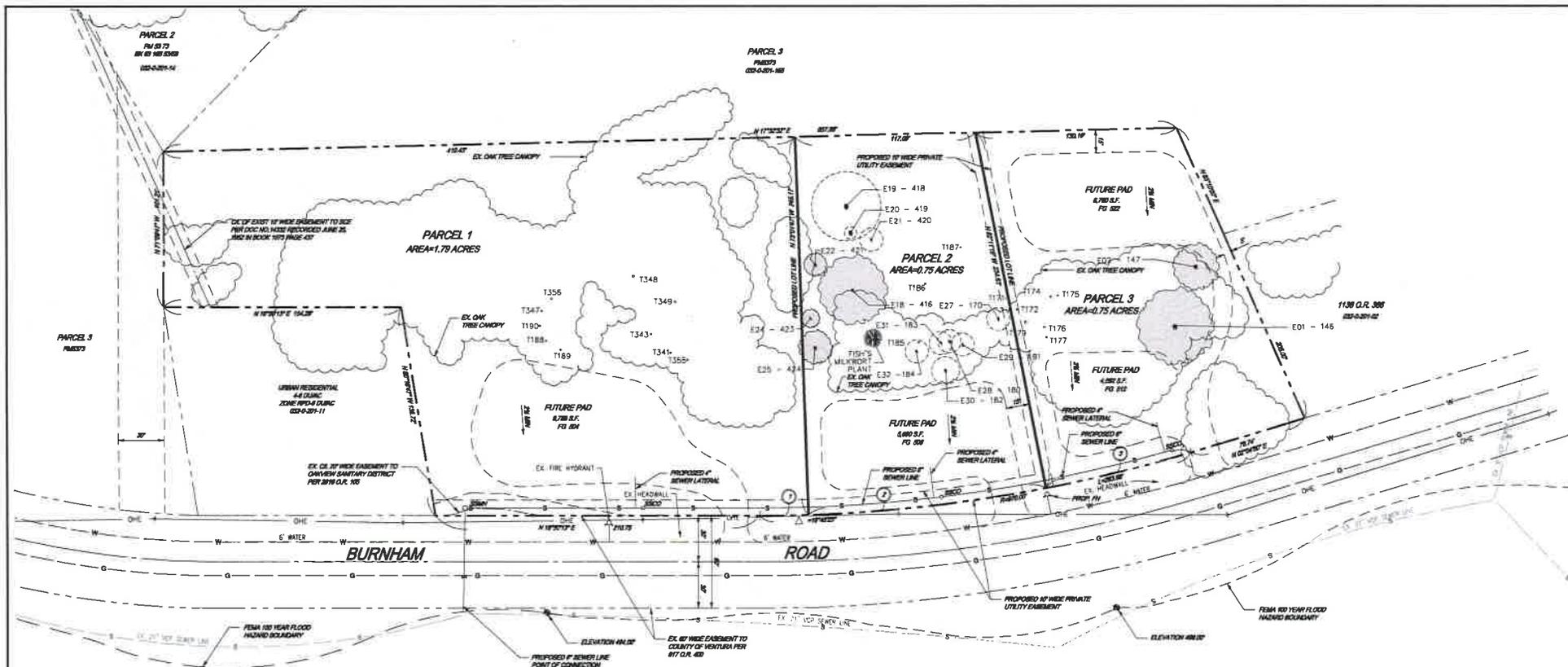
CALIFORNIA NATURAL DIVERSITY DATA BASE ELEMENT OCCURRENCES WITHIN 10 MILES OF THE SURVEY AREA

Scientific Name	Common Name	Accuracy	Presence	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank	CDFW Status
<i>Chaetodipus californicus femoralis</i>	Dulzura pocket mouse	1 mile	Presumed Extant	None	None	G5T3	S3		SSC
<i>Chaetodipus californicus femoralis</i>	Dulzura pocket mouse	1 mile	Presumed Extant	None	None	G5T3	S3		SSC
<i>Charadrius alexandrinus nivosus</i>	western snowy plover	nonspecific area	Possibly Extirpated	Threatened	None	G3T3	S2S3		SSC
<i>Coelus globosus</i>	globose dune beetle	nonspecific area	Possibly Extirpated	None	None	G1G2	S1S2		
<i>Calochortus fimbriatus</i>	late-flowered mariposa-lily	80 meters	Presumed Extant	None	None	G3	S3	1B.3	
<i>Calochortus fimbriatus</i>	late-flowered mariposa-lily	80 meters	Presumed Extant	None	None	G3	S3	1B.3	
<i>Eumops perotis californicus</i>	western mastiff bat	1 mile	Presumed Extant	None	None	G5T4	S3S4		SSC
<i>Antrozous pallidus</i>	pallid bat	1 mile	Presumed Extant	None	None	G5	S3		SSC
<i>Lasiurus cinereus</i>	hoary bat	1 mile	Presumed Extant	None	None	G5	S4		
<i>Imperata brevifolia</i>	California satintail	nonspecific area	Presumed Extant	None	None	G4	S3	2B.1	
<i>Navarretia ojaiensis</i>	Ojai navarretia	nonspecific area	Presumed Extant	None	None	G2	S2	1B.1	
<i>Navarretia ojaiensis</i>	Ojai navarretia	80 meters	Presumed Extant	None	None	G2	S2	1B.1	
<i>Navarretia ojaiensis</i>	Ojai navarretia	specific area	Presumed Extant	None	None	G2	S2	1B.1	
<i>Navarretia ojaiensis</i>	Ojai navarretia	specific area	Presumed Extant	None	None	G2	S2	1B.1	
<i>Navarretia ojaiensis</i>	Ojai navarretia	80 meters	Presumed Extant	None	None	G2	S2	1B.1	
<i>Navarretia ojaiensis</i>	Ojai navarretia	specific area	Presumed Extant	None	None	G2	S2	1B.1	
<i>Taricha torosa</i>	Coast Range newt	nonspecific area	Presumed Extant	None	None	G4	S4		SSC
<i>Navarretia ojaiensis</i>	Ojai navarretia	1/5 mile	Extirpated	None	None	G2	S2	1B.1	
<i>Taxidea taxus</i>	American badger	80 meters	Presumed Extant	None	None	G5	S3		SSC
<i>Aspidoscelis tigris stajneri</i>	coastal whiptail	80 meters	Presumed Extant	None	None	G5T5	S3		SSC
<i>Thamnophis hammondi</i>	two-striped gartersnake	80 meters	Presumed Extant	None	None	G4	S3S4		SSC
<i>Calochortus plummerae</i>	Plummer's mariposa-lily	specific area	Presumed Extant	None	None	G4	S4	4.2	
<i>Rana boylei</i>	foothill yellow-legged frog	nonspecific area	Extirpated	None	Candidate Threat	G3	S3		SSC
<i>Calochortus fimbriatus</i>	late-flowered mariposa-lily	nonspecific area	Presumed Extant	None	None	G3	S3	1B.3	
<i>Lepidium virginicum var. robinsonii</i>	Robinson's pepper-grass	nonspecific area	Presumed Extant	None	None	G5T3	S3	4.3	
<i>Aphanisma blitoides</i>	aphanisma	nonspecific area	Presumed Extant	None	None	G3G4	S2	1B.2	
<i>Atriplex coulteri</i>	Coulter's saltbush	nonspecific area	Presumed Extant	None	None	G3	S1S2	1B.2	
<i>Atriplex pacifica</i>	south coast saltscale	1/10 mile	Presumed Extant	None	None	G4	S2	1B.2	
<i>Coelus globosus</i>	globose dune beetle	nonspecific area	Presumed Extant	None	None	G1G2	S1S2		
<i>Imperata brevifolia</i>	California satintail	80 meters	Presumed Extant	None	None	G4	S3	2B.1	
<i>Monardella hypoleuca ssp. hypoleuca</i>	white-veined monardella	1/10 mile	Presumed Extant	None	None	G4T3	S3	1B.3	
<i>Monardella hypoleuca ssp. hypoleuca</i>	white-veined monardella	nonspecific area	Presumed Extant	None	None	G4T3	S3	1B.3	
<i>Monardella hypoleuca ssp. hypoleuca</i>	white-veined monardella	3/5 mile	Presumed Extant	None	None	G4T3	S3	1B.3	
<i>Monardella hypoleuca ssp. hypoleuca</i>	white-veined monardella	80 meters	Presumed Extant	None	None	G4T3	S3	1B.3	
<i>Monardella hypoleuca ssp. hypoleuca</i>	white-veined monardella	nonspecific area	Presumed Extant	None	None	G4T3	S3	1B.3	
<i>Monardella hypoleuca ssp. hypoleuca</i>	white-veined monardella	80 meters	Presumed Extant	None	None	G4T3	S3	1B.3	
<i>Monardella hypoleuca ssp. hypoleuca</i>	white-veined monardella	nonspecific area	Presumed Extant	None	None	G4T3	S3	1B.3	
<i>Vireo bellii pusillus</i>	least Bell's vireo	80 meters	Presumed Extant	Endangered	Endangered	G5T2	S2		
<i>Vireo bellii pusillus</i>	least Bell's vireo	3/5 mile	Presumed Extant	Endangered	Endangered	G5T2	S2		
<i>Vireo bellii pusillus</i>	least Bell's vireo	nonspecific area	Presumed Extant	Endangered	Endangered	G5T2	S2		
<i>Vireo bellii pusillus</i>	least Bell's vireo	80 meters	Presumed Extant	Endangered	Endangered	G5T2	S2		
<i>Vireo bellii pusillus</i>	least Bell's vireo	nonspecific area	Presumed Extant	Endangered	Endangered	G5T2	S2		
<i>Quercus dumosa</i>	Nuttall's scrub oak	nonspecific area	Presumed Extant	None	None	G3	S3	1B.1	
<i>Quercus dumosa</i>	Nuttall's scrub oak	3/5 mile	Presumed Extant	None	None	G3	S3	1B.1	
<i>Nolina cismontana</i>	chaparral nolina	1/5 mile	Presumed Extant	None	None	G3	S3	1B.2	
<i>Delphinium umbraclorum</i>	umbrella larkspur	80 meters	Presumed Extant	None	None	G3	S3	1B.3	
<i>Calochortus fimbriatus</i>	late-flowered mariposa-lily	1/10 mile	Presumed Extant	None	None	G3	S3	1B.3	
<i>Fritillaria ojaiensis</i>	Ojai fritillary	nonspecific area	Presumed Extant	None	None	G3	S3	1B.2	

ATTACHMENT A

CALIFORNIA NATURAL DIVERSITY DATA BASE ELEMENT OCCURRENCES WITHIN 10 MILES OF THE SURVEY AREA

Scientific_Name	Common_Name	Accuracy	Presence	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank	CDFW Status
Fritillaria ojaiensis	Ojai fritillary	80 meters	Presumed Extant	None	None	G3	S3	1B.2	
Fritillaria ojaiensis	Ojai fritillary	80 meters	Presumed Extant	None	None	G3	S3	1B.2	
Fritillaria ojaiensis	Ojai fritillary	80 meters	Presumed Extant	None	None	G3	S3	1B.2	
Fritillaria ojaiensis	Ojai fritillary	4/5 mile	Presumed Extant	None	None	G3	S3	1B.2	
Caulanthus lemmonii	Lemmon's jewelflower	1/10 mile	Presumed Extant	None	None	G3	S3	1B.2	
Bombus crotchii	Crotch bumble bee	4/5 mile	Presumed Extant	None	Candidate Endan	G3G4	S1S2		
Bombus crotchii	Crotch bumble bee	1 mile	Presumed Extant	None	Candidate Endan	G3G4	S1S2		
Bombus crotchii	Crotch bumble bee	1 mile	Presumed Extant	None	Candidate Endan	G3G4	S1S2		
Horkelia cuneata var. puberula	mesa horkelia	2/5 mile	Presumed Extant	None	None	G4T1	S1	1B.1	
Horkelia cuneata var. puberula	mesa horkelia	1 mile	Presumed Extant	None	None	G4T1	S1	1B.1	
Agelaius tricolor	tricolored blackbird	2/5 mile	Presumed Extant	None	Threatened	G2G3	S1S2		SSC
Setophaga petechia	yellow warbler	specific area	Presumed Extant	None	None	G5	S3S4		SSC
Diadophis punctatus modestus	San Bernardino ringneck snake	specific area	Presumed Extant	None	None	G5T2T3	S2?		
Diadophis punctatus modestus	San Bernardino ringneck snake	80 meters	Presumed Extant	None	None	G5T2T3	S2?		
Athene cunicularia	burrowing owl	80 meters	Presumed Extant	None	None	G4	S3		SSC
Thamnophis hammondi	two-striped gartersnake	specific area	Presumed Extant	None	None	G4	S3S4		SSC
Emys marmorata	western pond turtle	specific area	Presumed Extant	None	None	G3G4	S3		SSC
Navarretia peninsularis	Baja navarretia	1/5 mile	Presumed Extant	None	None	G3	S2	1B.2	
Emys marmorata	western pond turtle	specific area	Presumed Extant	None	None	G3G4	S3		SSC
Emys marmorata	western pond turtle	specific area	Presumed Extant	None	None	G3G4	S3		SSC
Rana draytonii	California red-legged frog	specific area	Presumed Extant	Threatened	None	G2G3	S2S3		SSC
Thamnophis hammondi	two-striped gartersnake	80 meters	Presumed Extant	None	None	G4	S3S4		SSC
Thamnophis hammondi	two-striped gartersnake	80 meters	Presumed Extant	None	None	G4	S3S4		SSC
Salvadora hexalepis virgultea	coast patch-nosed snake	80 meters	Presumed Extant	None	None	G5T4	S2S3		SSC
Salvadora hexalepis virgultea	coast patch-nosed snake	80 meters	Presumed Extant	None	None	G5T4	S2S3		SSC
Thamnophis hammondi	two-striped gartersnake	nonspecific area	Presumed Extant	None	None	G4	S3S4		SSC
Thamnophis hammondi	two-striped gartersnake	nonspecific area	Presumed Extant	None	None	G4	S3S4		SSC
Emys marmorata	western pond turtle	80 meters	Presumed Extant	None	None	G3G4	S3		SSC
Setophaga petechia	yellow warbler	80 meters	Presumed Extant	None	None	G5	S3S4		SSC
Rana draytonii	California red-legged frog	specific area	Presumed Extant	Threatened	None	G2G3	S2S3		SSC
Layia heterotricha	pale-yellow layia	80 meters	Presumed Extant	None	None	G2	S2	1B.1	
Astragalus didymocarpus var. milesianus	Miles' milk-vetch	1 mile	Presumed Extant	None	None	G5T2	S2	1B.2	
Athene cunicularia	burrowing owl	80 meters	Presumed Extant	None	None	G4	S3		SSC
Nolina cismontana	chaparral nolina	specific area	Presumed Extant	None	None	G3	S3	1B.2	
Calochortus fimbriatus	late-flowered mariposa-lily	specific area	Presumed Extant	None	None	G3	S3	1B.3	
Calochortus fimbriatus	late-flowered mariposa-lily	specific area	Presumed Extant	None	None	G3	S3	1B.3	
Calochortus fimbriatus	late-flowered mariposa-lily	specific area	Presumed Extant	None	None	G3	S3	1B.3	
Calochortus fimbriatus	late-flowered mariposa-lily	specific area	Presumed Extant	None	None	G3	S3	1B.3	
Calochortus fimbriatus	late-flowered mariposa-lily	specific area	Presumed Extant	None	None	G3	S3	1B.3	
Lonicera subspicata var. subspicata	Santa Barbara honeysuckle	specific area	Presumed Extant	None	None	G5T2?	S2?	1B.2	
Thamnophis hammondi	two-striped gartersnake	80 meters	Presumed Extant	None	None	G4	S3S4		SSC
Thamnophis hammondi	two-striped gartersnake	80 meters	Presumed Extant	None	None	G4	S3S4		SSC
Thamnophis hammondi	two-striped gartersnake	80 meters	Presumed Extant	None	None	G4	S3S4		SSC
Thamnophis hammondi	two-striped gartersnake	80 meters	Presumed Extant	None	None	G4	S3S4		SSC
Thamnophis hammondi	two-striped gartersnake	specific area	Presumed Extant	None	None	G4	S3S4		SSC
Emys marmorata	western pond turtle	80 meters	Presumed Extant	None	None	G3G4	S3		SSC
Emys marmorata	western pond turtle	80 meters	Presumed Extant	None	None	G3G4	S3		SSC
Emys marmorata	western pond turtle	80 meters	Presumed Extant	None	None	G3G4	S3		SSC



PUBLIC UTILITIES

ELECTRIC: SOUTHERN CALIFORNIA Edison Co.
 GAS: SOUTHERN CALIFORNIA GAS Co.
 TELEPHONE: AT&T
 CABLE TELEVISION: SPECTRUM
 WATER: VENTURA RIVER WATER DISTRICT
 SEWER: CLAY VALLEY SANITATION DISTRICT



VICINITY MAP
 NOT TO SCALE

LAND USE DATA

- A. AREA
 GROSS AREA 3.29 ACRES
 NET AREA 3.28 ACRES
- B. PROJECT LOCATION
 BURNHAM ROAD, VENTURA COUNTY
- C. ZONING & GENERAL PLAN DESIGNATION
 R1-30,000 S.F.
- D. ASSESSORS PARCEL No.
 002-0-201-105
- E. PROPERTY USE
 EXISTING-VACANT
 PROPOSED-RESIDENTIAL
- F. FLOOD ZONE
 FLOOD ZONE "X" - AREA DETERMINED TO BE
 OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN
 PER PARCEL NO. 091110088E DATED JANUARY 20,
 2010.

LEGEND

PROPOSED	EXISTING
20 LOT NUMBER	STORM DRAIN
[] PAD ELEV.	WATER
STORM DRAIN	SEWER
CATCH BASIN	GAS
SURFACE DRAIN	TELEPHONE
WATER	OVERHEAD ELECTRIC
SEWER	WATER VALVE
POSSIBLE MAIN SEWER	FIRE HYDRANT
TOP OF SLOPE	POWER POLE
TOE OF SLOPE	CONTOUR LINE
FLOODLINE	STREET SIGN
EASEMENT LINE	ABBREVIATIONS
CONTOUR LINE	FS FINISH SURFACE
DAYLIGHT LINE	FG FINISH GRADE
RETAINING WALL	BY BATTERY
BLOCK WALL	TD TOP OF DRIVE
FIRE HYDRANT	SW SIDEWALK
STREET LIGHT	EX EXISTING
SANITARY SEWER MANHOLE	FL FLOW LINE
SANITARY SEWER CLEANOUT	PVT PRIVATE
	SSWH SANITARY SEWER MANHOLE
	SSCO SANITARY SEWER CLEANOUT

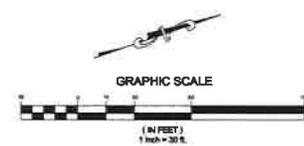
CURVE DATA (THIS SHEET ONLY)

STATIONING	DELTA	RADIUS	CHORD	CHORD BEARING	PI
1 0+00.00	97.0	12.40	15.87		
2 0+00.00	97.0	155.08	72.87		
3 0+00.00	97.0	87.50	48.38		

NOTE:

- FOR EXISTING TREE INFORMATION AND ABREVIATION, SEE THE ARCHITECT'S TREE PROTECTION PLAN.
- TOPOGRAPHIC SURVEY PREPARED BY JEREMY DESIGN & SURVEY INC.

SUBSCRIBER'S NAME:
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PREPARED BY:
G
 Gambale Engineering Inc.
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 805.466.9971 - www.gambaleengineering.com

TENTATIVE PARCEL MAP 6011
 FOR
MATTHEW PORTENSTEIN
 LEGAL DESCRIPTION: PARCELS 1 OF PARCELS MAP NO. 6011, 6023 BY THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 88, PAGE 81 TO 83 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY ASSessor OF SAID COUNTY.

1) TREE PROTECTION NOTES:

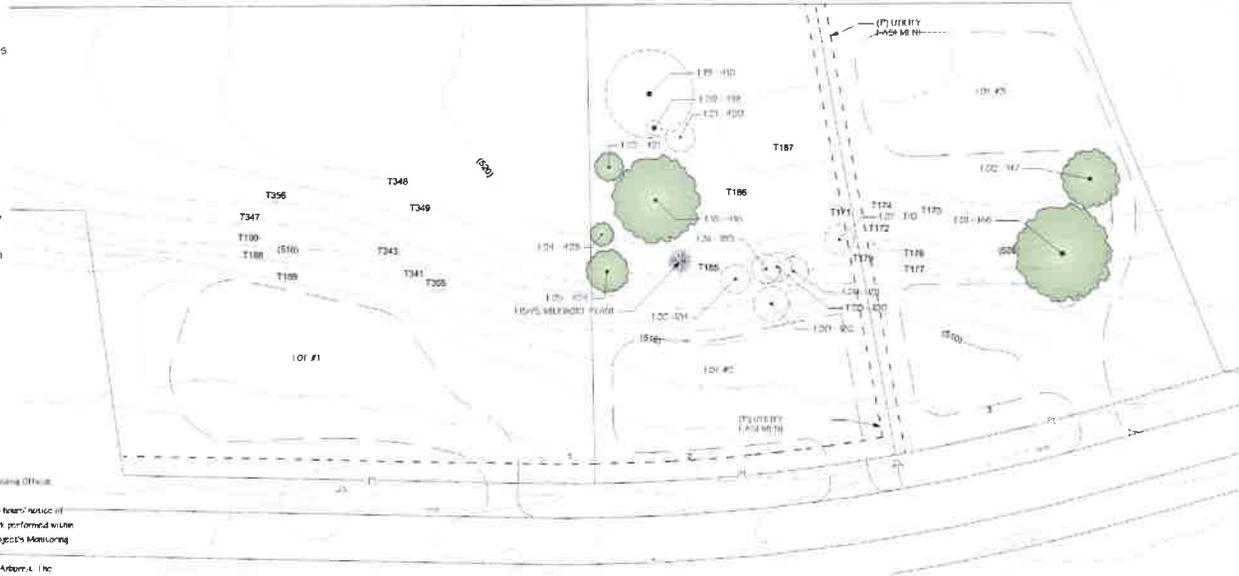
1. ALL TREE TRUNKS FROM CONSTRUCTION AT THE CRITICAL ROOT ZONE OF ANY TREE REMOVED WITH CONSTRUCTION SHALL BE STAKED, STAKES SHALL BE PLACED AT THE CRITICAL ROOT ZONE AND SHALL BE SHOWN ON THE PLAN AND INSTALLED BY THE PROPOSER PRIOR TO ANY CONSTRUCTION ACTIVITIES.
2. NO ACTIVITIES OR STORAGE OF CONSTRUCTION MATERIALS SHALL BE ALLOWED WITHIN THE CRITICAL ROOT ZONE UNLESS APPROVED BY APPROPRIATE AGENCIES.
3. ANY ROOT DISRUPTANCE TO ANY OF THE PROTECTED TREES SHALL BE DONE BY HAND AND THE PROPOSER SHALL REMOVE ANY ROOTS LARGER THAN 1.5 IN DIAMETER THAT NEED TO BE REMOVED AND REPAIR THEM BY THE APPROPRIATE METHOD TO BE SPECIFIED.
4. ALL ROOTS EXPOSED SHALL BE CUT CLEANLY WITH A SHARP SAW TO ALLOW FOR NEW ROOTS TO BE REGENERATED AND TO BE PROTECTED BY THE PROPOSER WITH MULCH OR OTHER MEASURES TO PREVENT DRYING OUT AND DYING.
5. COMPACTION OF THE ROOT ZONE SHALL BE AVOIDED BY SPREADING 3-4 INCHES OF MULCH OR LIGHTWEIGHT FILL OVER THE ROOT ZONE.
6. DURING HOT WEATHERS THE TRUNKS MAY NEED TO BE WASHED WITH HIGH PRESSURE WATER TO REMOVE CONSTRUCTION DUST.
7. PROPOSER SHALL BE NOTIFIED PRIOR TO ANY ACTIVITIES WITHIN THE CRITICAL ROOT ZONE.
8. NO CONSTRUCTION EQUIPMENT SHALL BE PARKED, STORED OR OPERATED WITHIN THE PROTECTED AREA AND THE SOIL SURFACE OF CONSTRUCTION MATERIALS SHALL BE SHOWN ON THE PLAN AND INSTALLED WITHIN THE PROTECTED AREA.
9. NEW UTILITIES SHALL BE LOCATED WITHIN ROADWAYS, DRIVEWAYS OR DESIGNATED UTILITY CORRIDORS SHALL HAVE IMPACTS TO THE TREE MITIGATED.
10. GRADING AND CONSTRUCTION SHALL BE LOCATED OUTSIDE OF THE TREE PROTECTION ZONE OF ALL PROTECTED TREES UNLESS SPECIFICALLY AUTHORIZED BY THE COUNTY ARBORIST. THE PROPOSER SHALL NOTIFY THE COUNTY ARBORIST IF THE TREE IS A DESIGNATED TREE IN THE TREE PROTECTION ZONE FOR THIS PURPOSE.
11. ANY INTERCROWNING WITHIN THE TREE PROTECTION ZONE SHALL ADHERE TO THE FOLLOWING STANDARDS:
 - A. ANY ROOTS SHALL BE CUT TO THE MAIN TRUNK OR CUT TO THE MAIN TRUNK OR CUT TO THE MAIN TRUNK OR CUT TO THE MAIN TRUNK.
 - B. ANY ROOTS SHALL BE CUT TO THE MAIN TRUNK OR CUT TO THE MAIN TRUNK OR CUT TO THE MAIN TRUNK OR CUT TO THE MAIN TRUNK.
 - C. ANY ROOTS SHALL BE CUT TO THE MAIN TRUNK OR CUT TO THE MAIN TRUNK OR CUT TO THE MAIN TRUNK OR CUT TO THE MAIN TRUNK.
12. DRAINAGE PLANS SHALL BE DESIGNED TO PREVENT STANDING WATER AND TO AVOID FLOODING.
13. ONLY TREES DESIGNATED FOR REMOVAL ON THE APPROVED TREE PROTECTION PLAN SHALL BE REMOVED.
14. ANY PROTECTED TREES THAT ARE DAMAGED SHALL BE REPLACED.
15. TREES TO BE REPLACED AND THAT ARE DAMAGED SHALL BE REPLACED.
16. TREES THAT ARE DAMAGED MORE THAN 20% INTERCROWNING INTO THE TREE PROTECTION ZONE SHALL BE REPLACED.

VENTURA COUNTY TREE PROTECTION GUIDELINES:

1. All tree protection measures of approval and implementation shall be provided on a written plan submitted for approval by the Planning Director.
2. Prior to installing and construction activities all tree protection measures shall be installed and verified by the County of Ventura.
3. The applicant shall be responsible for providing the County of Ventura and the project's Monitoring Arborist (Arborist of Record) a minimum 48-hour notice of any changes in the scope of work and shall ensure that all work is performed in accordance with applicable ordinances, permits and procedures. Work performed within the protected delineation zone and the critical root zone (CRZ) of the trees shall be provided by not less than 48-hour notice of same to the project's Monitoring Arborist.
4. All work conducted within the protected delineation zone and the CRZ of the trees shall be performed in the presence of the project's Monitoring Arborist. The project's Monitoring Arborist shall be an ISA Certified Arborist, ASFA Registered Consulting Arborist, or other County approved tree expert. The protected zone shall commence from a point two (2) feet outside of the canopy and extend radially to the trunk of the tree. In no case shall the protected zone be less than fifteen (15) feet from the trunk of a tree. Monitoring of the work by a consulting arborist may be subject to inspection and approval by the County and shall not relieve the contractor of the obligation to fulfill all of these conditions.
5. Grading or trenching work in the protected delineation zone and the CRZ of the trees approved for encroachment must be done using hand implements only, the use of mechanical tools or equipment is prohibited except when absolutely necessary and approved by the County and the project's Monitoring Arborist. Where absolutely necessary and approved by the County, limited mechanical equipment may be used as follows: a rubber lined excavator or larger mechanical equipment may be used up and outside of the protected delineation zone of the trees and can reach under the canopy to avoid damage to the overhanging limbs. When pre-approved, other equipment may be used within the protected zone of the trees that have been approved for such encroachments in the Protected Tree Permit. Placement of any construction material prior to protection zone access is required.
6. Removal of the natural tree mulch within the protected delineation zone of the project is prohibited except when absolutely necessary for site treatment.
7. Upon completion of the work associated with each tree, tree approval for encroachment, a top to six inch layer of certified mulch shall be placed within the protected zone. The mulch shall be applied to the ground surface and shall be maintained and kept in place during the following season.
8. Equipment, materials, and vehicles shall not be stored, parked or operated within the protected zone of any tree, except on an existing approved road base for work that is being performed with encroachment approval.
9. Prior to issuance of grading permits, the applicant or his/her representative shall provide the County with a copy of the final protective fencing plan for the trees to be protected.

IN LOCATED WITHIN THE CRITICAL ROOT ZONE OF ANY TREE REMOVED WITH CONSTRUCTION SHALL BE STAKED, STAKES SHALL BE PLACED AT THE CRITICAL ROOT ZONE AND SHALL BE SHOWN ON THE PLAN AND INSTALLED BY THE PROPOSER PRIOR TO ANY CONSTRUCTION ACTIVITIES.

10. Fences shall remain in place throughout the entire demolition, grubbing, grading, and construction period and shall not be removed without obtaining written authorization from the County of Ventura Planning Division.
11. All work conducted within the protected delineation zone of the trees shall be verified by the Monitoring Arborist and the County at the conclusion of the project. A construction action shall be required for all work conducted within the protected delineation zone and shall be submitted within 30 working days after completion of the work certifying that all of the work was conducted in accordance with the appropriate tree protection permits and the site related conditions of approval for the project.
12. Drainage: Natural drainage courses and natural grades around the existing trees shall not be altered. Surface runoff from adjacent areas shall be directed away from preservation areas, and shall not increase runoff to these areas. Water shall not be allowed to pond or accumulate within the drip line of any tree.
13. Fencing: Fencing can occur when necessary but will require a permit. If the work is significant, please check with the Planning Division for any tree removal. When modest pruning practices must always be used to protect the tree's health. No climbing spurs can be used by the tree trimmers.
14. Wood Control: The use of soil sterilizers shall be prohibited under and around existing trees. Sterilizers may reach into the root system and kill the tree. The use of pre-emergent wood killers shall be prohibited within 100 feet of any individual tree or within a natural drainage that seasonally inundates trees.
15. In order to avoid damage to existing trees and other trees, tree removal shall be limited to avoid land clearing (removal of trees) through August 31st. If tree removal activities take place during the specified nesting season, prior to the initiation of any tree removal, pruning, or removal, the Applicant shall retain a County qualified biologist to determine presence or absence of nesting birds and shall submit a written report for review and approval by the County of Ventura Planning Division. Should active nests be noted during the survey, tree removal or removal shall not be conducted until the County qualified biologist attests that the nests are no longer active. (Ventura County Tree Protection Guidelines - Tree Permit Requirements)



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October 18, 2018
MKG 18-1001

Mr. Matthew Portenstein
P.O. Box 62
Big Bear City, CA 92314

SUBJECT: Updated Soils and Engineering Geologic Recommendations for Tentative Parcel Map 6011, APN 032-0-201-105, Burnham Road, Live Oak Acres, Ojai Area, County of Ventura, California.

REFERENCE: Preliminary Soils and Engineering Geologic Investigation for Proposed Tentative Parcel Map No. 5878, APN 032-0-201-105 & APN 032-01-201-155, 2245 Los Encinos Road, Live Oak Acres, Ojai Area, County of Ventura, California; Prepared by Mark Kruger Geology, Inc., MKG 11-301, Report dated May 6, 2011.

ELECTRONIC FILE NOTE

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County of Ventura
Mitigated Negative Declaration
PL18-0137
Attachment 7 - Geologic and Geotechnical Engineering Investigation
Report, prepared by Mark Kruger Geology, Inc.,
dated, October 18, 2018

INTRODUCTION

At your request, this report presents our updated soils and engineering geologic recommendations for proposed Tentative Parcel Map 6011. This update is based on our recent site observations on October 8, 2018 and our referenced soils and engineering-geologic report prepared for the subject site.

PROPOSED DEVELOPMENT

The findings and recommendations contained in this report are based on preliminary plans provided by the client's representative and our review of our referenced report dated May 6, 2011.

It is proposed to construct three (3) single-family residences and associated structures on Parcels 1, 2 and 3 of Tentative Parcel Map 6011. The approximate building locations for Parcels 1 through 3 are shown on our Geotechnical Map, Plate 1 and are illustrated on our Geologic Cross Sections X-X' through Z-Z', Plates CS-1 through CS-3. The existing residence at 955 Burnham Road will remain. Parcels 1 through 3 are located adjacent to Burnham Road. Access to the future residences on Parcels 1, 2 and 3 will be provided via new driveways off of Burnham Road. Final site development plans await the recommendations of this report. The remaining parcels addressed in our referenced report dated May 11, 2011 are not included within Tentative Parcel Map 6011.

Slope gradients in the area of the proposed building sites vary from essentially level to flatter than 4:1 (H:V). Based on our review of the current site plan prepared by Jensen Design and Survey of Ventura, California (Plate 1) minimal grading appears to be necessary in order to achieve the desired grade for the proposed building pads. Standard cut and fill grading may be utilized in order to achieve the desired grade for the proposed building sites. Any new manufactured cut and fill slope gradients should be 2:1 (H:V) or flatter. We understand that the proposed structures will be connected to the public sewer.

Based on our field investigation, the upper 3-feet of the earth materials at the site (residual soil, alluvium and/or older alluvium) are not considered to be suitable for support of the proposed structures and/or for support of new compacted fill. In this case, we recommend that the proposed structures be supported on a blanket of new compacted fill benched into the underlying, firm alluvium or older alluvium. All recommendations presented in our referenced report dated May 6, 2011, not superseded herein, remain applicable and in effect.

SITE CONDITIONS

The site was recently visited on October 8, 2018 by the undersigned engineering geologist to observe present site conditions. At the time of our site visit, surface conditions on site and in the area of the proposed structures were essentially the same as those described in our referenced report dated May 6, 2011. No geologic hazards were observed to affect the area of the proposed improvements.

Update

This report is based on our recent field observations on October 8, 2018 and our referenced soils and engineering-geologic report prepared for the subject site. At the time of our recent site visit, surface conditions in the area of the proposed structures appeared to be essentially the same as those described in our referenced report dated May 6, 2011 and we concur with the previous findings and analysis with respect to the proposed improvements at the subject site, addressed herein. Based on our recent site visit, it is our finding that the recommendations presented in our referenced report dated May 6, 2011, not superseded herein, should be incorporated into the building and/or grading plans. Mark Kruger Geology, Inc. will provide geotechnical and engineering geologic services for the proposed structures at the subject site.

RECOMMENDATIONS

Based on the findings of our investigation, the site is considered to be suitable from a soils and engineering geologic standpoint for construction of the proposed structures, provided the recommendations included herein are followed and integrated into the building and/or grading plans.

Seismic Design

It is our opinion that future structures should be designed in accordance with the applicable seismic building code as determined by the structural engineer. The subject site is located within **Site Class D** per the 2016 California Building Code (based on the ASCE 7-2010 with July 2013 errata). The following values of short and long period accelerations are recommended for the Risk-Targeted Maximum Considered Earthquake (MCE_R). The design spectral response acceleration parameters presented on the following table for **Site Class D**, generated by the USGS Seismic Design Map Website (<https://geohazards.usgs.gov/designmaps.us/application.php>), may be utilized for seismic design:

Site location (latitude, longitude):(34.417, 119.305)				
Spectral Period, T (second)	Site Class B MCE spectral acceleration (g)	Site Class D MCE spectral acceleration (g)		Site Class D DBE spectral accelera- tion (g)
0.2	$S_s = 2.255$	$F_a = 1.0$	$S_{MS} = 2.255$	$S_{DS} = 1.503$
1.0	$S_1 = 0.825$	$F_V = 1.5$	$S_{M1} = 1.237$	$S_{D1} = 0.825$

The structural engineer should verify the provided coefficients based upon **Site Class D** prior to use in design.

The southern California region is seismically active and commonly experiences strong ground shaking resulting from earthquakes along active faults. An "active fault" is defined as a fault that has been active in the last 11,000 years and is well defined at the surface. The Northridge Thrust fault (part of the Oak Ridge fault system) which produced the January 17, 1994, Northridge Earthquake did not meet the definition of an "active fault" because this blind thrust fault was apparently not well defined at the surface. Many other blind thrust faults or unknown faults exist in southern California. Earthquakes along these faults are part of a continuous, naturally occurring process which has contributed to the characteristic landscape of southern California. Research on earthquakes during the past forty years has greatly enhanced our knowledge on the nature of faulting in California, however, seismology is a relatively new science and standard procedures for prediction of geoseismic parameters have not yet been widely accepted. The time, location, and magnitude of an earthquake cannot be accurately predicted at this time. Data on most faults and the nature of earthquakes in California is presently incomplete and/or on-going. Numerous investigations performed by the United States Geological Survey, California Department of Conservation, and other research institutions have presented methods to quantify the nature of earthquakes and their estimated impact on existing and future structures.

Ground shaking resulting from a moderate to major earthquake (Magnitude 6.0 or greater) can be expected during the lifespan of the existing and/or proposed structures. Property owners and the general public should be aware that any structure or slope in the southern California region could be subject to significant damage as a result of a moderate or major earthquake. The potential exists throughout southern California for strong ground motion similar to that which struck the Los Angeles region during the January 17, 1994, Northridge Earthquake. Several destructive earthquakes have affected southern California during the span of recorded history.

Present building codes and construction practices, and the recommendations presented in this report, are intended to minimize structural damage to buildings and prevent loss of life as a result of a moderate or a major earthquake. They are not intended to totally prevent damage to structures, graded slopes and natural hillsides due to moderate or major earthquakes. While it may be possible to design structures and graded slopes to withstand strong ground motion, the construction costs associated with such designs are usually prohibitive, and the design restrictions may be severely limiting. Earthquake insurance is often the only economically feasible form of protection for your property against major earthquake damage. Damage to sidewalks, steps, decks, patios and similar exterior improvements can be expected as these are not normally controlled by the building code.

At your request, this firm could conduct a site specific strong motion study to provide ground response data for use by a structural engineer to design structures to withstand a major earthquake. Such a study is not required by present building codes, and is beyond the scope of this investigation.

Major foundation problems are not anticipated as a result of earthquake induced liquefaction, fault ground rupture or displacement, and differential settlement of natural earth-materials, provided the proposed foundation system is constructed as recommended herein, within the limitations presented above.

Geotechnical Setback Area

Any potential future structures located within 50-feet (measured horizontally) from the top of the slope descending into Live Oak Creek should be reviewed by this office and should be analyzed on a case by case basis. The proposed building sites are currently located about 800 feet away from the top of the slope adjacent to Live Oak Creek. Slope stability analysis and additional geotechnical recommendations may be necessary for structures located within 50-feet from the top of the descending slope. **No** new habitable or permanent structures, new sewage disposal system(s), swimming pools, dense vegetation requiring excessive irrigation, etc., are to be permitted within the Geotechnical Setback Area unless they are reviewed and approved by this office.

Site Preparation and Geotechnical Considerations

Prior to construction/grading, the area of the proposed development should be clear of any loose surficial soils, vegetation and/or man-made debris. Demolition debris and other unsuitable materials should be stripped and removed from the site. Water lines or other old utility lines or installations to be abandoned should be removed or crushed in place. Holes resulting from removal of buried obstructions which extend below finished site grades should be backfilled with compacted soils.

Based on our investigation, the upper 3-feet of the earth materials at the site (residual soil, alluvium and/or older alluvium) are not considered to be suitable for support of the proposed structures and/or for support of new compacted fill. In this case, we recommend that the proposed structures be supported on a blanket of new compacted fill benched into the underlying, firm alluvium or older alluvium. The compacted fill blanket should extend a minimum of 3-feet laterally beyond the proposed foundations and a minimum of 3-feet below existing grade or a minimum of 1-foot below the base of the proposed foundations, whichever is deeper. Deeper and/or wider removal depths may be necessary based on our site observations during grading.

Due to potentially high or perched groundwater levels during grading, it may be necessary to install a 12-inch thick blanket of 3/4-inch thick gravel along the bottom of the removal excavations. All

new fill should be benched into firm alluvium or older alluvium (atop the 3/4-inch gravel, if necessary) and compacted to at least 90 percent of the maximum dry density, as determined by the current ASTM D1557 Method. Conventional floor slabs supported on certified compacted fill or raised wood floors may be utilized for the proposed structures. The new compacted fill depth shall not exceed a 15 percent differential fill thickness across the proposed building footprint.

In addition, we recommend that all boulders and cobbles (rocks larger than 8-inches in maximum dimension) be excluded from the new compacted fill. Due to the size and quantity of boulders and cobbles at the site, it may be necessary to import fill for the proposed building areas. Imported fill materials should be thoroughly tested, at the time of fill placement, to ensure that the new fill is compacted to 90 percent of the maximum dry density, as determined by the current ASTM Method D1557. Imported materials should be a sandy type of material and approved by the geotechnical engineer prior to transporting to the job site.

In order to mitigate against potentially high groundwater levels at the site, we recommend that a subsurface interceptor drainage system (french drain) be installed along the north, south and west sides of the proposed residences. Additional recommendations for the proposed subsurface interceptor drainage system are provided below. A typical interceptor drain detail is provided on Plate ID-1 presented in our referenced report dated May 6, 2011.

Any fill slopes should be supported on a minimum 12-foot wide keyway which extends at least 3-feet into firm alluvium or older alluvium or by an engineered, toe of slope retaining wall (if applicable). Any new cut or fill slopes should be 2:1 (H:V) or flatter. On-site materials are considered to be suitable for compaction, provided that all deleterious materials and large boulders and cobbles are removed from the site prior to compaction (rocks larger than 8-inches in maximum dimension). The bottom to receive new structural compacted fill (exposing firm alluvium or older alluvium) should be inspected and approved by a representative from Mark Kruger Geology, Inc. prior to compaction work. Please refer to the attached grading guidelines for additional recommendations.

In order to mitigate against potentially high groundwater levels, it may be desirable to elevate the building sites. In this case, we recommend that the building sites be raised about 2-feet above existing grade.

Imported materials should be a sandy type of material and approved by the geotechnical engineer prior to transporting to the job site. The sandy material should not have an Expansion Index which exceeds 20 and should not contain rocks larger than 8-inches maximum size.

Subdrainage

Any fill slopes, over 5-feet in height, (if applicable) should be provided with a subdrainage system unless reviewed and approved by the geotechnical engineer. Subdrains should be placed along the heel of all keyways and along benches at the base of the fill at 10-foot vertical intervals (where applicable). Subdrains should consist of 4-inch diameter perforated PVC pipe in 1 cubic foot per linear foot of 3/4-inch gravel or CalTrans Class II permeable material. If 3/4-inch gravel is used the gravel should be wrapped with filter fabric. If CalTrans Class II permeable material is used the pipe should be wrapped with filter fabric. Each subdrain should be provided with solid pipe outlets at 50-foot intervals.

Windrows

As discussed above, we recommend that all boulders and cobbles (rocks larger than 8-inches in maximum dimension) be excluded from the compacted fill in the proposed building areas. It may be desirable to bury the large boulders and cobbles on the subject property. Any rock burial should **not** be placed under the building pads or driveway areas or adjacent to descending slopes. The following recommendations are intended to minimize the potential for settlement for the potential rock burial areas.

The boulders (windrows) should be placed edge to edge and not piled upon each other. Granular compacted fill should be placed over the boulders and flooded into the voids between the boulders. Compacted fill should be placed around and over each windrow and compacted to at least 90 percent of the maximum dry density, as determined by the current ASTM D1557 Method. The windrows should be vertically staggered and placed at least 10-feet apart (or equipment width, whichever is greater). The windrows should not be placed within 20-feet (measured horizontally) from the top of the descending slope or within 5-feet of the ground surface. The upper 5-feet of the new fill should consist of granular compacted fill. The windrow placement should be continuously observed and approved by a representative from Mark Kruger Geology, Inc. After completion of the windrows and associated compacted fill, we recommend that the windrow locations be surveyed for future maintenance. Periodic maintenance and repair may be necessary due to possible settlement in the windrow locations. A typical rock burial detail is provided on Plate RB-1 presented in our referenced report dated May 6, 2011.

Foundation Setback

The depth of the foundations shall satisfy the required $H/3$ slope setback distance (*horizontal distance measured from the bottom of foundations to the surface of the descending slope or finished grade, whichever is deeper must be a minimum of one-third the overall vertical slope (H) height of the*

descending slope/minimum of 5 feet and up to a maximum of 40 feet) from the surface of the descending slope or finished grade, whichever is deeper.

All other setbacks from the top or toe of slope should comply with the minimum requirements of the controlling governmental agency.

Building Clearance

Any structures located below ascending slopes steeper than 3:1 (H:V) should be setback from the toe of the slope a horizontal distance equal to one-half the vertical height for structures and one-fourth the vertical height for pools and spas. This distance should not be less than 3-feet, nor need exceed 15-feet (H/2) for structures. For pool and/or spa structures this distance should not be less than 3-feet, nor need exceed 7.5-feet (H/4).

Based on the current building locations and gentle slope gradients, it appears that building clearance requirements for the proposed structures have been satisfied.

Foundation Design

1. Shallow Foundations

Conventional continuous and spread footings are adequate for support of the proposed structures and should be supported in firm compacted fill. Exterior continuous footings should be at least 15-inches in width and at least 18-inches into firm compacted fill. Continuous footings may be designed using a bearing pressure of 1,500 psf for compacted fill.

Spread footings may be designed using a bearing pressure of 2000 psf for compacted fill. The dimensions on independent footings should be a minimum of 2-feet square and founded at least 24 inches into firm compacted fill. Footings should be reinforced with a minimum of 2 #4 bar of steel near the base of the footing and 2 #4 bar of steel near the top of the foundation wall. The bottom of footings should be pre-saturated to about 3 percent above optimum moisture content prior to placement of concrete.

A 20 percent increase is allowable for each additional foot of excavation depth into firm compacted fill and 10 percent increase for each additional foot of excavation width into firm compacted fill up to a maximum value of 4000 psf.

Footings should be located below a line measured at a 45 degrees angle from the bottom of any utility trench, unless reviewed and approved by the Soils Engineer.

2. Dynamic Increase

The bearing pressure given is for the total of dead and frequently applied live loads and may be increased by one-third for short duration loading which includes the effects of wind or seismic forces.

3. Foundation Settlement

Settlement of the proposed foundation system supported in firm compacted fill is expected to occur on initial load application. The maximum settlement is expected to be 3/4-inch. Differential settlement is not expected to exceed 0.4 inch within a span of 30-feet. These estimates may be exceeded in the event of strong or severe ground shaking resulting from a major earthquake or for any portion of the structure not supported into firm compacted fill, as recommended.

4. Lateral Load Design

Resistance to lateral loading may be provided by friction acting at the base of foundations and by passive earth pressure within the terrace deposits. An allowable coefficient of friction of 0.3 for compacted fill may be used with the dead load forces.

Passive earth pressure may be computed as an equivalent fluid having a density of 250 pcf for bedrock with a maximum earth pressure of 3,750 psf. When combining passive and friction for lateral resistance, the passive component should be reduced by one-third.

Floor Slabs

Conventional floor slabs supported on certified compacted fill or raised wood floors may be utilized for the proposed structures (See Site Preparation and Geotechnical Considerations Section above). All unsuitable material may be removed and recompact to 90 percent of the maximum dry density, as determined by the current ASTM D1557 Method. All new fill should be benched into firm alluvium or older alluvium. Due to potential high groundwater levels at the site on Parcels 1 and 2, the client should consider providing a thicker plastic vapor retarder/ barrier or additional waterproofing materials below the proposed floor slabs.

Floor slabs should be reinforced with a minimum of #4 rebar spaced at a minimum distance of 16-inches on center, each way. Slabs to be covered with flooring should be protected by an acceptable plastic vapor retarder/barrier (minimum 10 mil thickness). To prevent punctures and aid in the concrete cure, the barrier should be covered with a 2-inch layer of sand per ACI Manuel of Concrete Practice, 2006.

A minimum 4-inch-thick capillary break consisting of compacted clean graded 3/4-inch gravel should be placed below the vapor retarder/barrier if the slab level is below the surrounding finished grade.

If moisture vapor transmission is a concern to the facility owner, an expert should be consulted to provide additional recommendations for the design and construction of slabs in moisture sensitive flooring areas.

Interceptor Drain System

In order to mitigate the presence of perched or high groundwater levels, we recommend that a subsurface interceptor drainage system (french drain) be installed along the north, south and west sides of the proposed structures. The trench should transfer drainage to a sump pump or other acceptable drainage device. All pad and roof drainage should be collected and transferred to an approved location in non-erosive drainage devices. Drainage should not be allowed to descend a slope in a concentrated manner, pond on the pad or against any foundation or retaining wall. We recommend that a civil engineer be consulted to evaluate potential options for transporting the drainage to an acceptable location. A typical interceptor drain detail is provided on Plate ID-1 presented in our referenced report dated May 6, 2011.

The subsurface interceptor drainage system should consist of an 18-inch wide trench excavated to a depth of about 3-feet below existing grade (or as determined by the geotechnical engineer), along the north, south and west sides of the proposed structures. The base of the trench should extend at least 2-feet below the slab sub-grade level of the proposed structures or approximately 3-feet below existing grade, whichever is deeper. We recommend that the trench excavation be left open for a period of about 1 week so that a representative from this office can monitor the base of the seepage level (if necessary). Based on our as-built observations, the depth of the trench may vary. The base of the trench should be at least 12-inches below the lowest observed seepage level (if possible). A perforated 4-inch diameter Schedule 40 PVC pipe should be installed at the base of the trench, which should maintain a minimum 2 percent flow gradient towards the outlet or sump pump. The trench should be filled with Caltrans Class II permeable material or 3/4-inch gravel and should be compacted utilizing a vibratory compactor. The top of the trench should be covered with a minimum 24-inch compacted fill cap.

All excavations shall be made in accordance with the regulations of the State of California, Division of Industrial Safety. These recommended temporary excavation slopes do not preclude local raveling and sloughing.

Retaining Walls

Freestanding retaining walls less than 10-feet in height may be designed for active pressures shown on the following table. Restrained retaining walls with a level back slope, should be designed utilizing a trapezoidal distribution of $38H$ psf, where "H" is the height of the wall in feet as shown on Plate RW-1. The deflection of the retaining walls shall be analyzed by the structural engineer. Any surcharge due to adjacent structures should be added by the structural engineer.

Surface Slope of Retained Material Horizontal to Vertical	Equivalent Fluid Weight (pcf)
	Older Alluvium
LEVEL	35
5 to 1	35
4 to 1	35
3 to 1	38
2 to 1	43

Retaining walls greater than 6 feet in height should be designed for seismic earth pressures. We recommend a "seismic earth pressure" in terms of an Equivalent Fluid Weight of 65 pcf be used for both cantilevered and restrained wall design. A triangular pressure distribution can be used for design, and the resultant force can be assumed to be a 1/3 of the height of the wall from the wall base. This "seismic earth pressure" does not need to be added to the "static earth pressure" when considering load combination in structural design.

All walls should be effectively waterproofed, provided with an adequate subdrainage system, and backfilled in accordance with the attached retaining wall backfill and subdrain details (Plate RWD-1). We recommend you hire a waterproofing expert to determine your waterproofing requirements. Waterproofing details, application methods or effectiveness in preventing moisture intrusion are beyond the scope of our work authorization and not the responsibility of Mark Kruger Geology, Inc. The subdrainage system, including outlet locations, should be clearly shown on the building and/or grading plans. The contractor is responsible to ensure that all subdrain outlets are constructed per plan.

While all backfill should be compacted to the required density, care should be taken when working close to new walls to prevent excessive lateral pressure.

Swimming Pool

Future swimming pools and spas may be supported on a conventional pool shell bearing into future compacted fill benched into the underlying, firm older alluvium (minimum of 2 feet of compacted fill below the base of the pool/spa shell). The pool and spa shells should be designed for free standing conditions and moderately expansive soils. All pool and spa walls should be designed for a minimum equivalent fluid pressure of 65 pcf. We recommend that a hydrostatic relief valve be provided for the pool and spa structure. Prior to placement of steel, the pool/spa excavation(s) should be observed by a representative of this firm.

In the case of a spa being planned structurally continuous with the pool shell, the spa should either be designed to be entirely supported by the pool shell (i.e. cantilevered) or the spa support should be derived at a depth comparable to that of the pool (i.e. deep). The structural engineer should exercise

extreme care in this area. The transition area between the pool and spa is a common area for cracks to develop.

Pool/spa decking should be cast free of the swimming pool/spa and water stops should be provided between the bond beam and the adjacent decking/hardscape. Surface drainage around the pool should be provided to keep water from ponding or seeping into the ground. Surface water shall be collected and conducted through non-erosive devices to the street, storm drain, or other approved disposal area. Leakage from the swimming pool, spa or any other appurtenant plumbing could create an artificial groundwater condition which could have a deleterious effect on the pool and/or spa structure; therefore, it is imperative that all plumbing and pool/spa features be absolutely leak-free.

The pool should be designed for any possible surcharge loading from nearby structures or retaining walls, should the pool fall within a 45 degree (1:1) plane from the surcharging structure (if applicable). Typically, a ramp is used to allow access to the equipment when making the pool excavation (if applicable). At the completion of the pool and after the hardening of the concrete or gunite, the pool ramp should be backfilled with soil compacted to at least 90 percent of the maximum density as determined by the current ASTM D1557.

Swimming Pool and Spa Subdrainage

The proposed pool and spa should be provided with a subdrainage system to protect the slope from saturation due to potential pool leakage. The subdrain should consist of a bottom blanket of impermeable geofabric below a 6 inch thick blanket of clean, compacted $\frac{3}{4}$ inch gravel, or Class II permeable material. A 4 inch diameter perforated PVC pipe should be embedded in the central portion of the gravel so as to collect any water trapped in the gravel. The subdrain pipe should be provided with a cut off wall and solid pipe outlet to the surface or to a sump with an automatic pump. A typical pool subdrain detail is presented on Plate PS-1 in our referenced report dated May 6, 2011.

Temporary Excavations

The maximum recommended height of unsurcharged, temporary vertical excavations in the earth materials at the site is 4 feet. Excavations above this height should be trimmed to a 1:1 (H:V) ratio or should be shored.

Due to potential caving in the alluvium/older alluvium due to high or perched groundwater levels and boulders and cobbles at the site, temporary shoring may be necessary for the recommended subsurface interceptor drainage system (french drain) for the proposed structures. It is the contractor's responsibility to provide sufficient shoring during construction (where necessary). We recommend that any trench excavations at the site be conducted with continuously observed by a representative from this

office. If adverse conditions are encountered during excavations, additional recommendations may be necessary.

We recommend that all temporary excavations at the site be observed and monitored by our representative in the field to verify soil conditions. All temporary excavations should be observed during excavation by a representative of this firm. Should the observation reveal any geologic hazard, appropriate treatment will be recommended.

All excavations shall be made in accordance with the regulations of the State of California, Division of Occupational Safety and Health, (Cal/OSHA). These recommended temporary excavation slopes do not preclude local raveling and sloughing. Provided our recommendations are followed, the resulting temporary excavations are anticipated to be safe from a geotechnical standpoint for the proposed construction operations, and should not expose workers to hazards due to cave-ins, provided that geologic conditions exposed by the excavations are as anticipated.

Confined or trench excavations (i.e. retaining walls or utility trench excavations) should be made in accordance with the regulations of the State of California, Division of Occupational Safety and Health (Cal/OSHA). We recommend that confined excavations should be shored using hydraulic shoring, screw jacks or timber shoring, as determined by the project engineer.

All excavations should be stabilized within 30 days of initial excavation. Water should not be allowed to pond on the top of the excavation or to flow towards it. No vehicular surcharge should be allowed within 3 feet of the top of cut.

It is recommended that a pre-excavation site meeting be attended by the grading contractor, the soils engineer and an agency representative to discuss methods and sequence of subterranean excavation.

Monitoring and Pre-Construction Survey

It will be the responsibility of the grading contractor to maintain an accurate monitoring system of the performance of the temporary excavations at the site (if necessary). The intent of this program will be to produce an accurate and on-going record of the horizontal and vertical deflections of the temporary shoring system.

It is anticipated that a Surveyor may be required to construct and maintain the monitoring system (if necessary). Both vertical and horizontal movements should be measured on a weekly basis and the record of performance should be submitted to both the Geotechnical Engineer and the Structural (Shoring) Engineer. Accuracy should be maintained within one-hundred of a foot and the record should be produced in a readily understandable form. The Surveyor should submit to the Geotechnical Engineer, prior to start of excavation, a plan that indicates the method selected for monitoring the excavation(s).

It is suggested that some attempt be made to secure movements or survey points for horizontal measurements of the subgrade displaced some 3 to 4 feet back of the shoring elements. It is suggested that several locations be selected at the top of the pile and the performance of such monuments would be included with the monitoring records submitted each week.

Monitoring of the excavation performance should be started prior to the beginning of the initial excavation (if necessary). The weekly schedule of performance monitoring may be modified as the job progresses. Once the subterranean structure has been constructed, monitoring of the performance will no longer be required.

We recommend that the client's representative prepare a pre-construction survey prior to site development (if necessary). The pre-construction survey should document existing site conditions and performance of offsite structures prior to construction (where applicable). We recommend that any temporary shoring or slot cut excavations at the site be conducted with frequent observation by a representative from this office. If adverse conditions are encountered during excavations, additional recommendations may be necessary. The excavations should be monitored by a representative from this office. The monitoring may be provided by a licensed surveyor during construction to determine deformation monitoring of adjacent structures and possible deflection of the shoring piles and/or temporary excavations (if applicable). It is recommended that the survey monitoring performed by others, be provided weekly for the first month and monthly afterward for a period of 6 months or as determined by your representatives (if applicable). Additional design recommendations (i.e. bracing, tie back) may be necessary depending on field conditions, and should be determined by the project engineer (if applicable).

Pavement

Prior to placing pavement, the subgrade should be scarified to a depth of 12-inches, moistened or dried out to optimum moisture content, and recompact to at least 90 percent of the maximum dry density, as determined by the current ASTM Method D1557.

A flexible pavement section consisting of 3-inches of asphalt concrete over 4-inches of base material should be used. A flexible pavement section consisting of 4-inches of asphalt concrete over 6-inches of base material should be used for service lanes, if applicable (truck and loading area). The base material may be crushed aggregate.

As an alternative, a rigid pavement section consisting of Portland Cement Concrete (PCC) can be used. The traffic loading is expected to be primarily light vehicles. Recommendations for the rigid concrete pavement design is provided herein on the following table.

Compressive Strength of Concrete @ 28 days	3500 psi
Modulus of Rupture of Concrete @ 28 days	550 psi
Concrete Thickness	4 inches
90 Percent Compacted Subbase	12 inches
Contraction Joint Spacing	10 ft.
Depth of Joint	1 inch

Concrete slabs should be separated from other structures or fixed objects within or abutting the paved area by isolation joints. This serves to offset the effects of the differential horizontal and vertical movements of the structures which may fracture the concrete slab. When isolation joints are located where wheel and other loads are applied, the pavement edge at the joint should be thickened by 20 percent or two inches, whichever is greater.

A joint filler should be applied to any new isolated joints within the concrete slab. The joint filler should extend through the slab thickness and should be recessed below the pavement surface so that the joint can be sealed with joint sealant material. The types of joint filler materials recommended include bituminous mastic, bituminous impregnated cellulose or cork, sponge rubber, or resin-bound cork. Joint filler materials should be installed in accordance with the recommendations of the manufacturer.

Patio Slabs and Hardscape

It may be desirable to support new patio slabs and hardscape (patios, steps, walkways, etc.) on the existing surficial soils. These structures are not normally subject to building code requirements for structural support. In order to reduce the potential for distress due to potential settlement, it may be desirable to provide additional subgrade preparation and additional steel and concrete thickness for the proposed patio slabs and hardscape at the site. At a minimum, we recommend that patio slabs and hardscape be reinforced with a minimum of #4 rebar spaced at a maximum distance of 16 inches on center, each way. The upper 12 inches of existing surficial soils (depending on field conditions) to be used for slab support should be removed and recompact to 90 percent of the maximum dry density, as determined by ASTM Method D1557. It should be noted that patio slabs/hardscape constructed to the preceding specification may be subject to distress over time. Periodic maintenance or replacement may be necessary.

Drainage Protection

We recommend that a comprehensive drainage improvement plan be implemented for the subject site. This would include transferring all upslope drainage to an approved area in non-erosive drainage

devices. Proper site drainage will help mitigate but may not eliminate potential surface water hazards.

All pad and roof drainage should be collected and transferred to the street or an approved area in non-erosive drainage devices. Drainage should not be allowed to descend any slope in a concentrated manner, pond on the pad or against any foundation or retaining wall.

Retaining walls with an ascending slope should be equipped with a minimum 12 inches of freeboard. A minimum 12 inch wide open "V" drain should be placed behind the retaining walls so that all up slope flows are directed around the proposed structures to the street or other approved disposal area.

The California Building Code (CBC, 2016) recommends a minimum 5 percent slope away from the perpendicular face of the building wall for a minimum horizontal distance of 10 feet (where space permits). We recommend a minimum 5 percent slope away from the building foundations for a horizontal distance of 3 feet be established for any landscape areas immediately adjacent to the building foundations. In addition, we recommend a minimum 2 percent slope away from the building foundations be established for any impervious surfaces immediately adjacent to the building foundations for a minimum horizontal distance of 10 feet (where space permits). Lastly, we recommend the installation of roof gutters and downspouts which deposit water into a buried drain system be installed instead of discharging surface water into planter areas adjacent to structures.

It is the responsibility of the contractor and ultimately the developer and/or property owner to ensure that all drainage devices are installed and maintained in accordance with the approved plans, our recommendations, and the requirements of all applicable municipal agencies. This includes installation and maintenance of all subdrain outlets and surface drainage devices.

It is recommended that watering be limited or stopped altogether during the rainy season when little irrigation is required. Over-saturation of the ground can cause major subsurface damage. Maintaining a proper drainage system will minimize the shrink/swell potential of sub-soils.

Preventive Slope Maintenance

To minimize sloughing on slope faces, it is recommended that a slope maintenance program shall be implemented as soon as possible. Slope maintenance may include proper drainage control, planting, irrigation and rodent control. Planting of approved deep-rooted shrubs and a dense lightweight ground cover is recommended for the upper portions of the ascending slope (if applicable). A landscape architect or landscape contractor experienced in this area should be consulted for appropriate slope planting recommendations.

To reduce the risk of problems relating to slope instability, a program of continual slope maintenance is necessary. This maintenance program should include but need not be limited to

annual cleanout of existing drainage ways, sealing of any cracks, elimination of gophers and earth burrowing rodents, maintaining low water consumptive, fire retardant, deep rooted ground cover and proper irrigation.

A vital part of slope maintenance is proper watering. This includes not only providing enough water to support plant life, but also monitoring the irrigation system so that over-watering does not occur.

Hillside properties are typically subject to potential geotechnical hazards including settlement, slope failures, slumping, spalling of slopes, erosion and concentrated slopes. It must be emphasized that responsible maintenance of these slopes, and the property in general, by the owner, using proper methods, can reduce the risk of these hazards significantly.

Previous Recommendations

All recommendations presented in our referenced report dated May 6, 2011, not superseded herein, remain applicable and in effect.

GENERAL INFORMATION

Accuracy of Provided Drawings

Mark Kruger Geology, Inc. (MKG) investigation, analysis, findings and/or recommendations of a site, with respect to the proposed improvements, are often dependent on several factors or information provided to MKG by the client and/or the client's representative(s). Provided information or *Drawings* may include topographic surveys, architectural drawings, engineering plans and/or grading plans. It is MKG's assumption that the provided *Drawings*, to be utilized as part of our investigation, accurately depict topographic conditions, existing and/or proposed structures and grades, property lines, easements, etc. It should be understood that MKG's use of the provided *Drawings* does not mean or confirm that the provided *Drawings* are accurate. If revisions are made to the site *Drawings*, these documents should be submitted to MKG as soon as possible. Additional exploration, analysis and/or revised recommendations may be necessary depending upon our review of the revised *Drawings*, etc.

Environmentally Hazardous or Non-Hazardous Materials

It should be clearly understood that environmental geologic services are not within the scope of this study. Environmental geologic services may include the detection of hazardous or non-hazardous materials, wastes or substances existing on the site from research of available records, exploratory methods, sampling, laboratory analysis, etc. or the recommended treatment and/or disposal of these materials, wastes or substances. If hazardous or non-hazardous materials, wastes or substances are revealed by supplementary investigations or studies or are encountered during construction or grading operations, appropriate environmental investigation(s) and analysis may be required. In this case, mitigation and/or treatment of hazardous or non-hazardous materials, wastes or substances may be necessary. It should be understood that the property owner and potential future property owner(s) shall acknowledge and/or indemnify that MKG has neither created or contributed to the creation or existence of any hazardous or non-hazardous materials, wastes or substances or otherwise dangerous conditions at the site. All site generated hazardous or non-hazardous materials, wastes or substances are the possession and responsibility of the property owner and potential future property owner(s).

Plan Review

This report is based on the development plans provided to our office. We recommend that the client's representative(s) provide a complete set of the construction, building and/or grading plans to our office for review and/or approval, prior to initiation of construction. Any change in the scope of the project, from that addressed herein, may require additional geotechnical services by MKG. Formal plans should be reviewed and approved by MKG, prior to initiation of construction. The appropriate government reviewing agency may require that the building and/or grading plans be signed by a licensed geotechnical engineer and/or a licensed engineering geologist, prior to initiation of construction. The plan review fees will be billed in accordance with our current fee schedule.

Government Reviewing Agency and Additional Geotechnical Services

This report is intended for submittal to the appropriate governmental authorities that control the issuance of necessary permits. The client or client's representative should submit the geotechnical reports to the appropriate government reviewing agency, unless specific arrangements are made with this office. It should be noted that the government reviewing agency has various fees for reviewing geotechnical reports, the fees for which are not included within our scope of work. If applicable, the report submittal fees will be billed in accordance with our current fee schedule. All geotechnical and/or engineering geologic aspects of the proposed development are subject to review and approval by the government reviewing agency. It should be understood that the government reviewing agency may approve or deny

any portion of the proposed development, which may require additional geotechnical services by this office. Additional geotechnical services may include review responses, supplemental letters, plan review and signature, construction observations, meetings, etc. The fees for generating additional reports, letters, exploration, analysis, etc. will be billed on a time and material basis, per our previously approved work acknowledgment or a pre-determined, agreed fee.

Site Observations during Construction

The appropriate government reviewing agency or building department requires that the geotechnical consultant of record provide site observations during grading and construction. The purpose of the site inspections is to verify site geotechnical and/or engineering geologic conditions and conformance with the intentions of the recommendations addressed herein. Although certain geotechnical and/or engineering geologic observations may not be required by the building department, the more site inspections typically reduce the risk for future problems. It is the client's or the client's representative(s) responsibility to contact the appropriate building department or building official regarding approval for all required inspections. Following is a general list of inspections required by this firm.

- a) Pre-grade meetings
- b) Foundation excavations for all structures (residence, retaining walls, pools, etc.)
- c) Temporary excavations/shoring
- d) Bottom excavations for primary and/or secondary structural fills
- e) Keyway excavations
- f) Compaction testing for primary and secondary structural fills
- g) Compaction testing for retaining wall backfill and utility trenches
- h) Subdrains for retaining walls, swimming pools or ponds

It is recommended that all foundation excavations be approved by this firm prior to placing forms, steel reinforcement and/or concrete. Any fill which is placed at the site should be tested for compaction, especially if used for engineering purposes. All cut-slopes and temporary excavations should be observed by a representative of this firm. Should the observation reveal any unforeseen hazard, appropriate action will be recommended.

Representatives of MKG will observe work in progress, perform tests on soil, and observe excavations and trenches. Excavation bottom observations should be requested before the placement of subdrains or compacted fill. The approved plans and permits should be on the job site and available for review by this office. The site inspections during construction will be billed on a time and material basis in accordance with our current fee schedule.

It is advised that the client contact MKG at least **1 week** in advance of commencing constructing and/or grading to allow for contractual agreements for geotechnical services during the construction phases of your project. Please advise this office at least **48 hours** prior to any required verification or approval.

Construction Site Maintenance

It is the responsibility of the contractor to maintain a safe construction site and for the safe operation of all equipment. When excavations exist on the site, the areas should be secured by placing appropriate coverings, fencing, warning signs, etc. All excavations should be properly covered and secured. Excavation stock piles or spoil piles should either be removed from the site or be properly compacted, in accordance with recommendations presented herein. Fill temporarily stock-piled on the site should be placed in stable or approved areas and away from slopes, excavations or improvements.

Earth materials generated from grading should not be disposed of along slopes or other unapproved locations. Workers should not be allowed to enter any un-shored excavations over 5-feet in depth, or depth specified herein. Water should not be allowed to saturate open footing trenches. Temporary erosion control measures and proper drainage control should be followed, especially during the rainy season.

It should be understood that the project contractor or others shall supervise and direct the work and they shall be solely responsible for all construction means, methods, techniques, sequences and procedures, and shall be solely and completely responsible for conditions of the job site, including safety of all persons and property during the performance of the work.

Periodic or continuous observation by MKG is not intended to include verification of dimensions or review of the adequacy of the contractor's safety measures in, on, or near the construction site.

Final Reports

During or upon completion of the project or grading, the appropriate government reviewing agency or building department often requires interim or final geotechnical reports prepared by this firm to document that foundations and/or fill placement were conducted per the recommendations addressed herein and/or the approved building and/or grading plans. Interim or final geotechnical reports are often required for placement of primary or secondary structural fill, retaining wall backfill, slope repairs, pile observations, etc. The interim or final geotechnical reports will be billed on a time and material basis, in accordance with our current fee schedule.

General Conditions and Limitations

This report and the exploration are subject to the following conditions. Please read this section carefully, it limits our liability.

This report is based on the development plans provided to our office. In the event that any significant changes (from those discussed herein) in the design and/or location of the proposed structure(s) are planned, the conclusions and recommendations contained in this report may not be considered valid unless the changes are reviewed by MKG and the conclusions and recommendations are modified and/or approved by this firm after such review.

The conclusions and recommendations contained herein are based on the findings and observations made at the test pit, trench and/or boring locations. While no great variations in fill, soil and/or bedrock conditions are anticipated, if conditions are encountered during construction which appears to differ from those disclosed herein, this firm should be notified immediately, so as to consider the need for modifications or revised geotechnical recommendations. Compliance with the design concepts, specifications or recommendations during construction requires our review during construction which pertains to the specific recommendations contained herein.

The subsurface conditions, excavations, characteristics and geologic structure described herein and shown on the enclosed cross-section(s) have been projected from individual test pits, trenches and/or borings placed on the subject property. The subsurface conditions and excavation characteristics, and geologic structure shown should in no way be construed to reflect any variations which may occur between or away from these exploratory excavations. The projection of geologic data is based on available information and experience and should not be considered exact.

It should be noted that fluctuations in the level of the groundwater may occur at the site due to variations in rainfall, temperature, irrigation, water line leaks, sewage disposal and/or other factors not evident at the time of measurements reported herein. MKG assumes no responsibility for groundwater variations which may occur across the site. High groundwater levels can be extremely hazardous and saturation of earth materials can cause subsidence, settlement and/or slippage at the site.

The intent of this report is to advise our client and/or client's representative(s) on soils and engineering geologic conditions at the site with respect to the proposed improvements. Implementation of the advice presented in the Recommendations Section of this report is intended to reduce the risk associated with the proposed project and should not be construed to imply total performance of the project. It should be understood that geotechnical consulting and the contents of this report are not perfect. Any errors or omissions noted by any party reviewing this report, and/or any other geotechnical aspect of this project, should be reported to this firm as soon as possible.

Geotechnical engineering is characterized by uncertainty or is described as an inexact science or art. The conclusions and recommendations presented herein are partly based on; 1) the evaluation of technical data gathered by this firm, 2) standard of practice, 3) experience, and, 4) professional judgment. The conclusions and recommendations presented herein should be considered advice. Other geotechnical consultants could arrive at different conclusions and recommendations. This report has been prepared in accordance with generally accepted practice. No warranties, either expressed or implied, are made as to the professional advice provided under the terms of the agreement and included in this report.

It should be understood that MKG's services are limited to the disciplines of soils engineering and/or engineering geology. While MKG may refer various professionals or outside services, working in associated disciplines, to their client's or client's representatives, MKG is not responsible for the performance of work by third parties, which may include, but are not limited to, surveyors, civil or structural engineers, architects, contractors, etc. It should be clearly understood that MKG is not a licensed surveyor, architect, civil or structural engineer or contractor. MKG's periodic or continuous inspection(s) of geotechnical work on an MKG project shall not relieve third party professionals of their responsibility to perform their work in accordance with the applicable and/or approved geotechnical reports, plans, specifications, safety requirements, etc. It should be understood that MKG's periodic or continuous inspection(s) of geotechnical work on an MKG project does not imply that MKG is observing, verifying and/or approving all site work. MKG will only make site inspections, per our approved work authorization agreement(s) and/or related to the appropriate geotechnical field services provided by MKG and will not relieve others of their professional responsibilities.

Should the project be delayed beyond the period of one year after the date of this report, the site should be observed and the report reviewed to consider possible changed conditions.

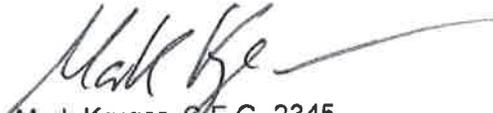
This report is issued with the understanding that it is the responsibility of the owner, or his representative, to assure that the information and recommendations contained herein are called to the attention of the designers and builders for the project.

This report has been compiled for the exclusive use of **MR. MATTHEW PORTENSTEIN** and his authorized representatives. It shall not be transferred to, or used by, a third party, to another project or applied to any other project on this site, other than as described herein, without the written consent and/or thorough review by this firm.

This report is issued with the understanding that it is the responsibility of the owner, or their representative, to assure that the information and recommendations contained herein are called to the attention of the designers and builders for the project.

Mark Kruger Geology, Inc. appreciates the opportunity to provide our geotechnical services for the project. Please do not hesitate to contact our office should you have any additional questions or comments.

MARK KRUGER GEOLOGY, INC.


Mark Kruger, G.E.G. 2345
Principal Geologist


Sean Lin, G.E. 2921
Principal Engineer



Attachments:
MK:BS

See Appendix

General Grading Guidelines

Site Clearing

Any existing brush, loose fill and/or porous soils shall be excavated to competent native materials, approved soils or bedrock. Prior to the placement of any new compacted fill, the bottom to receive new compacted fill should be scarified and cleared of all debris. All new compacted fill should be compacted to 90 percent of the laboratory standard under the direction of the geotechnical engineer in accordance with the following recommendations.

Any underground structures such as cesspools, cisterns, septic tanks, mining shafts, tunnels, wells, pipelines, or other structures not located prior to grading, are to be removed or treated in a manner recommend by the geotechnical engineer. Soft, dry, spongy, highly fractured, or otherwise unsuitable ground extending to such a depth that surface processing cannot adequately improve the condition should be over-excavated down to firm ground and approved by the geotechnical engineer before compaction and filling operations continue. Over-excavated and processed soils which have been properly mixed and moisture-conditioned should be recompacted to the minimum relative compaction, as specified in these guidelines.

Preparation

After the bottom to receive new compacted fill has been cleared, scarified and approved by the geotechnical engineer, it shall be brought to a proper moisture content and compacted to not less than 90 percent of the maximum dry density, in accordance with the current ASTM D1557 method.

All areas to receive fill, including processing areas, removal areas, and toe of fill benches should be observed and approved by the geotechnical engineer and/or engineering geologist prior to placement of fill. Fills may then be properly placed and compacted until design grades are attained.

Existing ground which is determined to be satisfactory for support of the fills should be scarified to a minimum depth of 6-inches or as directed by the geotechnical engineer. After the scarified ground is brought to optimum moisture or greater and mixed, the materials should be compacted, as specified herein. If the scarified zone is greater than 6-inches in depth, it may be necessary to remove the excess and place the material in lifts restricted to about 6-inches in compacted thickness.

Existing ground which is not satisfactory to support compacted fill should be over-excavated as required in the geotechnical report or by the on-site geotechnical consultants. Scarification, disking, or other acceptable form of mixing should continue until the soils are broken down and free of large lumps or clods, until the working surface is reasonably uniform and free of ruts, hollows, hummocks or other uneven features which would inhibit compaction, as described herein.

Materials

The earth materials used in the placement of compacted fill should be free of excessive organic matter and other deleterious substances and shall not contain rocks or debris greater than 8-inches in maximum dimension. Imported fill materials should be approved by the geotechnical engineer and may be obtained from any other approved source.

General Grading Guidelines (Continued)

Any earth material imported or excavated on the property may be utilized in the fill provided that each material has been determined to be suitable by the geotechnical engineer. These materials should be free of roots, tree branches, other organic matter or other deleterious materials. All unsuitable materials should be removed from the fill, as directed by the geotechnical engineer. Soils of poor gradation, undesirable expansion potential, or substandard strength characteristics may be designated by the geotechnical consultant as unsuitable and may require blending with other soils to serve as a satisfactory fill material.

Fill materials derived from benching operations should be dispersed throughout the fill area and blended with other soils or bedrock derived materials. Benching operations should not result in the benched material being placed with a single equipment width from the fill/soil or fill/bedrock contact.

Oversized materials defined as rock or other unsuitable materials with a maximum dimension of greater than 8-inches should not be buried or placed in fills unless the location of the materials and disposal methods are specifically approved by the geotechnical engineer. Oversized material should be taken off site or placed in accordance with the recommendations of the geotechnical engineer in areas designated as suitable for rock disposal.

If import material is required for grading, representative samples of the material to be utilized as compacted fill should be analyzed in the laboratory by the geotechnical engineer to determine its physical properties. If any material other than that previously tested is encountered during grading operations, a appropriate analysis of the material should be conducted by the geotechnical engineer as soon as possible.

Placing, Spreading and Compacting Fill Materials

Fill materials shall be placed in layers which when compacted shall not exceed 8 inches in thickness. Each layer or lift shall be spread evenly and shall be thoroughly mixed during the spreading process to ensure uniformity of material and moisture of each layer or lift.

Where the moisture content of the fill material is below the optimum value determined by the geotechnical engineer, water shall be uniformly added to obtain the approximate optimum moisture content. Where the moisture content of the fill materials is higher than the optimum value determined by the geotechnical engineer, the fill materials shall be aerated by blading, disking or mixing with dry earth materials until the optimum moisture content is obtained.

After each layer has been placed, mixed and spread evenly, it shall be thoroughly compacted to not less than 90 percent of the maximum dry density in accordance with the current ASTM D1557 method. Cohesionless soil having less than 15 percent finer than 0.005 millimeters (such as base material or pea gravel) shall be compacted to a minimum of 95 percent of the maximum dry density.

Compaction shall be by sheepfoot roller, tract rolling or other types of acceptable compaction equipment of such design that they will be able to compact the fill material to the specified density. Compaction equipment should be adequately sized and should be specifically designed for soil compaction or of proven reliability to efficiently achieve the specified degree of compaction. Rolling shall be accomplished while the fill material is at the specified moisture content, to ensure that the desired density has been obtained. The final surface of the areas to review slabs-on-grade should be rolled to a dense smooth surface.

General Grading Guidelines (Continued)

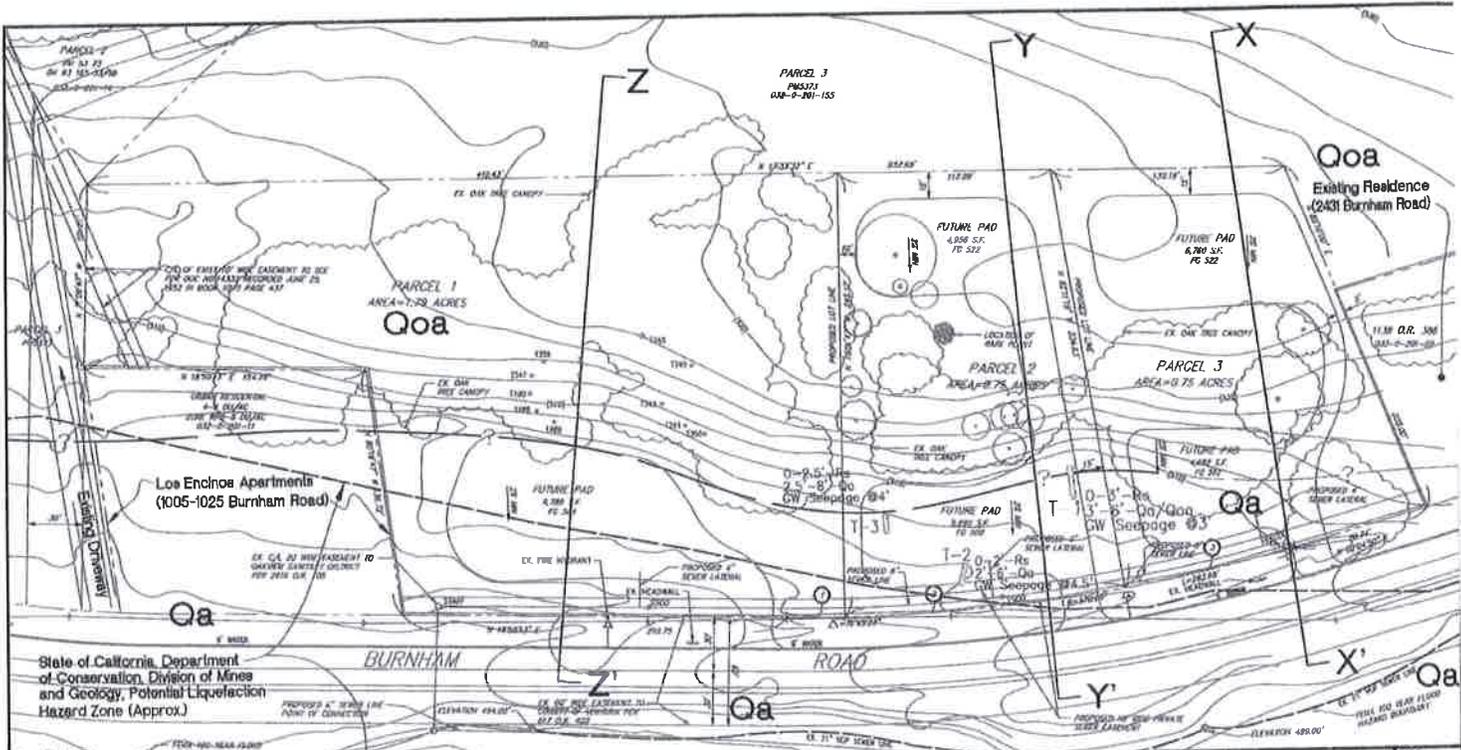
Field density tests shall be made by the geotechnical engineer at intervals not to exceed 2 feet of fill height. Where sheepfoot rollers are used, the compacted fill may be disturbed to a depth of several inches and the density reading shall be taken in the compacted material below the disturbed surface. When these readings indicate that the density of any earth fill placed at the site is below the required 90 percent density, the material in question shall be removed and recompacted until the required density has been obtained. No additional fill shall be placed in an area until the last placed lift of fill has been tested and found to meet the density and moisture requirements and is approved by the geotechnical engineer.

Where fills are to be placed on ground with slope steeper than 5:1 (H:V), the ground should be stepped or benched. The lowest bench, which will act as a keyway, should be a minimum of 15-feet in width and should be at least 3-feet deep into firm material (measured on the down slope side of the keyway). The keyway excavation should be approved by the geotechnical engineer and/or engineering geologist. In fill over cut slope conditions, the recommended minimum width of the lowest bench or keyway is also 15-feet with the key founded on firm material, as designed by the geotechnical consultant. As a general rule, unless specifically recommended otherwise by the geotechnical engineer, the minimum width of the fill keyway should be approximately equal to $\frac{1}{2}$ the height of the slope.

Standard benching is generally 4-feet (minimum) vertically, exposing firm, acceptable material. Benching may be used to remove unsuitable materials, although it is understood that the vertical height of the bench may exceed 4-feet. Pre-stripping may be considered for unsuitable materials in excess of 4-feet in thickness.

Compaction of slopes should be accomplished by over-building a minimum of 3-feet horizontally, and subsequently trimming back to the design slope configuration. Testing shall be performed as the fill is elevated to evaluate compaction as the fill core is being developed. Special efforts may be necessary to attain the specified compaction in the fill slope zone. Final slope shaping should be performed by trimming and removing loose materials with appropriate equipment. A final determination of fill slope compaction should be based on observation and/or testing of the finished slope face. Where compacted fill slopes are designed steeper than 2:1 (H:V), special material types, a higher minimum relative compaction, and special grading procedures, may be recommended. If an alternative to over-building and cutting back the compacted fill slopes is desired, then additional grading recommendations will be required by the geotechnical engineer. Erosion control and drainage devices should be designed by the project civil engineer in compliance with the recommendations of the geotechnical engineer or engineering geologist.

The grading specifications addressed herein should be a part of the development plans. The geotechnical engineer shall review and approve the grading plan(s) prior to construction/grading.



State of California, Department of Conservation, Division of Mines and Geology, Potential Liquefaction Hazard Zone (Approx.)

Los Encinos Apartments (1005-1025 Burnham Road)

Existing Observatory

SCALE: 1" = 50'

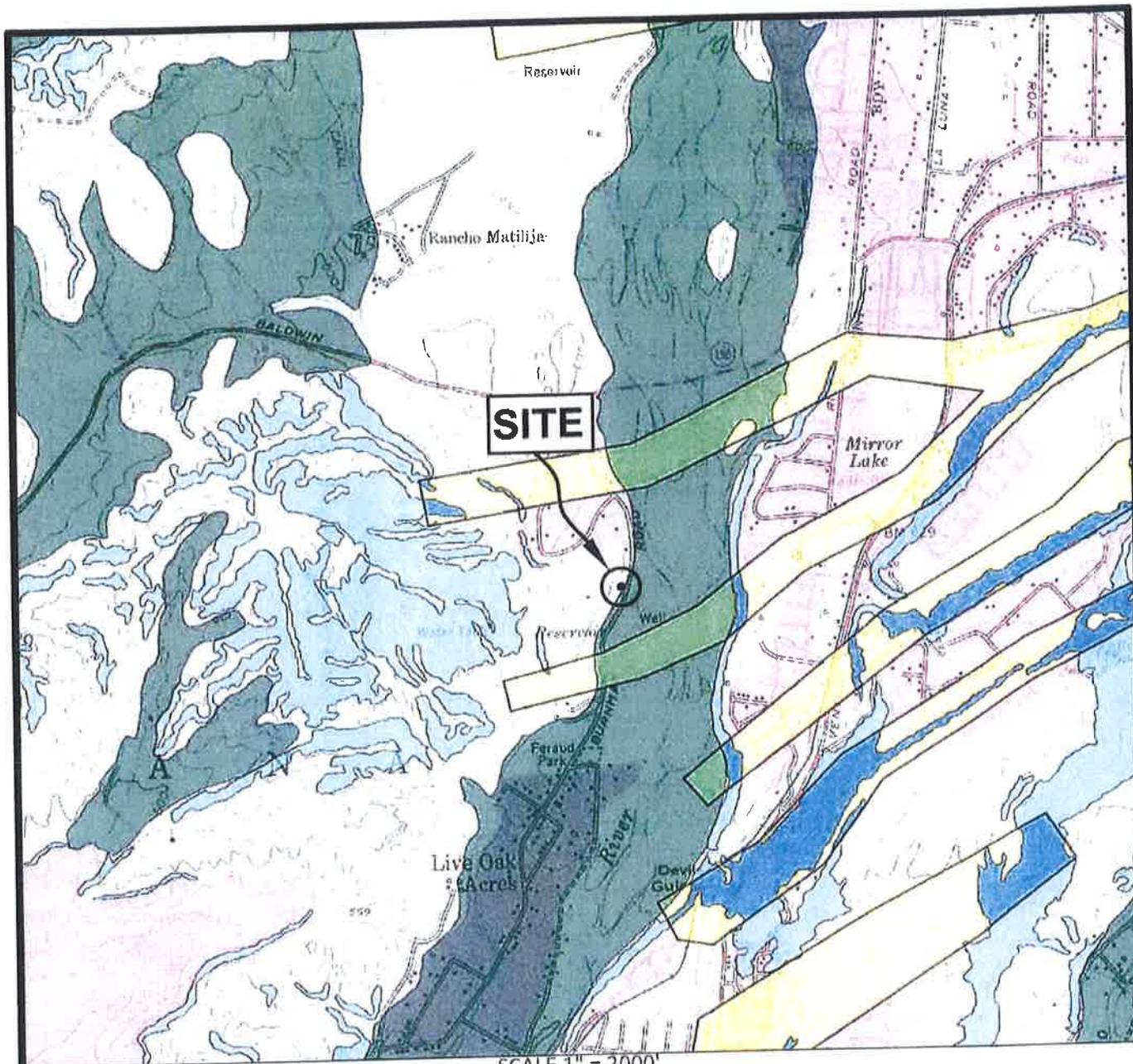
EXPLANATION

Rs	Residual Soil
Qa	Alluvium
Qoa	Older Alluvium
Tap	Bedrock - Seeps Formation
T-loc	Trench Location (Mark Krueger Geology, Inc. 3-30-11)
F-loc	Approximate Trench Location (West Coast Geotechnical, Moradi, 2003)
σ	Strike & Dip of Bedding
---	Approximate Limits of Artificial Fill

EXPLANATION (cont.)

---	Approximate Geologic Contact (Dotted where concealed)
---	Approximate Fault Location (Dotted where concealed)
---	Approximate Limits of Surficial Washout
X-X'	Line of Geologic Cross Section

<p>MARK KRUEGER GEOLOGY, INC. 1880 National Boulevard, Los Angeles, CA 90004 Tel: 310-466-8873 Fax: 310-466-8448</p>	<p>MISC# 18-1001</p>
	<p>Scale: 1"=50'</p>
<p>GEOTECHNICAL MAP</p> <p>Tentative Parcel Map 0011 Burnham Road County of Ventura, California</p>	<p>Date: Oct., 2018</p> <p>Sheet: 1</p>



SCALE 1" = 2000'



Reference: State of California, Division of Mines and Geology, Seismic Hazard Zones, Matilija Quadrangle, Ventura, County, California, Released April 17, 2003, Scale 1"= 2,000'.

MARK KRUGER GEOLOGY, INC.

10120 National Boulevard, Los Angeles, CA 90034
Tel: 310-866-8977; Fax: 310-204-2459

SEISMIC HAZARD MAP

Barnhum Road
Ojai, California

DATE: Oct., 2018

MKG 18-1001

PLATE 2



- Legend**
-  Earthquake Fault Hazard Zones
 -  Liquefaction
 -  Potential EQ-Induced Landslides
 -  Parcels

Reference: <http://gis.ventura.org/CountyView/>

MARK KRUGER GEOLOGY, INC.

10120 National Boulevard, Los Angeles, CA 90034
 Tel: 310-866-8977; Fax: 310-204-2459

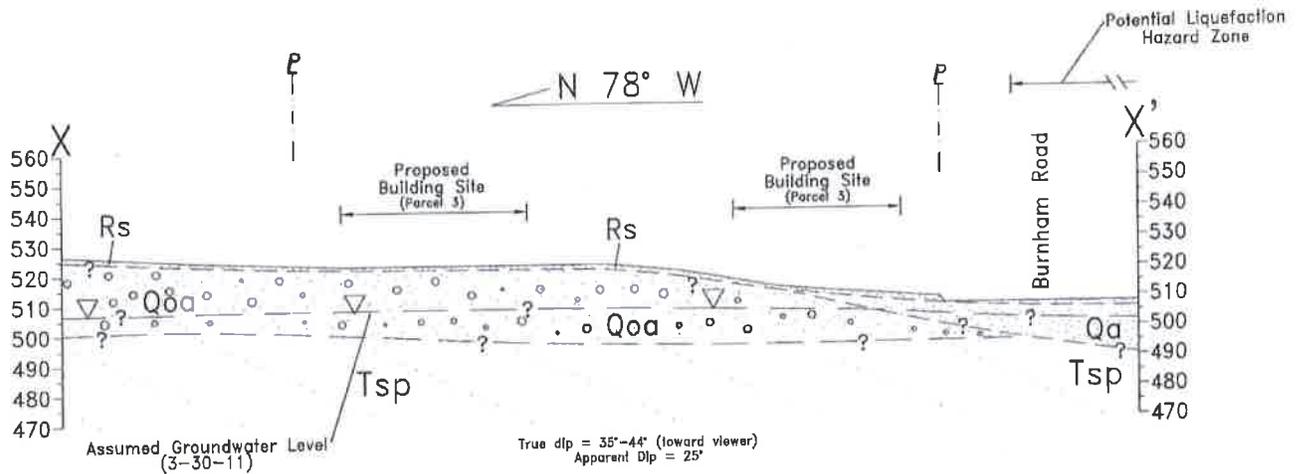
SEISMIC HAZARD MAP

Barnhum Road
 Ojai, California

DATE: Oct., 2018

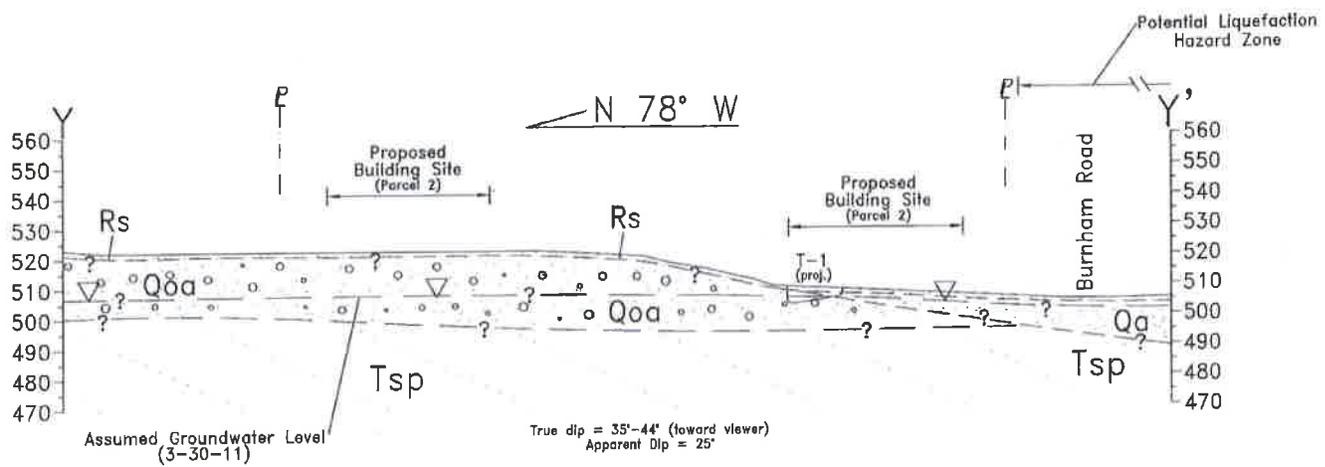
MKG 18-1001

PLATE 3



SCALE: 1"=30'

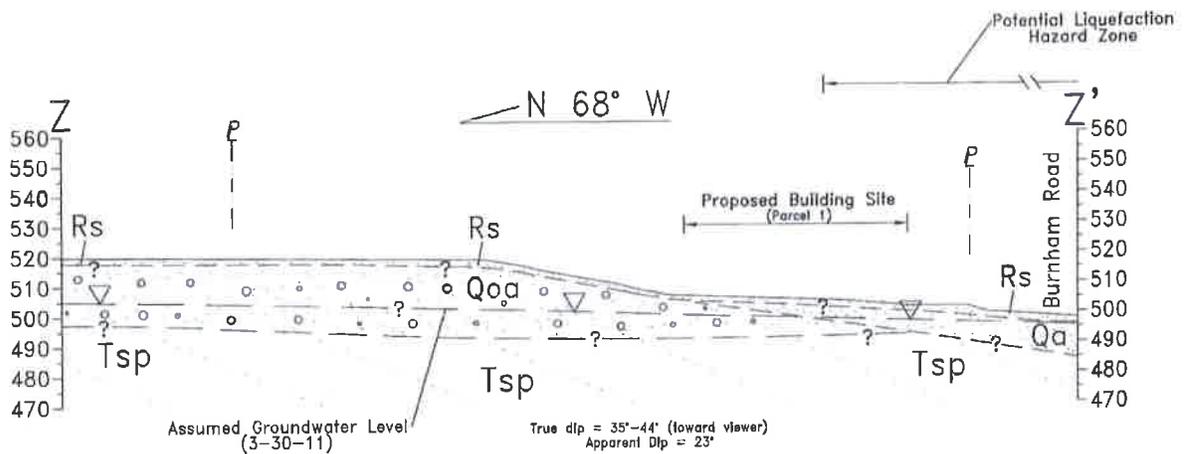
 MARK KRUGER GEOLOGY, INC. 1020 National Boulevard, Los Angeles, CA 90024 Tel: 310-866-8877 / Fax: 310-204-2459	MKG:	18-1001
	Scale:	1"-30'
GEOLOGIC CROSS SECTION X-X' Tentative Parcel Map 6011 Burnham Road, County of Ventura, California	Date:	Oct, 2018
	Plate:	CS-1



SCALE: 1"=30'

 MARK KRUGER GEOLOGY, INC. 1020 National Boulevard, Los Angeles, CA 90034 Tel: 916-998-9877 Fax: 916-204-2429	MKG:
	18-1001
	Scale:
	1"=30'
	Date:
	Oct., 2018
	Plate:
	CB-2
GEOLOGIC CROSS SECTION Y-Y' Tentative Parcel Map 6011 Burnham Road, County of Ventura, California	

Note: Section Y-Y' modified from Section C-C' presented in May 6, 2011 referenced report.



SCALE: 1"=30'

 MARK KRUGER GEOLOGY, INC. 10120 National Boulevard, Los Angeles, CA 90084 Tel: 310-890-6977; Fax: 310-204-9499	MKG# 18-1001
	Scale: 1"=30'
GEOLOGIC CROSS SECTION Z-Z' Tentative Parcel Map 6011 Burnham Road, County of Ventura, California	Date: Oct., 2018
	Plate: CB-3

Note: Section Z-Z' modified from Section D-D' presented in May 6, 2011 referenced report.

Attachment 8 - Works Cited
Tentative Parcel Map No. 6011 (Case No. PL18-0137)

Ventura County Initial Study Assessment Guidelines, April 26, 2011

Ventura County Non-coastal Coastal Zoning Ordinance, January 14, 2021

Tentative Parcel Map prepared by Gamble Engineering, Inc., dated July 29, 2020

Arborist Report, prepared by Bill Millet Design Landscape Architect, dated July 10, 2020 and revised October 5, 2020

Dead Tree Report, prepared by Bill Millet Design Landscape Architect, dated October 5, 2020

Tree Protection Plan, prepared by Bill Millet Design Landscape Architect, dated August 1, 2018 and revised July 28, 2020

Pending and Approved Projects in Unincorporated Ventura County, County of Ventura Resource Management Agency GIS Department, dated October 12, 2020

Initial Study Biological Assessment, prepared by Padre Associates, dated March 23, 2020 and revised August 5, 2020 and September 25, 2020

Casitas Municipal Water District Conditional Water Availability Letter, dated October 23, 2018

Ojai Valley Sanitation District Will Serve Letter, dated March 27, 2018

Mitigated Negative Declaration for Tentative Parcel Map No. 5878 (Case No. SD12-0002), County of Ventra Planning Division, adopted July 10 2015

Preliminary Soils and Engineering Geologic Investigation for Tentative Parcel Map No. 5878 (Case No. SD12-0002), prepared by Mark Kruger Geology, Inc., dated October 18, 2018

Ventura County Local Agency Formation Commission Certificate of Completion for Annexation into Ojai Valley Sanitation District (Parcel B), recorded on December 16, 2019.

Formal Notification of Determination that a Project Application is Complete and Notification of Native American Consultation Opportunity to Julie Tumamait- Senslie of the Barbareno-Ventureno Mission Indians for Tentative Parcel Map No. 6011, Ventura County Planning Division, dated May 29, 2020

Watershed Protection District, Advanced Planning Floodplain, Nathaniel Summerville,
November 21, 2018

Watershed Protection District, Planning and Regulatory Division, Nathaniel Summerville
November 21, 2018

Ventura County Public Works Agency, Surface Water Quality Section, Ewelina
Mutkowska, January 23, 2019

Ventura County Agricultural Commissioner's Office, Monica Sanoja, November 23,
2019

Integrated Waste Management Division, Tobie Mitchell, November 6, 2018

Ventura County Planning Division, Planning Biologist, Manju Venkat, December 3, 2018

Ventura County Environmental Health Division, Paolo Quinto, November 23, 2018

Ventura County Fire Protection District, John Dodd, November 11, 2018

Ventura County Public Works Agency, Development and Inspection Services Division,
Jim O'Tousa, March 25, 2019

Ventura County Public Works Agency, Development and Inspection Services Division,
Jim O'Tousa, March 25, 2019

Ventura County Watershed Protection District, Groundwater Section, Kim Loeb,
December 12, 2018

Ventura County Planning GIS data layers, 2021

Ventura County 2040 General Plan October 15, 2020

Ojai Valley Area Plan, October 15, 2020

Initial Study for SD12-0002



Exhibit 4.b - Response to Public Comment on the MND

County of Ventura • Resource Management Agency

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • www.vcrma.org/divisions/planning

The following public comments were received regarding the proposed Mitigated Negative Declaration for Tentative Parcel Map (TPM) No. 6011 (Case No. PL18-0137). The public comments and the County's Response to these comments are listed below.

Public Comments

A. Email from Shannon Menzel, dated April 8, 2021		
Comment #	Comment	County Response
1	I live on Burnham Road near this property. I disagree that the project would not have significant effect on the environment. The amount of deer, birds and wildlife in this area is massive. You cannot tell me this will not disturb their grazing and migration. It is just pushing them out more than we already have.	The proposed subdivision is located within the Sierra Madre – Castaic Connection, a regional wildlife corridor linking habitats in the Sierra Madre and Castaic Mountain ranges. An Initial Study Biological Assessment and an Arborist report, with a tree protection and monitoring plan, were prepared for the proposed subdivision and included in the MND. These reports concluded that there would be potentially significant but mitigable impacts on biological resources from future development on the three resulting lots. Six mitigation measures were placed on the project to address and reduce these impacts to a less than significant level. Specifically, these measures require future property owners of Lots 1 through 3 to do the following before development of the lots: (1) implement tree protection measures included in the oak tree protection plan and monitor the protection measures for a period of 5 years for the oak trees that will be encroached upon when the lot is developed; (2) conduct nesting bird preconstruction surveys if construction would occur during the nesting bird season

		<p>(February 1 – September 1); (3) require the submittal of a landscape plan that prohibits invasive landscaping; and, (4) require fencing to be permeable to wildlife and the submittal of a lighting plan that will not adversely impact wildlife movement within the identified wildlife corridor. With the implementation of these mitigation measures, the proposed subdivision and future development of the lots would not adversely affect wildlife migration in this area. With the implementation of these mitigation measures, potentially significant impacts would be reduced to a less than significant level.</p>
<p style="text-align: center;">2</p>	<p>Due to the amount of oak trees on the property, the houses will have to be built pretty much on top of Burnham road. You will have a problem on your hands with the amount of fast traffic we have on Burnham. You might need to consider adding sidewalks, bike lanes, stop signs etc. to mitigate issues like this that grow with development.</p>	<p>The future property owners of Lots 1 through 3 will be required to setback development from Burnham Road. Lot 1 would have a required setback of 20 feet from the front property line; Lots 2 and 3 would have a required setback of 15 feet from the front property line.</p> <p>In addition, future property owners of will be required to conduct roadway improvements (curb, gutter and sidewalks) along the frontage of Lots 1, 2 and 3, adjacent to Burnham Road (Exhibit 5, Condition No. 31).</p>
<p style="text-align: center;">3</p>	<p>Lastly, I pay absurd amounts of money for water. How is building more housing helping our growing water issue? Will I just have to pay more and more?</p>	<p>The County's Subdivision Ordinance requires a water supply source to serve Lots 1, 2 and 3 and future residential development. Water supply is provided by the Ventura River Water District (VRWD). Water service will be provided by the Casitas Municipal Water District (CMWD).</p> <p>VRWD has an approved Water Availability Letter (WAL, 15-0012)</p>

	<p>that complies with the Ventura County Waterworks Manual by issuance letter dated April 13, 2006, indicating that VRWD can provide the water supply to the subdivision. Prior to Building Permit issuance, the property owner will be required to submit water will-serve letters issued by the water purveyor, Ventura River Water District (VRWD) to Ventura County Public Works Agency (PWA), Land Development Services Division. Water will-serve letters issued by VRWD must be in accordance with their Water Availability Letter on file with PWA that demonstrates the purveyor has adequate capacity to serve the proposed development.</p> <p>The Subdivider proposes that the existing water service water allocation be assigned to the 1.78 acre-lot (proposed Lot 1) and new water service to be provided by VRWD for proposed Lots 2 and 3. This new water service would require an allocation of 0.85 acre feet of water per year (AFY) for each Lots 2 and 3 (1.70 AFY total).</p> <p>Policy WR-64.2 of the Ojai Valley Area Plan (OVAP) requires new development that creates a new water demand more than existing demand to include a water offset plan to offset the new water demand. For the proposed TPM, a total offset of 1.7 AFY for future development of Lots 2 and 3 would be required (0.85 AFY for each lot). The future property owner of Lot 2 and 3 will be required to submit a water offset plan prior to the issuance of the building permit</p>
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		<p>(Exhibit 5, Condition No. 35). The water offset plan shall indicate how future development on the resulting lots will not add any net increased demand on the existing water supply, such as through the installation of residential water leak detection devices, installation of drought tolerant and water efficient landscaping, or installation of water efficient plumbing fixtures. Therefore, although the water demand will increase as a result of the proposed development of the three resulting lots, the water demand will be offset by the installation of water efficient landscaping and plumbing fixtures.</p>
B. Email from Richard Parsons, dated April 18, 2021		
<p>1</p>	<p>I am puzzled by one aspect of the proposed declaration, it speaks of the parcel to be subdivided as being one parcel of 3.29 acres. Yet, the November 2014, Mitigated Negative Declaration for the subdividing of the 90 acre Parker Ranch (Tentative Tract Map No. 5878) indicates that the property which is the subject of the current proposal is Parcels 1 and 2 of the earlier subdivision. How can that be? Could you please clarify this for me.</p>	<p>Tax Assessor's Parcel 032-0-201-105 (the 3.29-acre parcel) is a separate legal lot that was created by Parcel Map No. PM 5373 (Parcel 1 of 63PM55), recorded December 28, 2004.</p> <p>TPM No. 5878 included the subdivision of an approximately 90.16 acre lot into four separate legal lots and Tax Assessor's Parcel 032-0-201-105 was included in this TPM. On July 10, 2015, the TPM was approved by the Planning Division however the map was never recorded, and APN 032-0-0-201-105 remains one legal lot as described as Parcel 1 of 63PM55.</p>

Boero, Kristina

From: Shannon Menzel <shannon@wssurf.com>
Sent: Thursday, April 8, 2021 11:13 AM
To: Boero, Kristina
Subject: Parcel PL18-0137

A.

Hello County of Ventura!

I received a notice about a proposed lot split for Parcel Map No. PL18-0137.

I live on Burnham Road near this property. I disagree that the project would not have significant effect on the environment. The amount of deer, birds and wildlife in this area is massive. You cannot tell me this will not disturb their grazing and migration. It is just pushing them out more than we already have.

1.

Due to the amount of oak trees on the property, the houses will have to built pretty much on top of Burnham road. You will have a problem on your hands with the amount of fast traffic we have on Burnham. You might need to consider adding sidewalks, bike lanes, stop signs etc to mitigate issues like this that grow with development.

2.

Lastly, I pay absurd amounts of money for water. How is building more housing helping our growing water issue? Will I just have to pay more and more?

3.

Who is this benefiting? Are the current owners not happy with building their own dwelling and enjoying nature, just as the rest of us?

4.

Thank you for listening. I moved out of Ventura city because I did not agree with their developement plans and it is scary to see it up here where I thought we might be under more of a microscope.

Thank you,
Shannon

Boero, Kristina

From: Richard Parsons <rwpdredging@hotmail.com>
Sent: Sunday, April 18, 2021 12:08 PM
To: Boero, Kristina
Subject: Mitigated Negative Declaration for PL 18-0137

B.

CAUTION: If this email looks suspicious, DO NOT click. Forward to Spam.Manager@ventura.org

Ms. Boero,

I am puzzled by one aspect of the proposed declaration, it speaks of the parcel to be subdivided as being one parcel of 3.29 acres. Yet, the November 2014, Mitigated Negative Declaration for the subdividing of the 90 acre Parker Ranch (Tentative Tract Map No.5878) indicates that the property which is the subject of the current proposal is Parcels 1 and 2 of the earlier subdivision. How can that be? Could you please clarify this for me.

1

Thank You.

Richard Parsons
2271 Los Encinos Rd.
805.890.8505

Sent from Mail for Windows 10

EXHIBIT 5 – DRAFT CONDITIONS OF APPROVAL FOR PORTENSTEIN TENTATIVE PARCEL MAP (TPM) NO. 6011 (CASE NO. PL18-0137)

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. Project Description

This TPM is based on and limited to compliance with the project description stated in this condition below, Exhibit 3 of the Planning Director hearing on August 26, 2021, and conditions of approval set forth below. Together, these conditions and documents describe the “Project.” Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

This project includes the approval of TPM No. 6011 (Case No. PL18-0137) to subdivide an approximately 3.29-gross acre lot into 3 lots. After Parcel Map No. 6011 records, proposed Lot 1 will be 1.78 acres (77,531.4 square feet [sq. ft.]), proposed Lot 2 will be 0.75 acres (32,782 sq. ft.) and proposed Lot 3 will be 0.76 acres (32,930 sq. ft.). The net and gross acreage will be the same after Parcel Map No. 6011 records. Residential development of each lot could occur with a ministerial zoning clearance following recordation of the TPM. Future development would be restricted to designated building sites as shown on the TPM. A private onsite driveway on each proposed lot will provide direct access to Burnham Road.

The access road on Lot 3 would be located under oak tree canopies and would adversely affect 0.11 acres of coast live oak woodland (*Quercus agrifolia* Woodland Alliance). Additionally, future development of Lot 3 would encroach on two protected coast live oak trees, tree no. 146 and no. 147 identified in the Tree Protection Plan and Arborist Report prepared by Bill Millet (dated July 10, 2020, Revised October 6, 2020). The Tree Protection Plan provides protection measures to minimize tree encroachment and mitigates for any loss to protected trees.

Future residential development will be served by the Casitas Municipal Water District for potable water and the Ojai Valley Sanitary District (OVSD) for sewer service. The Subdivider proposes to connect future residential development to public sewer. A sewer line will be constructed to the existing sewer main approximately 77 feet east of the subdivision.

County of Ventura Planning Director Hearing PL18-0137 Exhibit 5 - Draft Conditions of Approval and Mitigation Monitoring and Reporting Programs

Conditions for Tentative Parcel Map No. 6011 (Case No. PL18-0137)

Date of Public Hearing: August 26, 2021

Subdivider: Portenstein

Date of Approval: TBD

Location: Undeveloped lot on Burnham Road, Oak View
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The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of future 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.

2. TPM Modification

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

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

3. Construction Activities

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

4. Acceptance of Conditions

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

5. Tentative Parcel Map Expiration

This Tentative Parcel Map (TPM) shall expire on **[Insert approval date, 2024]** (see VCSO § 8205—6.7.1[a]). Approval of a minor or major modification to the TPM shall not affect the expiration date of this TPM (See Condition No. 6, below.)

Unless the Subdivider files a Parcel Map with the County Surveyor prior to expiration of this TPM, all proceedings shall terminate upon such expiration, and any subdivision of the land shall require the filing and processing of a new map. The Subdivider shall identify

the new map as a previously approved, but now expired map. The County Surveyor may approve a Parcel Map for recordation after the expiration date of this Parcel Map, if the Subdivider files the Parcel Map with the County Surveyor and the County Surveyor deems the Parcel Map complete, prior to the TPM expiration date.

6. Tentative Parcel Map Modification

Pursuant to the Ventura County Subdivision Ordinance (§ 8205-7.2), the Planning Director or Planning Commission (as applicable) may change this Tentative Parcel Map, and the conditions of approval of this Tentative Parcel Map, with the approval of a map modification application. Pursuant to the Ventura County Subdivision Ordinance (§ 8205-7.3[a]), the Planning Director's or Planning Commission's approval of a minor or major modification (respectively) does not affect the expiration date of this Tentative Parcel Map (See Condition No. 5, above).

7. Recordation of Conditions with the Final Parcel Map for this Project.

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

Requirement / Documentation: The Subdivider shall provide the County Surveyor with a copy of these TPM conditions for recordation with the Parcel Map.

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

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

8. Conditions of Approval and Map Notations

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

9. Parcel Map Processing Fees

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

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

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

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

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

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

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

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

11. Defense and Indemnification

- a. The Subdivider or Property Owner shall defend, at the Subdivider or Property Owner's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this TPM. The County shall promptly notify the Subdivider or Property Owner of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. The Subdivider or Property Owner shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Subdivider or Property Owner, 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 Subdivider or Property Owner shall also indemnify, defend (at Subdivider or Property Owner'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 TPM, regardless of how a court apportions any such Liabilities as between the Subdivider or Property Owner, the County, and/or third parties. The County shall promptly notify the Subdivider or Property Owner of any such claim, action, or proceeding and shall cooperate fully in the defense.
- d. Neither the issuance of this TPM, nor compliance with the conditions hereof, shall relieve the Subdivider or Property Owner from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this TPM serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

12. Invalidation of Condition(s)

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

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

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

Conditions for Tentative Parcel Map No. 6011 (Case No. PL18-0137)

Date of Public Hearing: August 26, 2021

Subdivider: Portenstein

Date of Approval: TBD

Location: Undeveloped lot on Burnham Road, Oak View
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qualified consultant for review and evaluation of issues beyond the expertise or resources of County staff.

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

The Property Owner or Subdivider may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Property Owner or Subdivider or a contractor of the Property Owner or Subdivider undertakes. In accordance with Condition No. 13 above, if the County hires a consultant to review any work undertaken by the Property Owner or Subdivider, or hires a consultant to review the work undertaken by a contractor of the Property Owner or Subdivider, the hiring of the consultant will be at the Property Owner or Subdivider's expense.

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

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

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

15. Construction Noise

Purpose: In order for future construction of residential development on the project site to comply with the Ventura County General Plan *Goals, Policies and Programs* Noise Policy 2.16.2-1(5) and the County of Ventura Construction Noise Threshold Criteria and Control Plan (Amended 2010).

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

Documentation: The Property Owner shall post a sign stating these restrictions in a conspicuous location on the Project site, in order so that the sign is visible to the general public. The Property Owner shall provide photo documentation showing posting of the required signage to the Planning Division, prior to the commencement of future grading and construction activities. The sign must provide a telephone number of the site foreman, or other person who controls activities on the jobsite, for use for complaints from the public. The Property Owner shall maintain a "Complaint Log," noting the date, time, complainant's name, complaint, and any corrective action taken, in the event that the Property Owner receives noise complaints. The Property Owner must submit the "Complaint Log" to the Planning Division upon the Planning Director's request.

Timing: The Property Owner shall install the sign prior to the issuance of a building permit and throughout all grading and construction activities for future development of the recorded PM. The Property Owner shall maintain the signage on-site until all grading and construction activities are complete. If the Planning Director requests the Property Owner to submit the "Complaint Log" to the Planning Division, the Property Owner shall submit the "Complaint Log" within one day of receiving the Planning Director's request.

Monitoring and Reporting: The Planning Division reviews, and maintains in the Project file, the photo documentation of the sign and the "Complaint Log." The Planning Division has the authority to conduct site inspections and take enforcement actions to ensure that the Property Owner conducts grading and construction activities in compliance with this condition, consistent with the requirements of § 8114-3 of the Ventura County NCZO.

16. Paleontological Resources Discovered During Grading

Purpose: In order to mitigate potential impacts to paleontological resources that may be encountered during ground disturbance or construction activities.

Requirement: If any paleontological remains are uncovered during ground disturbance or construction activities, the Property Owner 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 paleontological consultant or professional geologist who shall assess the find and provide a report that assesses the resources and sets forth recommendations on the proper disposition of the site;
4. Obtain the Planning Director's written concurrence with the recommended disposition of the site before resuming development; and
5. Implement the agreed upon recommendations.

Documentation: The Property Owner shall submit the paleontologist's or geologist's reports. Additional documentation may be required to demonstrate that the Property Owner has implemented the recommendations set forth in the paleontological report.

Timing: If any paleontological remains are uncovered during ground disturbance or construction activities, the Property Owner shall provide the written notification to the Planning Director within three days of the discovery. The Property Owner shall submit the paleontological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Property Owner shall provide the paleontological report to the Planning Division to be made part of the Project file. The Property Owner shall implement any recommendations made in the paleontological report to the satisfaction of the Planning Director. The paleontologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the paleontological report. The Planning Division has the authority to conduct site inspections to ensure that the Property Owner implements the recommendations set forth in the paleontological report, consistent with the requirements of § 8114-3 of the Ventura County NCZO.

17. Archaeological Resources Discovered During Grading

Purpose: In order to mitigate potential impacts to archaeological resources discovered during ground disturbance.

Requirement: The Property Owner shall implement the following procedures:

If any archaeological or historical artifacts are uncovered during ground disturbance or construction activities, the Property Owner 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;

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- (3) Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
- (4) Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development; and
- (5) Implement the agreed upon recommendations.

If any human burial remains are encountered during ground disturbance or construction activities, the Property Owner shall:

- (6) Cease operations and assure the preservation of the area in which the discovery was made;
- (7) Immediately notify the County Coroner and the Planning Director;
- (8) Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
- (9) Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development on-site; and
- (10) Implement the agreed upon recommendations.

Documentation: If archaeological remains are encountered, the Property Owner shall submit a report prepared by a County-approved archaeologist including recommendations for the proper disposition of the site. Additional documentation may be required to demonstrate that the Property Owner has implemented any recommendations made by the archaeologist's report.

Timing: If any archaeological remains are uncovered during ground disturbance or construction activities, the Property Owner shall provide the written notification to the Planning Director within three days of the discovery. The Property Owner shall submit the archaeological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Property Owner shall provide the archaeological report to the Planning Division to be made part of the Project file. The Property Owner shall implement any recommendations made in the archaeological report to the satisfaction of the Planning Director. The archaeologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the archaeological report. The Planning Division has the authority to conduct site inspections to ensure that the Property Owner

implements the recommendations set forth in the archaeological report, consistent with the requirements of § 8114-3 of the Ventura County NCZO.

18. Underground Utility Service Lines

Pursuant to the Ventura County General Plan Policy COS-3.3 all utility services lines for residential development shall be placed underground, unless a written determination of infeasibility is obtained from the Planning Director.

19. Biological Resources MM BIO-1: Tree Protection Plan (TPP)

Purpose: The purpose of this mitigation measure is to: (1) avoid potentially significant impacts to the coast live oak trees (*Quercus agrifolia*) and oak woodlands; and (2) ensure compliance with the County's Tree Protection Regulations (Ventura County NCZO § 8107-25 et seq.), *Oak Woodland Conservation Act* (Public Resources Code, 2014d, § 21083.4, and Fish and Game Code § 1361), and Ojai Valley Area Plan Policy OV 36.8.

Requirement: The Subdivider shall prepare a TPP pursuant to the requirements set forth in the Ventura County "Content Requirements for Tree Protection Plans" (2010b), which is currently available on-line at:

<http://www.ventura.org/rma/planning/pdf/permits/tree/Tree-Protection-Plan-11-11-19.pdf>.

The Subdivider shall conduct all development activities on the lots created by the Tentative Parcel Map, pursuant to the requirements set forth in the TPP.

Documentation: The Subdivider shall retain an arborist to prepare the TPP and submit the TPP to the Planning Division for review and approval.

Timing: Prior to the recordation of the Parcel Map, the Subdivider shall submit the TPP to the Planning Division for review and approval. Prior to issuance of the first Zoning Clearance for any development activities that have the potential to adversely affect protected trees, the Subdivider must implement the tree protection measures, and submit the required documentation to demonstrate that the Subdivider implemented the tree protection measures, pursuant to the requirements set forth in the approved TPP.

Monitoring and Reporting: The Subdivider shall retain an arborist to monitor and prepare the documentation regarding the health of the protected trees, pursuant to the monitoring and reporting requirements set forth in the "Content Requirements for Tree Protection Plans." The Planning Division maintains a copy of the approved TPP in the project file. The Planning Division has the authority to inspect the property to ensure that the Subdivider complies with the requirements of the TPP and may implement enforcement actions in accordance with § 8114-3 of the Ventura County NCZO.

20. MM BIO-2: Tree Health Monitoring and Reporting

Purpose: To comply with the County's Tree Protection Regulations in § 8107-25 of the Ventura County NCZO and Tree Protection Guidelines, with the Oak Woodland Conservation Act (Public Resources Code § 21083.4, Fish and Game Code § 1361).

Requirement: The Subdivider shall submit annual monitoring reports, prepared by an arborist, after initiation of construction activities and until five years after the completion of construction activities, which address the success of tree protection measures and the overall condition of encroached-upon trees relative to their condition prior to the initiation of construction activities. If any trees are found to be in serious decline (e.g., "D" status, or "C" status if pre-construction status was "A"), the arborist's report must include a Damaged Tree Addendum to the TPP which recommends offsets and any associated additional monitoring.

Documentation: The Subdivider shall submit annual arborist reports as stated in the "Requirement" section of this condition (above).

Timing: The Subdivider shall submit annual arborist reports after initiation of construction activities and until five years after the completion of construction activities.

Monitoring and Reporting: The Subdivider shall implement any recommendations made by the arborist's Damaged Tree Addendum to the satisfaction of the Planning Director. The Planning Division maintains copies of all documentation and evidence that the arborist's recommendations are implemented. The Planning Division has the authority to inspect the site to confirm the health of the protected trees and to ensure that the recommendations made by the arborist are implemented consistent with the requirements of § 8114-3 of the Ventura County NCZO.

21. MM BIO-3: Avoidance of Nesting Birds

Purpose: In order to prevent impacts on birds protected under the Migratory Bird Treaty Act, land clearing activities shall be regulated.

Requirement: The Property Owner of Lot 3 shall conduct all demolition, tree removal/trimming, vegetation clearing, and grading activities (collectively, "land clearing activities") in such a way as to avoid nesting native birds. This can be accomplished by implementing one of the following options:

1. Timing of construction: Prohibit land clearing activities during the breeding and nesting season (February 1 – September 1) in which case the following surveys are not required; or
2. Surveys and avoidance of occupied nests: Conduct site-specific surveys prior to land clearing activities during the breeding and nesting season (February 1 – September 1) and avoid occupied bird nests. Surveys shall be conducted to

identify any occupied (active) bird nests in the area proposed for disturbance. Occupied nests shall be avoided until juvenile birds have vacated the nest. All surveys shall be performed under the supervision of a qualified wildlife biologist familiar with the ecology of the species, and with experience conducting preconstruction clearance surveys.

An initial breeding and nesting bird survey shall be conducted 30 days prior to the initiation of land clearing activities. The subdivision must continue to be surveyed on a weekly basis with the last survey completed no more than 3 days prior to the initiation of land clearing activities. The nesting bird survey must cover the development footprint and 300 feet from the development footprint. If occupied (active) nests are found, land clearing activities within a setback area surrounding the nest shall be postponed or halted. Land clearing activities may commence in the setback area when the nest is vacated (juveniles have fledged) provided that there is no evidence of a second attempt at nesting, as determined by the County-approved biologist. Land clearing activities can also occur outside of the setback areas. The required setback is 300 feet for most birds and 500 feet for raptors, as recommended by the California Department of Fish and Wildlife. This setback can be increased or decreased based on the recommendation of the County-approved biologist and approval from the Planning Division.

Documentation: The Property Owner of Lot 3 shall provide to the Planning Division a Survey Report from a County-approved biologist documenting the results of the initial nesting bird survey and a plan for continued surveys and avoidance of nests in accordance with the requirements above. Along with the Survey Report, the Property Owner of Lot 3 shall provide a copy of a signed contract with a County-approved biologist responsible for the surveys, monitoring of any occupied nests discovered, and establishment of mandatory setback areas. The Property Owner of Lot 3 shall submit to the Planning Division a Mitigation Monitoring Report from a County-approved biologist following land clearing activities documenting actions taken to avoid nesting birds and results.

Timing: If land clearing activities will occur between February 1 to September 1, nesting bird surveys shall be conducted 30 days prior to initiation of land clearing activities, and weekly thereafter, and the last survey for nesting birds shall be conducted no more than 3 days prior to initiation of land clearing activities. The Survey Report documenting the results of the first nesting bird survey and the signed contract shall be provided to the Planning Division prior to issuance of a Zoning Clearance for any land clearing activities. The Mitigation Monitoring Report shall be submitted within 14 days of completion of the land clearing activities.

Monitoring and Reporting: The Planning Division shall review the Survey Report and signed contract for adequacy prior to issuance of a Zoning Clearance for land clearing activities. The Planning Division shall maintain copies of the signed contract, Survey Report, and Mitigation Monitoring Report in the project file.

22. MM BIO-4: Avoidance of Non-Native Invasive Plants in Landscaping

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

Requirement: The Property Owner shall retain a landscape architect to prepare a landscape plan that complies with the requirements of this condition and § 8106-8.2 et seq. (Ventura County NCZO General Landscaping and Water Conservation Requirements).

Landscaping Objectives: The Property Owner must install and maintain landscaping that serves the following functions:

- Invasive plant species (e.g., species identified by the California Invasive Plant Council) shall be prohibited with landscaping on the lots created by the project.
- Ensures compatibility with community character. The Property Owner must install landscaping that visually integrates the development with the character of the surrounding community.
- Retains and treats stormwater. The Property Owner must install landscaping that retains and treats stormwater as required pursuant item 2D of this initial study.
- Compliance with the California Department of Water Resources Model Water Efficient Landscape Ordinance. The Property Owner must install landscaping that complies with the requirements of the California Department of Water Resources' Model Water Efficient Landscape Ordinance, which is available on-line at: <http://www.water.ca.gov/wateruseefficiency/landscapeordinance/>.

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

- a. Use Available Non-potable Sources of Water. The landscaping must involve the harvesting and/or use of alternative, non-potable sources of water, including stormwater, reclaimed water, and gray water, if available to the Subdivision.
- b. Protection of Solar Access. The Property Owner must design the landscaping to avoid the introduction of vegetation that would now or in the future cast substantial shadow on existing solar collectors or photovoltaic cells, or impair the function of a nearby building using passive solar heat collection.

- c. **Protection of Existing Vegetation.** Existing vegetation, especially trees, must be saved and integrated into landscape design wherever feasible, appropriate, or required by other regulations (e.g., the Tree Protection Ordinance).
- d. **Create Viable Growing Environment.** The landscape design must address the needs of the plants to ensure their health, long-term viability, and protection.
- e. **Species Diversity.** The landscape plan must integrate a variety of plant species, heights, colors, and textures, as appropriate given the size of the landscape.
- f. **Fire Resistance.** Landscaping and building materials that utilize fire retardant materials
- g. **Use Non-Invasive Plant Species.**
- h. **Landscaping plans shall incorporate indigenous plant species where feasible in order to restore habitat in already disturbed areas.**

Documentation: The future Property Owner of Lots 1 through 3 shall submit three sets of a draft landscape plan to the Planning Division for review and approval. A California registered landscape architect (or other qualified individual as approved by the Planning Director) shall prepare the landscape plan, demonstrating compliance with the requirements set forth in this condition (above), and the Ventura County Landscape Design Criteria. The landscape architect responsible for the work shall stamp the plan. After landscape installation, the Property Owner shall submit to Planning Division staff a statement from the project landscape architect that the Property Owner installed all landscaping as shown on the approved landscape plan. Prior to installation of the landscaping, the Property Owner must obtain the Planning Director's approval of any changes to the landscape plans that affect the character or quantity of the plant material or irrigation system design.

Timing: The Property Owner shall submit the landscape plan to the Planning Division for review and approval prior to issuance of a Zoning Clearance for Construction on Lots 1 through 3. Landscaping installation and maintenance activities shall occur according to the timing requirements set forth in the "Ventura County Landscape Design Criteria" (§ F).

Monitoring and Reporting: Landscaping approval/installation verification, monitoring activities, and enforcement activities shall occur according to the procedures set forth in the § 8107-8.2 et seq. of the Ventura County Non-Coastal Zoning Ordinance. The Planning Division maintains the landscape plans and statement by the landscape architect in the Project file and has the authority to conduct site inspections to ensure that the Property Owner installs and maintains the landscaping in accordance with the approved plan consistent with the requirements of § 8114-3 of the Ventura County NCZO.

23. MM BIO-5: Wildlife Fencing

Purpose: To mitigate potentially significant environmental impacts to wildlife migration corridors from fencing, in accordance with §§ 8109-4.8.3.6(c)(2) and 8109-4.8.3.7(a) of the Ventura County NCZO.

Requirement: A zoning clearance is required for wildlife impermeable fencing that forms an enclosed area all of which is located within 50 feet of an exterior wall of a legally established dwelling.

A Planned Development Permit is required for the installation of new or replacement wildlife impermeable fencing that forms an enclosed area as follows:

- Lot 1: An enclosed area of 7,738 square feet
- Lot 2: An enclosed area of 3,439 square feet
- Lot 3: An enclosed area of 3,152 square feet

Documentation: The Property Owner shall submit a fencing plan for all new or replacement fencing located on Lots 1, 2 and 3. The fencing plan must include the fence location, type of fence, elevations detailing construction and materials for both permeable and impermeable fences. Any fence over six feet in height requires a Building Permit.

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

Monitoring and Reporting: The Property Owner shall submit plans to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for fencing. The Planning Division has the authority to conduct site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County NCZO.

24. MM BIO-6: Wildlife Corridor or Wildlife Habitat Outdoor Lighting/Glare

Purpose: To mitigate potentially significant environmental impacts from light and glare to wildlife migration corridors and/or wildlife habitat and ensure lighting on the subject property is provided in compliance with § 8109-4.1.5 of the Ventura County NCZO.

Requirement: Prior to the future development of Lots 1 through 3, the Property Owner shall prepare a lighting plan that meets the following objectives:

- avoids interference with reasonable use of adjoining properties;
- avoids conflict with landscape features;
- minimizes on-site and eliminates off-site glare;
- minimizes impacts to wildlife movement;
- minimizes energy consumption; and

- includes devices that are compatible with the design of the permitted structure and minimize energy consumption.
- Is consistent with Ventura County NCZO § 8109-4.7.4 (Dark Sky Overlay Zone)
- Is consistent with Ventura County NCZO §§ 8109-4.8.2 (Habitat Connectivity and Wildlife Corridors Overlay Zone (Outdoor Lighting) and 8109-4.8.2.3 (Habitat Connectivity and Wildlife Corridors Overlay Zone Prohibited Lighting)

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

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

Timing: The Property Owner shall obtain the Planning Division's approval of the lighting plan prior to the issuance of a Zoning Clearance for construction on Lots 1 through 3. The Property Owner shall maintain the lighting as approved in the lighting plan for the life of the permit that authorizes the lighting.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved lighting plan in the project file. The Property Owner shall ensure that the lighting is installed according to the approved lighting plan prior to occupancy of future residential development. The Building and Safety Inspector and Planning Division staff have the authority to ensure that the lighting plan is installed according to the approved lighting plan. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County NCZO.

Environmental Health Division (EHD) Conditions

25. Sewer Service Certificate for Subdivisions:

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

sewage disposal.

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

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

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

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

26. Water Supply Certificate for Subdivisions:

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

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

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

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

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

PUBLIC WORKS AGENCY (PWA)

Integrated Waste Management Division (IWMD) Conditions

27. Waste Diversion & Recycling Requirement

Purpose: To ensure the project complies with Ordinance No. 4445. Ordinance 4445 pertains to the diversion of recyclable materials generated by this project (e.g., paper, cardboard, wood, metal, greenwaste, soil, concrete, plastic containers, beverage containers) from local landfills through recycling, reuse, or salvage. Ordinance 4445 can be reviewed at www.vcpublicworks.org/ord4445.

Requirement: Ordinance 4445, § 4770-2.3, requires the Property Owner to work with a County-franchised solid waste hauler who can determine the level of service required to

divert recyclables generated by their project from local landfills. For a complete list of County-franchised solid waste haulers, go to:

http://pwaportal.ventura.org/WSD/Businesses/Commercial%20Recycling%20&%20Disposal/Recycling%20&%20Disposal/docs/031314_Commercial_Haulers.pdf

Documentation: The Property Owner must maintain copies of bi-monthly solid waste billing statements for a minimum of one year. The address on the billing statement must match the address of the permitted business.

Timing: Upon request, the Property Owner must provide the IWMD with a copy of a current solid waste billing statement to verify compliance with this condition.

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

28. Construction & Demolition Debris Recycling Plan (Form B)

Purpose: Ordinance 4421 requires the Property Owner to divert recyclable construction and demolition (C&D) materials generated by the Project (e.g., wood, metal, greenwaste, soil, concrete, asphalt, paper, cardboard, etc.) from local landfills through recycling, reuse, or salvage. Review Ordinance 4421 at:

<http://onestop.vcpublicworks.org/integrated-waste-management-laws-ordinances>.

Requirement: The Property Owner must submit a comprehensive recycling plan (Form B – Recycling Plan) to the Integrated Waste Management (IWMD) for any proposed construction and/or demolition projects that require a building permit.

Documentation: The Form B – Recycling Plan must ensure a minimum of 65 percent of the recyclable C&D debris generated by the Project will be diverted from the landfill by recycling, reuse, or salvage. A copy of Form B is available at:

<http://onestop.vcpublicworks.org/integrated-waste-management-forms>.

A comprehensive list of permitted recyclers, County franchised haulers, and solid waste & recycling facilities in Ventura County is available at:

<https://www.vcpublicworks.org/wsd/iwmd/construction/#solid-waste-collectors>.

A list of local facilities permitted to recycle soil, wood, and greenwaste is available at:

<https://www.vcpublicworks.org/wsd/iwmd/businessrecycling/#GreenWasteProcessing>

Timing: Upon Building & Safety's issuance of a building permit for the Project, the Property Owner must submit a Form B – Recycling Plan to the IWMD for approval.

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

29. Construction & Demolition Debris Reporting Form (Form C)

Purpose: Ordinance 4421 requires the Property Owner to divert recyclable construction and demolition (C&D) materials generated by their Project (e.g., wood, metal, greenwaste, soil, concrete, paper, cardboard, plastic containers, etc.) from local landfills through recycling, reuse, or salvage. Please review Ordinance 4421 at:

<http://onestop.vcpublicworks.org/integrated-waste-management-laws-ordinances>.

Requirement: The Property Owner must submit a Form C – Reporting Form to the IWMD for approval prior to issuance of their final Building and Safety Division permit. Form C is available at

<http://onestop.vcpublicworks.org/integrated-waste-management-forms>

Documentation: The Property Owner must submit original recycling facility receipts and/or documentation of reuse with their Form C – Reporting Form to verify a minimum of 65% of the recyclable C&D debris generated by their Project was diverted from the landfill.

Timing: A completed Form C – Reporting Form, with required recycling facility receipts and/or documentation or reuse, must be submitted to the IWMD for approval prior to Building and Safety Division's issuance of final permit.

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

Transportation Department Conditions

30. Traffic Impact Mitigation Fee (TIMF):

The Project will create an entitlement for generating additional traffic. If the Property Owner chooses to develop the property, before the issuance of a Building Permit for new construction or a Zoning Clearance to initiate a new use, pursuant to the TIMF Ordinance, the Property Owner shall deposit with the Transportation Department a TIMF. The amount of TIMF will be based on type of development proposed by the Property Owner at the time of development.

31. Roadway Improvements:

Purpose: Road improvements shall be required when the existing road does not meet the applicable requirements of the current County Road Standard Plate.

Requirement: Road improvements are required in accordance with the County Road Standards, the Ventura County General Plan *Goals, Policies and Programs* (Section 4.2.2), Ordinance 1607 (November 10, 1964), the "Paveout Policy" (January 16, 1968), and Ventura County Code of Ordinances (Division 8, Chapter 4 – Urban Area Development).

- a. Improve Burnham Road along the parcel's frontage in accordance with Road Standard Plate B-5[A].
- b. In lieu of Section 31.a (above), road improvements on Burnham Road may be postponed until the Subdivider or future Property Owner apply for a building permit or Zoning Clearance for construction, or at such time as the County improves the road, whichever comes first. The Subdivider shall pay a pro-rata share of the road improvements along the property frontage if the County decides to improve the road. Prior to recordation of the Parcel Map, the Subdivider shall provide a written acknowledgement of this condition. A copy of the written acknowledgement shall be submitted to the Transportation Department as proof of compliance.
- c. Improve Los Encinos Road along the parcel's frontage in accordance with Road Standard Plate B-5[B].
- d. In lieu of Section 31.c (above), road improvements on Los Encinos Road may be postponed until the Subdivider applies for a building permit or a Zoning Clearance for construction, or at such time as the County improves the road, whichever comes first. The Subdivider shall pay a pro-rata share of the road improvements along the property frontage if the County decides to improve the road. Prior to recordation of the Parcel Map, the Subdivider shall provide a written acknowledgement of this condition. A copy of the written acknowledgement shall be submitted to the Transportation Department as proof of compliance.

Documentation: Submit road improvement plans, an agreement, and proof of posting the surety or written acknowledgement that the road improvements are being postponed and the Subdivider shall pay a pro-rata share of the road improvements when the County decides to improve the road.

Timing: The requirements shall be met prior to recordation of the Parcel Map and shall be transferred to future Property Owners if the lot(s) are sold.

Monitoring and Reporting: The Public Works Agency – Transportation Department will review the submittals.

Watershed Protection District (WPD) Conditions

County Stormwater Program Section

32. Compliance with Post-construction Stormwater Management Plan

Purpose: To ensure compliance with the Los Angeles Regional Water Quality Control Board NPDES Municipal Stormwater Permit No.CAS004002 (Permit), Parcel 1 may be subject to the post-construction requirements for surface water quality and stormwater runoff. In accordance with Part 4.E., “Planning and Land Development Program” of the Permit, the application for development on the parcel may be required to include performance criteria defined in Section III of the Part 4.E and the Permit and the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures July 2011 (TGM).

Requirement: Future development may be required to meet performance criteria defined in Section III of Part 4.E of the Permit and the TGM.

Documentation: Based on the impervious area to be added, created, or replaced, the Property Owner may be required to submit the following items to the Watershed Protection District-County Stormwater Section (CSP) for review and approval:

- i. A complete site plan prepared and stamped by a California licensed civil engineer or land surveyor that accurately delineates the location of the proposed development, existing and proposed impervious surfaces, storm drain system elements, general drainage pattern, and proposed site-specific Post-Construction Stormwater Management Plan (PCSMP). A drawing detail prepared and stamped by a California licensed civil engineer or architect verifying that the installation of the PCSMP will meet performance criteria defined in Section III of the Part 4.E of the Permit and the TGM.
- ii. Drainage Study or Hydrology Report prepared and stamped by a California licensed civil engineer including applicable calculations of stormwater quality design flow and volume to meet TGM requirements.

Timing: The above listed items shall be submitted to the CSP for review and approval prior to issuance of Zoning Clearance for construction for each resulting lot if determined applicable.

Monitoring and Reporting: CSP staff will review the submitted materials for consistency with the Permit and TGM. Grading and/or Building Inspectors will conduct inspections during construction to ensure that the installation is consistent with the approved plans. CSP staff will conduct final inspection to verify that post-construction stormwater

management controls were installed in compliance with PCSMP and other applicable standards, specifications, and regulations prior to approving and/or signing off for occupancy and issuing the Certificate of Occupancy for the proposed project.

33. Post-construction Stormwater Management Plan (PCSMP) Agreement and Transfer

Purpose: To ensure compliance with the Los Angeles Regional Water Quality Control Board NPDES Municipal Stormwater Permit No.CAS004002 (Permit) Part 4.E., "Planning and Land Development Program" and the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures July 2011 (TGM).

Requirement: Based on the proposed impervious area to be added, created, or replaced in the future, the Property Owner may be required to provide a Maintenance Plan and annual verification of ongoing maintenance provisions for the required Post-Construction Stormwater Management Plan (PCSMP) controls in accordance with Permit Part 4.E., "Planning and Land Development Program" and TGM.

Documentation: Based on the proposed impervious area to be added, created, or replaced in the future, the Property Owner may be required to submit the following items to the Watershed Protection District - Surface Water Quality Section (SWQS) for review and approval:

- i. Maintenance Plan (Exhibit "C" of the County's "Covenant for Maintenance of Post-Construction Stormwater Management Control System" form available at <http://onestop.vcpublicworks.org/stormwater-forms>) for proposed PCSMP shall be prepared in accordance with Section 7 and Appendix I of the TGM. The plan shall include but not limited to the following:
 - (1) the location of each device;
 - (2) the maintenance processes and procedures necessary to provide for continued operation and optimum performance;
 - (3) a timeline for all maintenance activities; and
 - (4) any technical information that may be applicable to ensure the proper functionality of this device.
- ii. Maintenance Agreement (County's "Covenant for Maintenance of Post-Construction Stormwater Management Control System" form is available at <http://onestop.vcpublicworks.org/stormwater-forms>) signed by the Property Owner including a signed statement accepting responsibility for maintenance for the PCSMP. The statement must include written verification that all PCSMP will be properly maintained. At a minimum, this statement shall include the following:
 - (1) written conditions in the sales or lease agreement, which require the Property Owner or tenant to assume responsibility for PCSMP maintenance and annual maintenance inspection;
 - (2) written text in project covenants, conditions and restrictions ("CCRs") to the Home Owners Association; or

(3) any other legally enforceable agreement or mechanism that assigns PCSMP maintenance responsibility.

iii. Completed and signed Annual Maintenance Verification Report (Exhibit “D” of the County’s “Covenant for Maintenance of Post-Construction Stormwater Management Control System” form available under the Surface Water Quality Section tab at <http://onestop.vcpublishworks.org/stormwater-forms>)

Timing: The above listed items (i and ii), if required, shall be submitted to the CSP for review and approval prior to issuance of approval for Zoning Clearance for Construction if determined applicable. In addition, the Annual Maintenance Verification Report (iii) shall be submitted to CSP annually prior to September 15th each year after signing off for occupancy and issuing the Certificate of Occupancy.

Monitoring and Reporting: CSP staff will review the submitted materials for consistency with the Permit and TGM. Maintenance Plan shall be kept on-site for periodic review by CSP staff.

34. Compliance with Stormwater Development Construction Program

Purpose: To ensure compliance with the Los Angeles Regional Water Quality Control Board NPDES Municipal Stormwater Permit No.CAS004002 (Permit) future development will be subject to the construction requirements for surface water quality and storm water runoff in accordance with Part 4.F., “Development Construction Program” of the Permit.

Requirement: Future development may be required to meet performance criteria defined in Section I of Part 4.F through the inclusion of effective Best Management Practices (BMPs) for Construction Sites during all ground disturbing activities.

Documentation: The Property Owner for development of each parcel shall submit to the Watershed Protection District- County Stormwater Program Section (CSP) for review and approval the applicable form for construction Best Management Practices (BMPs). Depending on the construction site conditions at each parcel, the submitted form shall be SW-1 form (Best Management Practices for Construction Less Than One Acre), or SW-2 form (Best Management Practices for Construction One Acre and Larger), or SW-HR form (Best Management Practices for Construction at High Risk Sites), which can be found at <http://onestop.vcpublishworks.org/stormwater-forms>.

Timing: The applicable form (SW-1, SW-2, or SW-HR) shall be submitted for each parcel to the CSP for review and approval prior to issuance of a Zoning Clearance for Construction if determined applicable.

Monitoring and Reporting: CSP will review the submitted materials for each parcel at the time of development for consistency with the NPDES Permit. Grading and/or Building Permit Inspectors will conduct inspections during construction to ensure effective

installation of the required BMPs.

Groundwater Program Section

35. Water Offset Plan

Purpose: To ensure compliance with Ojai Valley Area Plan Policy 4.2.2-1 and to mitigate potentially significant impacts to surface water and groundwater quantity to less-than significant levels.

Requirement: Water demand for the development of the two new 0.75 acre parcels will be greater than existing demand. Property Owner shall prepare a Water Offset Plan to offset the 0.85 AFY allocation required for each of the two new 0.75 acres lots for a total of 1.70 AFY. The Water Offset Plan shall retrofit existing plumbing fixtures or provide other means so as not to add any net increased demand on the existing water supply within the Upper Ventura River Groundwater Basin, preferably within the Ventura River Water District service area.

The Property Owner shall submit two copies of a water offset plan to the Planning Director for review and approval prior to the issuance of a Zoning Clearance for construction and shall fully implement the approved plan prior to issuance of a Zoning Clearance for use inauguration. The water offset plan shall include the number and type of plumbing fixtures to be retrofitted to offset the total calculated water demand required to service the permitted use within the Upper Ventura River Groundwater Basin.

The Property Owner shall submit a post-implementation water offset report documenting the number and type of fixtures retrofitted to demonstrate the offset of the calculated total water demand as detailed in the submitted water offset plan within the Upper Ventura River Groundwater Basin.

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

Timing: The Property Owner shall submit its water offset plan to the Planning Director for review and approval prior to the issuance of a Zoning Clearance for construction. Prior to the issuance of a Zoning Clearance for use inauguration, the Property Owner shall submit its post implementation water offset report.

Monitoring and Reporting: The Planning Division maintains copies of the approved water offset plan, post-implementation water offset report.

OTHER VENTURA COUNTY AGENCIES

Ventura County Fire Protection District (VCFPD) Conditions

36. Recorded Map

Purpose: To ensure compliance with all applicable codes, ordinances and project conditions.

Requirement: The Subdivider shall submit a copy of all recorded maps to the Fire Prevention Bureau.

Documentation: A recorded copy of the approved map.

Timing: The Subdivider shall submit a copy of all recorded maps to the Fire Prevention Bureau within 7 days of map recordation.

Monitoring and Reporting: A copy of the recorded map shall be kept on file with the Fire Prevention Bureau.