

## Planning Director Staff Report – Hearing on April 1, 2021

County of Ventura · Resource Management Agency · Planning Division 800 S. Victoria Avenue, Ventura, CA 93009-1740 · (805) 654-2478 · vcrma.org/divisions/planning

# MARISOL LOT 16 COASTAL PLANNED DEVELOPMENT PERMIT (PD) FOR CASE NO. PL19-0113

#### A. PROJECT INFORMATION

- **1. Request:** The Applicant requests approval of a Coastal Planned Development (PD) Permit for the construction of a new single-family dwelling.
- **2. Applicant/Property Owner:** Crown Pointe Estates at Malibu, LLC, 21800 Oxnard Street, Suite 1190, Woodland Hills, CA 91367
- **3. Applicant's Representative:** Ronald Coleman, 21800 Oxnard Street, Suite 1190, Woodland Hills, CA 91367
- **4. Decision-Making Authority:** Pursuant to the Ventura County Coastal Zoning Ordinance (CZO) (Section 8174-5 and Section 8181-3 et seq.), the Planning Director is the decision-maker for the requested Coastal PD Permit.
- 5. Project Site Size, Location, and Parcel Number: The 2-acre project site is located at 11809 Ellice Street, approximately 1,500 feet northwest of the intersection of Tonga Street and Pacific Coast Highway, in the community of Malibu in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 700-0-260-180. (Exhibit 2).

### 6. Project Site Land Use and Zoning Designations (Exhibit 2):

- a. Countywide General Plan Land Use Map Designation: Rural
- b. <u>Coastal Area Plan Land Use Map Designation</u>: Residential Rural 1DU/2AC (1 dwelling unit per 2 acres)
- c. <u>Zoning Designation</u>: CRE-2 ac/M (Coastal Rural Exclusive, 2-acre minimum lot size, Santa Monica Mountains Overlay Zone).

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

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	COS-10 ac-sdf/M (Coastal Open Space, 10-acre minimum lot size, Santa Monica Mountains Overlay Zone)	Existing Single-Family Dwelling
East	CRE-2 ac/M	Vacant, Undeveloped Land
South	CRE-2 ac/M	Vacant, Undeveloped Land
West	CR-1 ac (Coastal Rural, 1-acre minimum lot size)	Existing Single-Family Dwellings

**8. History:** The subject property was previously developed as a portion of Camp Joan Mier, a recreation center and medically supervised children's camp, approved by the Ventura County Board of Supervisors on January 6, 1959 under Special Use Permit 838. The camp operated until its Special Use Permit expired on September 21, 1999.

On August 8, 2011, the Planning Director approved Tentative Parcel Map (TPM) Case No. SD10-0020 (TPM No. 5845) and Coastal PD Permit Case No. LU10-0074, which authorized the subdivision of the 6.56-acre camp into three residential lots. On June 13, 2013, Parcel Map 5845 was recorded. The subject property is Parcel 2 of Parcel Map No. 5845. Coastal PD Permit Case No. LU10-0074 included the demolition of the buildings previously associated with the camp and on-site grading to prepare building pads for future residential development (6,900 cubic yards of cut and 26,900 cubic yards of fill were permitted under Grading Permit Case No. GP12-0030). The approval action taken by the Planning Director was contingent on the subsequent approval of an amendment to the Ventura County CZO to change the zoning designation of the subject property from CRE-5 ac (Coastal Rural Exclusive, 5-acre minimum parcel size) to CRE-2 ac. On January 24, 2012, the Board of Supervisors of Ventura County adopted Ordinance No. 4443 approving the requested zone change and a Resolution of Transmittal to the California Coastal Commission of an Amendment to the Local Coastal Program in accordance with the requirements of the California Coastal Act (Public Resources Code, Sec. 30514). On June 14, 2012, the Coastal Commission approved County of Ventura Local Coastal Program Amendment No. 1-12 certifying the requested zoning change.

**9. Project Description:** The Applicant requests approval of a Coastal PD Permit for the construction of a new single-story 11,768-square-foot (sq. ft) single-family dwelling. The building will be 20.75 feet in height. The proposed project includes the construction of a 1,040 sq. ft. outdoor swimming pool and spa, two 608 sq. ft. detached garages and a carport, exterior patio areas (total area of 3,408 square feet for covered patios), an exterior tennis and bocce ball court, and a detached

97 sq. ft. bathroom building.<sup>1</sup> The proposed project will include the installation of 40,898 square feet of new onsite landscaping.

The proposed project will be constructed within an existing graded pad and will not include areas beyond what were previously graded and cleared in accordance with Coastal PD Permit Case No. LU10-0074 and Grading Permit Case No. GP12-0030. A removal and recompaction grading permit is required to prepare the footings/foundations, retaining walls, and landscaping areas, and to achieve the desired grades for the proposed project. Earthwork (estimated volume is 376 cubic yards) will balance on site and no material import or export will occur. No additional grading beyond the regrading of the existing pad, and no vegetation removal is proposed with this project. Additionally, the proposed project avoids impacts to Environmentally Sensitive Habitat Areas (ESHA), as no ESHA occurs on the project site.

Water to the site will be provided by the Yerba Buena Water Company, and wastewater disposal will be handled by a new on-site wastewater treatment system (OWTS), which will include a 4,500-gallon septic tank and two 6-foot (in diameter) seepage pits. Access to proposed single-family dwelling will be provided by extending an existing paved private driveway to Ellice Street (Exhibit 3).

### B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

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

On August 8, 2011, the Planning Director adopted a Negative Declaration (ND) that evaluated the environmental impacts of the Tentative Parcel Map 5845 (Tentative Parcel Map Case No. SD10-0020, Coastal Planned Development Permit Case No. LU10-0074 and Zone Change Case No. ZN10-0002) to permit a subdivision (a 3-lot parcel map), grading (6,900 cubic yards of cut, and 26,900 cubic yards of fill), brush and vegetation removal (more than 0.5 acres), and the construction of accessory uses and structures for the development of the subdivision (demolition activities, water connections, storm drain facilities, driveways/accessways, and retaining walls). This project included the development of Lot 2 of Parcel Map 5845 (Case No. PL19-0113). The ND is attached as Exhibit 4.

The CEQA Guidelines [Section 15164(b)] state that the lead agency shall prepare an addendum to an adopted ND if: (1) minor changes or additions are necessary; but (2) none of the conditions described in the CEQA Guidelines (Section 15162) calling for the

Pursuant to Ventura County Building Code, Section 202, Definitions, bathrooms do not constitute habitable space. The building is subject to the Ventura County CZO limitations for detached accessory buildings.

preparation of a subsequent ND have occurred. Exhibit 4 includes a: description of the changes or additions that are necessary to the ND and a discussion of why none of the conditions described in the CEQA Guidelines exist, which require the preparation of an EIR or subsequent ND. As disclosed in the attached ND Addendum, the proposed project will not result in any of the conditions described in the CEQA Guidelines (Section 15162) requiring the preparation of a subsequent environmental document.

Therefore, based on the information provided above and in light of the whole record, there is no substantial evidence to warrant the preparation of an EIR or subsequent ND, and the addendum to the ND (Exhibit 4) reflects the County's independent judgment and analysis.

#### 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.

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

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

#### Land Use and Community Character (LU)

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

General Plan Policy LU-16.8 (Residential Design that Complements the Natural Environment): The County shall encourage discretionary development that incorporates design features that provide a harmonious relationship between adjoining uses and the natural environment.

General Plan Policy LU-16.9 (Building Orientation and Landscaping): The County shall encourage discretionary development to be oriented and landscaped to enhance natural lighting, solar access, and passive heating or cooling opportunities to maximize energy efficiency.

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

General Plan Policy LU-19.4 (Consultation with State and Federal Agencies): The County shall continue to consult with applicable state and federal regulatory agencies during project review and permitting activities.

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

Coastal Act Policy Section 30251 – Scenic and Visual Qualities: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding area and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Coastal Area Plan - South Coast Santa Monica Mountains Policy 4.4.10-F-7: New development shall be sited and designed to protect public views to and from the shoreline and public recreational areas. Where feasible, development on sloped terrain shall be set below road grade.

Coastal Area Plan - South Coast Santa Monica Mountains Policy 4.4.10-F-8: Development shall not be sited on ridgelines or hilltops when alternative sites on the parcel are available and shall not be sited on the crest of major ridgelines.

The proposed project is located between the Pacific Coast Highway, which is an eligible state scenic highway, and the edge of the Santa Monica Mountains (natural physical features that may be classified as scenic resources). Additional public viewing locations may also exist at Yerba Buena Beach, the nearest public beach. The proposed single-family dwelling includes exterior finish materials such as clapboard siding, a standing seam metal roof, and rock cladding which

may be visible from the identified public road right-of-way and public viewing locations. The proposed project is located approximately 380 feet north of Pacific Coast Highway. The existing pad of the proposed dwelling is located at an elevation of 137 feet above mean sea level (amsl). At this elevation the proposed development will not impact views from Pacific Coast highway, nor will the proposed project impact views to the Santa Monica Mountains from the public viewing locations at the beach.

The proposed dwelling would not degrade or significantly alter the existing scenic or visual qualities of the Malibu Community and will be similar in visual character (size, scale, and style) to the other residential dwellings in the surrounding area. Surrounding homes range in size approximately from 11,932 square feet to 6,555 square feet and include a variety of architectural styles and forms. Additionally, grading for the proposed project will occur on previously disturbed areas and will not alter any natural terrain or scenic resources such as hilltops or ridgelines. As stated in this staff report (above), no ESHA occurs on the project site. To further address impacts related to the construction and use of a new single-family dwelling, conditions of approval will be placed on the proposed project, which require the Applicant to submit final exterior building materials and colors and a lighting plan to the Planning Division for review and approval (Exhibit 5, Condition Nos. 22 and 24). . Exterior lighting of the proposed outdoor tennis court and bocce area will be prohibited (Exhibit 5, Condition No. 24). With the incorporation of the recommended conditions of approval, the proposed single-family dwelling will be visually compatible with the character of the surrounding area and will not significantly degrade visual resources or obscure significant public views both from and to the coast.

Based on the discussion above, the proposed project is consistent with General Plan Land Use and Community Character Policies LU-16.1, LU-16.8, LU-16.9, LU-16.10, LU-19-.4, Coastal Act Policies Sections 30250(a) and 30251, and Coastal Area Plan South Coast Santa Monica Mountains Policy 4.4.10-F-7 and 4.4.10-F-8.

#### Circulation, Transportation, and Mobility (CTM)

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

General Plan Policy CTM-1.3 (County Level of Service (LOS) Standards): The County shall maintain LOS standards for use as part of the County's

transportation planning including the traffic impact mitigation fee program, and the County's review and consideration of proposed land use legislation and discretionary development. For purposes of County transportation planning and review and consideration of proposed land use legislation and discretionary development, the County shall use the following minimum acceptable Level of Service (LOS) for road segment and intersection design standards within the Regional Road Network and all other County-maintained roadways:

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

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

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

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

The California Natural Resources Agency has adopted new CEQA Guidelines that require an analysis of vehicle miles traveled (VMT). However, the proposed project is not subject to the newly adopted requirements for analysis of VMT because the construction of one single-family dwelling is below the County's adopted threshold of significance. For consistency with Ventura County's General Plan policies, an LOS analysis was conducted.

The proposed project will connect to the existing roadway network via a private driveway to Ellice Street. PWA Transportation Division staff has reviewed the proposed project and determined approval of the proposed project will not result in the degradation of LOS for any identified roadway segments or intersections within the project area. Therefore, no contribution of pro rata share will be required for improvements to the existing public roadway system to implement the proposed project.

The proposed project will not interrupt police and fire emergency services or significantly degrade service levels within the community of Malibu. The project site is approximately 1,500 feet southeast of Ventura County Fire Department's Malibu Station No. 56, which is located at 11855 Pacific Coast Highway in Malibu.

Based on the discussion above, the proposed project is consistent with General Plan Circulation, Transportation, and Mobility Policies CTM-1.1, CTM-1.3, CTM-1.7, CTM-2.3 and CTM-2.28.

### Public Facilities, Services, and Infrastructure (PFS)

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

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

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

General Plan Policy PFS-4.3 (Onsite Wastewater Treatment System Failure Repair): The County shall require landowners to repair or replace failing septic tanks, disposal area, and package systems that constitute a threat to water quality and public health.

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

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

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

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

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

Coastal Area Plan South Coast Area Public Works Policy 4.4.7-1-3: New development in the Santa Monica Mountains should be self-sufficient with respect to sanitation and water and should not require the extension of growth inducing services. Development outside of the established "Existing Community"

area shall not directly or indirectly cause the extension of public services (roads, sewers, water, etc.) into an open space area. The County shall make the finding for each individual development requiring sanitary facilities and potable water that said private services will be able to adequately serve the development over its normal lifespan.

The proposed project includes the installation of an OWTS, comprised of a 4,500-gallon septic tank with two 6-foot (in diameter) seepage pits to accommodate 11 bedrooms for the proposed single-family dwelling. On August 9, 2019, an exploratory boring for the seepage pits was drilled by Gorian & Associates, Inc. ("Gorian"). On June 18, 2019, Gorian prepared a geotechnical report. No groundwater or evidence of historical-high groundwater was encountered in the boring, and the bottom 8 feet is situated in fractured bedrock (Topanga Formation). The proposed OWTS is setback 800 feet north from the coastline and is 700 feet south and downslope from the closest groundwater well, State Well Number (SWN) 01S20W27B01S. Historical-high groundwater is not expected to be encountered within 10 feet of the bottom of the seepage pits. The proposed project will not cause the quality of groundwater to fail to meet the groundwater quality objectives set by the Basin Plan because the OWTS accommodates the proposed site usage with subsurface conditions present to allow for percolation without affecting groundwater.

Domestic water for the proposed project will be provided by Yerba Buena Water Company. The Yerba Buena Water Company obtains water solely from groundwater wells. A Will Serve Letter from the Yerba Buena Water Company, dated October 2, 2019, reports that the proposed project will not adversely impact any users of the water system. The Water Availability Letter, WAL 15-0010, dated July 31, 2015 (revised October 26, 2015 and accepted on December 3, 2015) by the Public Works Agency describes a sufficient service availability within the Yerba Buena Water Company's system.

The proposed project will not individually or cumulatively degrade the quality of surface water causing it to exceed water quality objectives is contained in Chapter 3 of the Los Angeles Basin Plan. Land disturbance from construction will exceed one acre and the proposed impervious area is 34,848 square feet. The project site is not located within the Urban Unincorporated Area. The Applicant is proposing a water quality treatment device, a landscape bioswale. The proposed bioswale shall be constructed and maintained in accordance with the Los Angeles Regional Water Quality Control Board NPDES Municipal Stormwater Permit No. CAS004002 part 4.E. and the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures (July 2011). In accordance with Ventura Countywide Municipal Stormwater NPDES Permit CAS004002, "Development Construction Program" Subpart 4.F, the Applicant will be required to include Best Management Practices (BMP) designed to ensure compliance and implementation of an effective combination of erosion and sediment control

measures for construction activities exceeding 1 acre of disturbed area. Therefore, the proposed project will result in no significant impacts to water quality objectives or standards in the applicable MS4 Permit or any other NPDES Permits.

With respect to waste reductions practices applicable to new discretionary development, the Integrated Waste Management Division has recommended conditions of approval is that require the Applicant to provide verification that the appropriate percentage (65%) of debris generated from construction will be diverted from the landfill and will be required to demonstrate compliance with this waste diversion requirement (Exhibit 5, Condition No. 27 and 28).

Based on the discussion above, the proposed project is consistent with General Plan Public Facilities, Services, and Infrastructure Policies PFS-1.7, PFS-4.1, PFS-4.2, PFS-4.3, and PFS-5.9, Water Resource Policies WR-1.11, WR-1.12, and WR-2.2, and Coastal Area Plan Policy 4.4.7-1-3.

4. General Plan Policy PFS-6.1 (Flood Control and Drainage Facilities Required for Discretionary Development): The County shall require discretionary development to provide flood control and drainage facilities, as deemed necessary by the County Public Works Agency and Watershed Protection District. The County shall also require discretionary development to fund improvements to existing flood control facilities necessitated by or required by the development. (RDR)

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

The proposed project is situated about 1,000 feet southeast of Little Sycamore Canyon, which is a Watershed Protection District jurisdictional redline channel. The project site drains to the Pacific Ocean and would not discharge flows to Little Sycamore Canyon. The proposed project would result in an increase of impervious area within the subject property. The proposed project will be conditioned to include BMPs, requiring that runoff from the proposed project site will 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 (Exhibit 5, Condition No. 29 - 31).

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

5. General Plan Policy PFS-7.4 (Discretionary Development Utility Service Line Placement): The County shall require discretionary development to place new utility service lines underground if feasible. If undergrounding is determined

by the County to be infeasible, then new utility service lines shall be placed in parallel to existing utility rights-of-way, if they exist, or sited to minimize their visual impact.

The proposed project will be served with electricity provided by Southern California Edison which is presently underground. The project site will also be served by on-site propane.

Based on the discussion above, the proposed project is consistent with General Plan Public Facilities, Service, and Infrastructure Policy PFS-7.4

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

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

General Plan Policy PFS-12.4 (Consistent Fire Protection Standards for New Development): The County, in coordination with local water agencies and the Fire Protection District, shall require new discretionary development to comply with applicable standards for fire flows and fire protection.

According to the Ventura County Fire Protection District (VCFPD), adequate water for fire suppression is available to serve the proposed project and the proposed project will meet current VCFPD access standards and Ventura County Public Roads Standards. As stated previously, the project site is located in close proximity to an existing fire station and includes access to the existing regional roadway network. The proposed project is located within close proximity to Ventura County Fire Department's Malibu Station No. 56, located at 11855 Pacific Coast Highway, approximately 1,500 feet to the southeast of the project site. The Applicant has provided a will-serve letter for a proposed connection to the Yerba Buena Water Company. The proposed project will be subject to the VCFPD-recommended conditions of approval for the installation of fire sprinklers, applicable requirements for access to comply with the applicable standards of the Ventura County Fire Code and VCFPD ordinances (Exhibit 5, Condition Nos. 33 through 44).

Based on the discussion above, the proposed project is consistent with General Plan Public facilities, Services and Infrastructure Policies PFS-11.4, PFS-12.3, and PFS-12.4.

**Conservation and Open Space (COS)** 

7. General Plan Policy COS-1.1 (Protection of Sensitive Biological Resources): The County shall ensure that discretionary development that could potentially impact sensitive biological resources be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures that fully account for the impacted resource. When feasible, mitigation measures should adhere to the following priority: avoid impacts, minimize impacts, and compensate for impacts. If the impacts cannot be reduced to a less than significant level, findings of overriding considerations must be made by the decision-making body.

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

Coastal Act Policy Section 30231: "The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference of ground water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams."

#### Coastal Act Policy Section 30240:

- 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.

Coastal Area Plan South Coast Santa Monica Mountains Policy 4.4.10-4.1: New development, including all private and public recreational uses, shall preserve all unique native vegetation, such as Giant Coreopsis and Dudleya cymosa ssp. marcescens.

Coastal Area Plan South Coast Santa Monica Mountains Policy 4.4.10-4.3: All new upland development shall be sited and designed to avoid adverse impacts on sensitive environmental habitats.

- In cases where sensitive environmental habitats are located on a project site
  where the impacts of development are mitigated consistent with the Plan, the
  County shall assure that all habitat areas are permanently maintained in open
  space through an easement or other appropriate means.
- When such impacts of development would be unavoidable, the County shall ascertain within the specific project review period whether any public agency or non-profit organization, including the National Park Service, Coastal Conservancy, the Santa Monica Mountains Conservancy, State Department of Parks and Recreation, County Recreation Services, and Trust for Public Lands, is planning or contemplating acquisition of any portion of the subject property to preserve it in open space. The permit may not be approved if such agency or organization has been specifically authorized to acquire any portion of the property which would be affected by the proposed development, and funds for the acquisition are available or could reasonably be expected to be available within one year of the date of application for the permit. If the permit has been denied for such reasons and the property has not been acquired by such agency or organization within a reasonable time, a permit may not be denied again on the same ground.

The project site is located within the Santa Monica Mountains Overlay Zone; however, the project site is previously disturbed and will not impact biological resources or habitat. As discussed in the ND Addendum (Exhibit 4) and Section B of this staff report (above), the proposed project is related to TPM No. 5845 (Case No. SD10-0020), Coastal PD Permit Case No. LU10-0074 and Zone Change Case No. ZN10-0002 (California Coastal Commission Local Coastal Program Amendment 1-12), which included the adoption of an ND. The ND determined that the previous development and use of the property as a camp disturbed the project area. Accordingly, the ND found that biological resources were not present on the project site; biological surveys were conducted for the ND (Rincon Consultants dated 2010, Dr. Lawrence Hunt and Rachel Teirney dated 1993, and Kimberly Toal dated 2005). Impacts upon Endangered, Threatened, Rare and Locally Important Species, Wetland Habitat, Coastal Habitat, and Wildlife Migration Corridors were found to be less than significant. As such, no impacts to biological resources will occur with the proposed project, given the previous grading and development associated with the implementation of Coastal PD Permit Case No. LU10-0074. The previous development of the project site included rough grading and installation of various site improvements (development of Ellice Street, installation of private driveways, and installation of site landscaping) which prepared the project site for future residential development.

The proposed project includes a VCFPD condition of approval (Exhibit 5, Condition No. 43), which requires the submittal and approval of a fuel modification plan. Portions of the fuel modification area occur on the adjoining lot

identified as APN 700-0-260-135. Under the approval of Tract 4483 and Conditional Use Permit No. CUP4751, this portion of the fuel modification area has been previously cleared and is maintained by the underlying Marisol Homeowners Association as recorded in Instrument No. 20110214-00024632-0. Both the project site and the adjoining lot are under the same ownership. Based on review of the ISBA (Rincon Consultants, Inc., August 2017) submitted for the Coastal PD Permit Case No. PL16-0004 and the findings in the Coastal Commission Staff Report for Local Coastal Program Amendment 1-12, it has been determined that no ESHA occurs within the fuel modification area required for the proposed project (Exhibit 5, Condition No. 43)

Based on the discussion above, the proposed project is consistent with General Plan Conservation and Open Space Policies COS-1.1 and COS-1.4, Coastal Act Policy Sections 30231 and 30240, and Coastal Area Plan Policies 4.4.10-4.1 and 4.4.10-4.3.

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

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

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

Coastal Area Plan - Archaeological Resources Policy 4.1.1-2: New development shall be sited and designed to avoid adverse impacts to archaeological resources to the maximum extent feasible. If there is no feasible alternative that can eliminate all impacts to archaeological resources, then the alternative that would result in the fewest or least significant impacts to resources shall be selected. Impacts to archaeological resources that cannot be avoided through siting and design alternatives shall be mitigated. When impacts to archaeological resources cannot be avoided, mitigation shall be required and shall be designed in accordance with established federal, state and/or County standards and shall be consistent with the policies and provisions of the LCP.

**Coastal Area Plan - Archaeological Resources Policy 4.1.1-6**: Protect and preserve archaeological resources from destruction, and avoid impacts to such resources where feasible.

Coastal Area Plan - Archaeological Resources Policy 4.1.1-7: The unauthorized collection of archaeological artifacts is prohibited.

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

Coastal Area Plan - Paleontology Policy 4.1.2-2: New development shall be sited and designed to avoid adverse impacts to paleontological resources to the maximum extent feasible. If there is no feasible alternative that can eliminate all impacts to paleontological resources, then the alternative that would result in the fewest or least significant impacts to resources shall be selected. Impacts to paleontological resources that cannot be avoided through siting and design alternatives shall be mitigated. When impacts to paleontological resources cannot be avoided, mitigation shall be required that includes procedures for monitoring grading and handling fossil discoveries that may occur during development.

**Coastal Area Plan - Paleontology Policy 4.1.2-3:** Protect and preserve paleontological resources from destruction, and avoid impacts to such resources where feasible.

For projects in an area (a) or (b), the applicant will have a qualified archaeologist assess the development impacts and cultural significance of the site. As may be appropriate, the Northridge Archaeological Research Center at Cal State Northridge should be contacted for a Native American approved Monitor to observe and aide the work during excavation of auger holes, test pits, trenches or exposures (Appendix 2).

A Phase I Archaeological Resources Report (Greenwood Associates, dated 2010) was prepared in conjunction with the review of TPM 5845. The Phase I Report found that due to the previous disturbance of the site there was a low probability of adverse impacts to cultural resources. Additionally, the project site (Lot 2 of TPM 5845) was determined to be located outside of the Very Sensitive Area of the Archaeological Resources Map [Resource Management Agency Geographical Information System (RMA GIS, 2021)] with a significant portion of the ground-distributing activities having already occurred with the initial development of residential lots. Additional grading and construction will occur with the proposed project. Based on these circumstances, it is unlikely any cultural resources are located on the project site. However, in the event that archaeological resources or human remains are uncovered during construction, a standard condition of approval (Exhibit 5, Condition No. 18) included with the

recommended approval action requires the Applicant to halt work if resources are uncovered. The condition of approval also requires the Applicant to hire a qualified consultant to assess finds and make recommendations on the proper disposition of the archaeological resources subject to the Planning Director's review and approval.

The proposed project is located in an area of unknown paleontological importance (RMA GIS, 2021). According to the Geotechnical Update and Percolation Testing Report (Exhibit 6, October 7, 2019) the project site is underlain at depth by Miocene-age sedimentary bedrock (Topanga formation (Tt)), and overlain by Quaternary-age terrace deposits (Qt) and engineered compacted fill (afc). As previously mentioned, the project site was developed with a camp that has been removed. The project site was previously graded for preliminary site improvements under Coastal PD Permit Case No. LU10-0074. Therefore, it is unlikely that ground disturbing activities will encounter subsurface paleontological resources on site. Nevertheless, in the unlikely event that fossil remains are uncovered during construction, a standard condition (Exhibit 5, Condition No. 19) requires the Applicant to halt work and hire a qualified consultant to assess paleontological finds and make a recommendation on the proper disposition of the resources, for the Planning Director's review and approval.

Based on the discussion above, the proposed project is consistent with General Plan Conservation and Open Space Policy COS-4.4, Coastal Act Policy Section 30244, and Coastal Area Plan Policies 4.1.1-1, 4.1.1-2, 4.1.1-6, 4.1.1-7, 4.1.2-1, 4.1.2-2, and 4.1.2-3.

#### Hazards and Safety Element (HAZ)

9. **General Plan Policy HAZ-1.1 (Fire Prevention Design and Practices):** The County shall continue to require development to incorporate design measures that enhance fire protection in areas of high fire risk. This shall include but is not limited to incorporation of fire-resistant structural design, use of fire-resistant landscaping, and fuel modification around the perimeter of structures.

**General Plan Policy HAZ-1.2 (Defensible Space Clear Zones):** The County shall require adherence to defensible space standards, or vegetation "clear zones," for all existing and new structures in areas that are designated as Hazardous Fire Areas by the Ventura County Fire Protection District and High Fire Hazard Severity Zones by the California Department of Forestry and Fire Protection.

General Plan HAZ-1.4 (Development in High Fire Hazard Severity Zones and Hazardous Fire Areas): The County shall require the recordation of a Notice of Fire Hazard with the County Recorder for all new discretionary entitlements (including subdivisions and land use permits) within areas designated as

Hazardous Fire Areas by the Ventura County Fire Department or High Fire Hazard Severity Zones by the California Department of Forestry and Fire Protection (CAL FIRE).

Coastal Area Plan - South Coast Hazards Policy 4.4.4-1-8: A landscaping plan for fire and erosion control will be submitted for any new development located in extreme fire hazard areas as shown in the County's Hazard Appendix Fire Hazard Map. As many native plants are feasible should be used, and information on kinds and sources of these plants are available through the County.

The proposed project is in Very High Fire Hazard Severity Zone (RMA GIS, 2021). The proposed project will be required to comply with the VCFPD Fire Hazard Reduction Program (FHRP). Initial compliance with the FHRP will require vegetation be removed, thinned, and sufficiently spaced within a minimum 100-foot fuel modification zone that is designated around combustible structures (Exhibit 5, Condition No. 43).2 The Applicant has submitted a preliminary landscape plan for the proposed project which meets the requirements for fire-resistant landscaping plan. The proposed project also includes a VCFPD condition of approval (Exhibit 5, Condition No. 43), which requires the submittal and approval of a fuel modification plan prior to the issuance of building permits. A portion of the fuel modification area will be located on the adjoining lot identified as APN 700-0-260-135. approval of Tract 4483 and Conditional Use Permit No. CUP4751, this portion of the fuel modification area has been previously cleared and is maintained by the underlying Marisol Homeowners Association as recorded in Instrument No. 20110214-00024632-0. Based on review of the ISBA (Rincon Consultants, Inc., August 2017) submitted for the Coastal PD Permit Case No. PL16-0004 and the findings in the Coastal Commission Staff Report for the Local Coastal Program Amendment 1-12, it has been determined that no ESHA is located within the future fuel modification area required for the project.

According to the VCFPD, adequate water for fire suppression is available to serve the proposed project, and the proposed project will meet current VCFPD access standards and Ventura County Public Roads Standards. In addition, Fire Station No. 56 is located within one mile of the project site.

Based on the discussion above, the proposed project is consistent with General Plan Policies HAZ-1.1, HAX-1.2, and HAZ-1.4, and Coastal Area Plan Hazards Policy 4.4.4-1.8.

<sup>&</sup>lt;sup>2</sup> The Fire Hazard Reduction Program (FHRP), requires property owners included in the program to maintain their property free of fire hazards or nuisance vegetation year-round. Common requirements include 100-feet of vegetation clearance from structures and 10 feet for road access. See Ventura County Fire Code Appendix W for specific requirements of the FHRP program.

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

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

# **Coastal Act Policy Section 30253 – Minimization of Adverse Impacts:** *New development shall:*

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

Coastal Area Plan - South Coast Hazards Policy 4.4.4-2: New development shall be suited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards.

Coastal Area Plan - South Coast Hazards Policy 4.4.4-3: All new development will be evaluated for its impacts to, and from, geologic hazards (including seismic safety, landslides, expansive soils, subsidence, etc.), flood hazards, and fire hazards. Feasible mitigation measures shall be required where necessary

Pursuant to the Geotechnical Update and Percolation Testing Report (Exhibit 6) prepared for the proposed project, active or potentially active faults are not known to be present on or adjacent to the subject property. The project site is not located within the Alquist-Priolo Earthquake Fault Zone. However, the project site can be expected to experience strong ground motion from earthquakes from offshore faults or regionally active faults. The nearest active faults are the Malibu Coast and Anacapa-Dume faults located approximately 2.4 and 4.6 miles south of the project site, respectively. Implementation of the structural design requirements of the California Building Code (CBC) will address risks associated with earthquake hazards. The project site is located within an identified area of liquefaction hazard (RMA GIS, 2021). The geotechnical report found a low risk of landslide and medium risk associated with soil expansiveness.

Standard recommendations for conventional slab-on-grade foundation design will be implemented for the proposed development. The geotechnical report recommends an increased interior and exterior footing embedment. The expanded footing embedment should address the potential for foundation distress due to the present potential for expansive soil movement.

Based on the discussion above, the proposed project is consistent with General Plan Policies HAZ-4.1 and HAZ-4.3, Coastal Act Policy Section 30253, and Costal Area Plan Policies 4.4.4-2 and 4.4.4-3.

- **11.General Plan Policy HAZ-9.2 (Noise Compatibility Standards):** The County shall review discretionary development for noise compatibility with surrounding uses. The County shall determine noise based on the following standards:
  - 1. New noise sensitive uses proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed CNEL 60 or Leq1H of 65 dB(A) during any hour.
  - 2. New noise sensitive uses proposed to be located near railroads shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed L10 of 60 dB(A)
  - 3. New noise sensitive uses proposed to be located near airports:
    - a. Shall be prohibited if they are in a Community Noise Equivalent Level (CNEL) 65 dB or greater, noise contour; or
    - b. Shall be permitted in the Community Noise Equivalent Level (CNEL) 60 dB to CNEL 65 dB noise contour area only if means will be taken to ensure interior noise levels of CNEL 45 dB or less.
  - 4. New noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:
    - a. Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.;
    - b. Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.; and
    - c. Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.

5. Construction noise and vibration shall be evaluated and, if necessary, mitigated in accordance with the Construction Noise Threshold Criteria and Control Plan (Advanced Engineering Acoustics, November 2005).

General Plan Policy HAZ-9.5 (Site and Building Design): The County shall require discretionary development and County-initiated projects to comply with adopted noise standards through proper site and building design features, such as building location and orientation, setbacks, natural barriers and vegetation, and building construction. The County shall only consider sound walls if noise mitigation measures have been evaluated or integrated into the project and found infeasible.

The project site is located 380 feet north of Pacific Coast Highway. The proposed project site is located outside of the CNEL 60 dB(A) noise contour for Pacific Coast Highway (RMA GIS, 2021). In addition, the project site is not located near any railroads or airports (which are more than 10 miles away from the project site). Therefore, the proposed project will not be subject to unacceptable levels of noise from these noise generators.

The residential use of the property is not considered a noise-generating land use that will adversely affect any nearby noise sensitive uses (e.g. existing surrounding residences). However, the proposed project will involve noise-generating construction activities that may adversely affect surrounding residential uses. Therefore, pursuant to the requirements of the Ventura County Construction Noise Threshold Criteria and Control Plan, the proposed project will be subject to a condition of approval to limit noise-generating activities to the days and times when construction is least likely to adversely affect surrounding residential uses (Exhibit 5, Condition No. 20).

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

#### Water Resources (WR)

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

General Plan Policy WR-3.3 (Low-Impact Development): The County shall require discretionary development to incorporate low impact development design

features and best management practices, including integration of stormwater capture facilities, consistent with County's Stormwater Permit.

With regard to low impact development requirements, the proposed project includes the installation of new on-site landscaping. The proposed project is subject to a condition of approval that requires implementation of landscaping requirements, which will address formal evaluation of planting palette and low water usage requirements (Exhibit 5, Condition No. 21). The Applicant will be required to submit a final landscape plan that is in compliance with the California Department of Water Resources Model Water Efficient Landscape Ordinance to demonstrate that the proposed landscaping and irrigation system meets water efficiency standards.

Based on the discussion above, the proposed project is consistent with General Plan Policies WR-3.2 and WR-3.3.

#### D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the Ventura County Ventura County CZO (Section 8174-4), the proposed use is allowed in the CRE-2 ac/M zone district with the granting of a PD Permit. Upon the granting of the Coastal PD Permit, the proposed project will comply with this requirement. The proposed project includes the construction of a free standing bathroom adjacent to the tennis and bocce court. Pursuant to Ventura County Building Code, Section 202, Definitions, bathrooms do not constitute habitable space; accordingly, expansion of this detached accessory building is subject to the limitations on freestanding accessory buildings and is precluded from future use or expansion as a habitable building in accordance with the Ventura County CZO.

The proposed project includes the construction and use of buildings that are subject to the development standards of the Ventura County Ventura County CZO (Section 8175-2). Table 1 lists the applicable development standards and a description of whether the proposed project complies with the development standards.

**Table 1 – Development Standards Consistency Analysis** 

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	2 acres	Yes, the subject property is 2-acres.
Maximum Percentage of Building Coverage	25%	Yes, the proposed lot coverage is 15.%.
Front Setback	20 feet	Yes, the proposed front setback is 65.56 feet.
Side Setback	10 feet	Yes, the side setbacks

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
		are 41 feet and 10 feet.
Rear Setback	15 feet	Yes, the rear yard setback is 21 feet.
Maximum Building Height	25 feet	Yes, the proposed building height is 20.75 feet.

The proposed project is subject to the special use standards of the Ventura County CZO (Section 8175-5.17 et seq.). The following list includes all the applicable grading and brush removal standards, along with Planning Division staff's analysis of the proposed project's consistency with each of the standards.

1. **Ventura County CZO Section 8175-5.17.1:** Grading plans shall minimize cut and fill operations. If it is determined that a project is feasible with less alteration of the natural terrain than is proposed, that project shall be denied.

As discussed above in Section A.8 (History) of the staff report (above), on August 8, 2011, on-site grading and pad preparation were approved for the construction of future residential development under Coastal PD Permit Case No. LU10-0074 and Grading Permit Case No. GP12-0030. The proposed project involves the regrading of the disturbed areas of the subject lot through a removal and recompaction grading permit. The proposed project involves removal and recompaction of approximately 376 cubic yards of existing fill material to prepare the footings/foundations, retaining walls, and landscaping areas. Earthwork quantities will balance on site. No vegetation remains on the subject property.

Based on the discussion above, the proposed project is consistent with Ventura County CZO Section 8175-5.17.1.

2. **Ventura County CZO Section 8175-5.17.2:** All development shall be designed to minimize impacts and alterations of physical features and processes of the site (i.e., geological, soils, hydrological, water percolation and runoff) to the maximum extent feasible. The clearing of land (grading and brush removal) is prohibited during the winter rainy season (November 15th – April 15th).

**Ventura County CZO Section 8175-5.17.3:** For permitted grading operations on hillsides, the smallest practical area of land shall be exposed at any one-time during development, and the length of exposure shall be kept to the shortest practicable amount of time. All measures for removing sediments and stabilizing slopes shall be in place prior to or concurrent with any on-site grading activities.

As discussed in this staff report (above), on-site improvements and grading and pad preparation for the construction of future residential development for Parcel

Map 5845 was approved under Coastal PD Permit Case No. LU10-0074 and Grading Permit GP12-0030. Improvements included frontage landscaping, driveways, and drainage infrastructure. The proposed project is located in areas that have been previously graded and cleared pursuant to Coastal PD Permit Case No. LU10-0074 and Grading Permit GP12-0030. As described above, the proposed project involves regrading of the previously disturbed areas through removal and recompaction of existing fill material (Estimated Earthwork Quantity is 376 cubic yards). The proposed project will be subject to grading permit requirements under Ventura County Building Code Appendix J and will be prohibited from any ground disturbance activities (grading and brush removal) during the winter rainy season (November 15th – April 15th) (Exhibit 5, Condition No. 23).

Based on the discussion above, the proposed project is consistent with Ventura County CZO Sections 8175-5.17.2 and 8175-5.17.3.

3. Ventura County CZO Section 8175-5.17.4: Where appropriate, sediment basins (e.g., debris basins, desilting basins, or silt traps) shall be installed on the project site prior to or concurrent with the initial grading operations and maintained by the applicant through the development process to remove sediment from runoff waters. All sediment shall be retained on-site unless removed to an appropriate approved dumping location.

As discussed above in Section C of this staff report (above), land disturbance from construction will exceed one acre and the proposed impervious area is 34,848 square feet. The Applicant will prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) and a Post-Construction Stormwater Management Plan (PCSMP) (Exhibit 5, Condition Nos. 29 through 31). These requirements will ensure the proposed project will incorporate stormwater treatment controls and water quality protection provisions during the construction and post-construction phases of the project. In accordance with these requirements, debris and sedimentation will be retained on-site. In addition, the proposed project will be subject to conditions of approval ensuring compliance with the Ventura Countywide NPDES MS4 Permit No. CAS004002, where the Applicant will be required to include BMPs designed to ensure compliance and implementation of an effective combination of erosion and sediment control (Exhibit 5, Condition Nos. 29 through 31).

Based on the discussion above, the proposed project is consistent with Ventura County CZO Section 8175-5-.17.4.

4. **Ventura County CZO Section 8175-5.17.5**: Where construction will extend into the rainy season, temporary vegetation, seeding, mulching, or other suitable stabilization methods shall be used to protect soils subject to erosion. The appropriate methods shall be prepared by a licensed landscape architect and approved by the County.

**Ventura County CZO Section 8175-5.17.6:** Cut and fill slopes shall be stabilized at the completion of final grading. To the greatest extent feasible, planting shall be of native grasses and shrubs or appropriate non-native plants, using accepted planting procedures. Such planting shall be adequate to provide 90 percent coverage within 90 days, and shall be repeated if necessary, to provide such coverage. This requirement shall apply to all disturbed soils.

the proposed project will be subject to conditions of approval ensuring compliance with the Ventura Countywide NPDES MS4 Permit Nos. CAS004002 and CAS000002 and the SWPPP requirements (Exhibit 5, Condition Nos. 29 through 31). The grading associated with the proposed project will not extend into the rainy season pursuant to Condition of Approval No. 23 (Exhibit 5). The Applicant will be required to construct appropriate site stabilization before construction commences and install permanent landscaping simultaneously with the completion of final grading.

Based on the discussion above, the proposed project is consistent with Ventura County CZO Sections 8175-5.17.5 and 8175-5.17.6.

5. Ventura County CZO Section 8175-5.17.7: Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Where feasible and appropriate, water runoff shall be retained on-site to facilitate groundwater recharge, unless to do so would require significant grading or brush removal not otherwise necessary, and the cumulative impacts of such on-site retention would be greater than the cumulative impacts of not facilitating recharge, within the same drainage area.

As discussed in Section C of this staff report (above), the proposed project is subject to conditions of approval ensuring compliance with the NPDES MS4 Permit No. CAS004002 and CAS000002 (Exhibit 5, Condition Nos. 29 through 31) and compliance with the provisions for grading under Ventura County Building Code Appendix J (Exhibit 5, Condition No. 26). The proposed project will introduce new impervious surfaces; however. a drainage system will be installed that will channel the flow of surface water captured on-site to the storm drain system under Pacific Coast Highway, downslope from the site. The proposed project will not significantly impact ground water recharge with the Malibu area.

Based on the discussion above, the proposed project is consistent with Ventura County CZO Section 8175-5.17.7.

6. Ventura County CZO Section 8175-5.17.8: In addition to any other requirement of this Article, hillside (defined as land with slopes over 20 percent) grading and brush clearance shall be regulated to maintain the biological productivity of

coastal waters, protect environmentally sensitive areas and park and recreation areas, and minimize the alteration of natural landforms.

**Ventura County CZO Section 8175-5.17.9:** A discretionary permit is required for all substantial hillside grading (over 50 cu. Yds. Of cut or fill) or brush clearance (greater than one-half acre), including that related to agricultural activities. The application for the permit shall contain an erosion control plan. Such plan shall be prepared by a licensed engineer qualified in soil mechanics and hydrology, and approved by appropriate County agencies, to ensure compliance with the Coastal Plan and all other County ordinances.

As discussed above, the proposed project involves regrading of the previously disturbed building envelope through removal and recompaction of existing fill material (Estimated Earthwork Quantity is 376 cubic yards). No earthwork or brush clearance will occur within a hillside area (defined as land with slopes over 20 percent). The proposed are project located in areas that have been previously graded and cleared pursuant to Coastal PD Permit Case No. LU10-0074 and Grading Permit GP12-0030. As discussed in Section C of this staff report (above), the proposed project would be required to implement BMPs during construction and for the life of the project to control runoff (Exhibit 5, Condition Nos. 29 through 31).

Based on the discussion above, the proposed project is consistent with Ventura County CZO Sections 8175-5.17.8 and 8175-5.17.9.

7. Ventura County CZO Section 8175-5.17.10: Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants such as chemical, fuels, lubricants, raw sewage, and other harmful waste shall not be discharged into or alongside coastal streams or wetlands either during or after construction.

**Ventura County CZO Section 8175-5.17.11:** The Ventura County Resource Conservation District and the State Department of Fish and Game shall be consulted for grading of hillsides and brush clearance in excess of one-half acre. In all cases, best accepted management practices shall be used.

The grading of the project site was authorized by Grading Permit Grading Permit GP12-0030. The Applicant will be required to prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) and a Post-Construction Stormwater Management Plan (PCSMP) (Exhibit 5, Conditions Nos. 29 through 31). These documents will ensure the proposed project will incorporate BMPs during the construction and post-construction (occupancy) phases of the project (Exhibit 5, Conditions Nos. 29 through 31). BMPs for site drainage and stormwater quality will be employed, and no impacts to ground water quality, nearby streams, or wetlands will result from implementation of the proposed project. As discussed in Section C of this staff report (above), an ND Addendum was prepared for the

proposed project, and no impacts to biological resources will result from the proposed project. The proposed project will include 376 cubic yards of regrading; however, none of the proposed development occurs within hillside areas. No vegetation removal is proposed.

Based on the discussion above, the proposed project is consistent with Ventura County CZO Section 8175-5.17.10 and 8175-5.17.11.

The proposed project is located within the Santa Monica Mountains Overlay Zone, and, therefore, is subject to the standards of the Ventura County CZO (Section 8177-4 et seq.). The following list includes all of the applicable Santa Monica Mountains Overlay Zone standards, along with Planning Division staff's analysis of the proposed project's compliance with each of the standards.

8. Ventura County CZO Section 8177-4.1.1: New development, including all private and public recreational uses, shall preserve all unique vegetation such as Coreopsis gigantea (giant corepsis) and Dudleya cymosa ssp. marcescens (marcescent dudleya).

The proposed project will be constructed within an existing graded pad and does not include areas beyond what were previously graded and cleared in accordance with Coastal PD Permit Case No. LU10-0074 and Grading Permit Case No. GP12-0030, issued for pad preparation. The proposed project involves removal and recompaction of approximately 376 cubic yards of existing fill material to prepare the footings/foundations, retaining walls, landscaping areas. Earthwork quantities will be balanced on site. No vegetation remains on the subject property. Additionally, the proposed project avoids impacts to ESHA, as no ESHA occurs on the project site.

Based on the discussion above, the proposed project is consistent with Ventura County CZO Section 8177-4.1.1.

- Ventura County CZO Section 8177-4.1.2: All new development shall be sited and designed to avoid adverse impacts on environmentally sensitive habitat areas.
  - a. In cases where environmentally sensitive habitat areas are located on a project site where the impacts of development are mitigated consistent with the LCP Land Use Plan, the County shall assure that all habitat areas are permanently maintained in open space through a recorded easement or deed restriction.
  - b. When such impacts of development would be unavoidable, the County shall ascertain within the specified project review period whether any public agency or nonprofit organization, including the National Park Service, Coastal Conservancy, the Santa Monica Mountains Conservancy, State

Department of Parks and Recreation, County Property Administration Agency, and Trust for Public Lands, is planning or contemplating acquisition of any portion of the subject property to preserve it in open space. The permit may not be approved if such agency or organization has been specifically authorized to acquire any portion of the property that would be affected by the proposed development and funds for the acquisition are available or could reasonably be expected to be available within one year of the date of application for the permit. If the permit is denied for such reasons and the property has not been acquired by such agency or organization within a reasonable time, a permit may not be denied again for the same reason.

The proposed project avoids impacts to ESHA, as no ESHA occurs on the project site. As disclosed in this staff report (above), the proposed project includes a VCFPD-recommended condition of approval (that requires a fuel modification plan (Exhibit 5, Condition No. 43). Based on review of the ISBA (Rincon Consultants, Inc., August 2017) submitted for the Coastal Planned Development Permit Case No. PL16-0004 and the findings in the Coastal Commission Staff Report for Local Coastal Program Amendment 1-12, it was determined that no ESHA occurs within the fuel modification zone required for the proposed project. This portion of the fuel modification contains no ESHA and has been previously cleared and is maintained by the underlying Marisol Homeowners Association as recorded in Instrument No. 20110214-00024632-0. Therefore, the proposed project would have no impact on ESHA.

Based on the discussion above, the proposed project will comply with Ventura County CZO Section 8177-4.1.2.

10. Ventura County CZO Section 8177-4.1.3: Construction and/or improvements of driveways or accessways that would increase access to any property shall be permitted only when it has been determined that environmental resources in the area will not be adversely impacted by the increased access. Grading cuts shall be minimized by combining the accessways of adjacent property owners to a single road where possible. The intent is to reduce the number of direct ingressegress points from public roads and to reduce grading. At stream crossings, driveway access for nearby residences shall be combined. Hillside roads and driveways shall be as narrow as is feasible and shall follow natural contours.

All roads leading to the project site, such as Ellice Street and Yerba Buena Road, are existing improved public roads that meet minimum VCFPD access standards. Access to the site will be provided by an existing 20-foot-wide, 120-foot-long brick paved driveway extending from Ellice Street. The proposed project has been sited in an area that has been previously graded and cleared of native vegetation. The proposed project will not add any additional ingress and egress points to adjacent lots.

Based on the discussion above, the proposed project will comply with Ventura County CZO Section 8177-4.1.3.

- 11. Ventura County CZO Section 8177-4.1.4: All proposal for land divisions in the Santa Monica Mountains shall be evaluated to assure that any future development will be consistent with the development policies contained in the LCP Land Use Plan. Where potential development cannot occur consistent with the LCP, the request for division shall be denied. Environmental assessments shall accompany tentative map applications and shall evaluate the ecological resources within and adjacent to the site and the consistency of the proposed division and development with the standards of the LCP. In addition, the following shall apply:
  - a. Future building envelopes shall be identified on all applications and on the final subdivision map.
  - b. All identified environmentally sensitive habitat areas and/or slopes over 30 percent shall be permanently maintained in their natural state through an easement or deed restriction that shall be recorded on the final map, or on a grant deed as a deed restriction submitted with the final map. Development shall not be permitted in areas over 30 percent slope.
  - c. All offers of dedication for trail easements shall be recorded on the final map. Trail easements established by deed restriction shall be recorded on the deed no later than final map recordation.

The proposed project does not involve a subdivision. Therefore, Ventura County CZO Section 8177-4.1.4 does not apply to the proposed project.

12. **Ventura County CZO Section 8177-4.1.5:** New development shall be sited and designed to protect public views to and from the shoreline and public recreational areas. Where feasible, development on sloped terrain shall be set below road grade.

As discussed in Section C of this staff report (above), the project site will not alter scenic views from nearby public viewing locations. The proposed project will not be visible from Pacific Coast Highway. Public views of the proposed project would not be visible from adjacent public viewing locations at Yerba Buena Beach. The proposed single-family dwelling will be sited in such a way that it will not be silhouetted when viewed from public recreational areas. In addition, the proposed project will be subject to a condition of approval to require all structures to be painted with earth tone colors and non-reflective paints to ensure compatibility with the surrounding terrain (Exhibit 5, Condition No. 22). The Applicant will be required to submit a material/color board to the Planning Division for review and approval to ensure that the proposed development blends in with the natural environment of the Santa Monica Mountains.

Based on the discussion above, the proposed project will comply with Ventura County CZO Section 8177-4.1.5.

13. **Ventura County CZO Section 8177-4.1.6**: Development shall not be sited on ridgelines or hilltops when alternative sites on the parcel are available and shall not be sited on the crest of major ridgelines.

The proposed single-family dwelling, swimming pool, tennis and bocce court will not be sited along a ridgeline or the crest of a major ridgeline.

Based on the discussion above, the proposed project will comply with Ventura County CZO Section 8177-4.1.6.

14. Ventura County CZO Section 8177-4.1.7: Except within the existing South Coast community, as shown on the South Coast subarea Land Use Plan map, all development proposals located within 1,000 feet of publicly owned park lands shall be sited and designed to mitigate potential adverse visual impacts upon park lands. Appropriate mitigation measures include additional landscaping, use of natural materials, low building profiles, earth tone colors, and the like. Development shall not be sited within 500 feet of a park boundary unless no alternative siting on the property is possible consistent with the policies of the Plan.

The project site is not located within 1,000 feet of publicly owned park lands. To ensure that the proposed development blends in with the natural environment of the Santa Monica Mountains, the proposed project will be conditioned to require all development be painted with earth tone colors and non-reflective paints (Exhibit 5, Condition No. 22). The Applicant will be required to submit a material/color board to the Planning Division for review and approval to ensure that the proposed development blends in with the natural environment of the Santa Monica Mountains.

Based on the discussion above, the proposed project will comply with Ventura County CZO Section 8177-4.1.7.

15. Ventura County CZO Section 8177-4.1.8: Development shall neither preclude continued use of, nor preempt, the option of establishing inland recreational trails along routes depicted on the LCP Land Use Plan maps. A recorded offer of dedication or a deed restriction creating a trail easement shall be required as a condition of approval on property crossed by trails shown on the LCP Land Use Plan maps.

**Ventura County CZO Section 8177-4.1.9:** All new trail corridors shall be a minimum of 25 feet in width, with a larger corridor width for major feeder trails. The routing of trails shall be flexible in order to maintain an adequate buffer from

adjacent development. Where feasible, development shall be sited sufficiently distant from the trail so as not to interfere with the trail route.

The proposed project site is not located on any trail route, and it would not preclude the continued use of any inland recreational trail as depicted in the Ventura County Coastal Area Plan (Figure 4.1-7, California Coastal Trail, South Coast, 2017).

Based on the discussion above, the proposed project will comply with Ventura County CZO Sections 8177-4.1.8 and 8177-4.1.9.

16. Ventura County CZO Section 8177-4.1.10: Before a permit for development of any lot is approved, the suitability of that lot for public recreational use shall be evaluated within the specified project review period by the County in consultation with the State Department of Parks and Recreation and the National Park Service. If the County determines that the property may be suitable for such use, the County shall ascertain whether any public agency or nonprofit organization is planning or contemplating acquisition of any part of the subject property, or whether such agencies are specifically authorized to acquire any portion of the property that would be affected by the proposed development, or whether funds for the acquisition are available or could reasonably be expected to be available within one year from the date of application for permit. If a permit has been denied for such reasons and the property has not been acquired by such agency or organization within a reasonable time, a permit may not be denied again for the same reasons.

The proposed project involves the subsequent development of a previously graded and subdivided lot, authorized under Case No. LU10-0074 and Grading Permit Case No. GP12-0030. On May 5, 2011, the Planning Division notified the National Parks Service, Santa Monica Mountains Conservancy, and California State Parks. At that time, the project site was not required to develop any portion of the project site for public recreation purposes. On March 17, 2021, these agencies were subsequently notified. As of the date of this staff report, the Planning Division has not received any comments.

Based on the discussion above, the proposed project will comply with Ventura County CZO Section 8177-4.1.10.

- 17. **Ventura County CZO Section 8177-4.1.11:** Any areas within the Santa Monica Mountains used for private recreational purposes shall continue to be so used unless it becomes unfeasible to do so. These properties are subject to the following:
  - a. The only principally-permitted uses (not appealable to the Coastal Commission) on such properties are recreational uses, Planned Development Permits for new recreational uses, or the expansion of

existing recreational uses, may be issued by the Planning Director in accordance with Article 11. Permits for all other uses shall be decided upon in accordance with Articles 4 and 11, and all other applicable provisions of this Chapter and the certified LCP Land Use Plan.

b. Prior to the granting of a permit that allows a conversion of recreational uses to non-recreation uses, Section 8177-4.1.10 shall be followed.

The subject property has not been, and is not currently, subject to private recreational use.

Based on the discussion above, the proposed project will comply with Ventura County CZO Section 8177-4.1.11.

#### E. COASTAL PD PERMIT FINDINGS AND SUPPORTING EVIDENCE

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

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

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

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

The project site is located within the western portion of the Santa Monica Mountains, has a General Plan land use designation of Rural, and is zoned Coastal Rural Exclusive. The surrounding area consists primarily of residential uses to the north and west and open space to the south and east. Lots to north and west are developed with single-family dwellings. Lots to the south and east are undeveloped.

The neighborhood contains a mix of single- and multi-family residential dwellings, one- and two-story buildings, with architectural styles, including contemporary, Spanish, and California bungalow. The architectural style of the proposed residence is contemporary, which will be compatible with the size, scale, and style of the existing surrounding development. As discussed in Section A of this staff report (above), the proposed project consists of a single-family dwelling with a detached garage and carport, swimming pool, spa, and tennis and bocce ball court, and detached bathroom building. The proposed project does not create

any land use conflicts with surrounding residential development, generate new traffic beyond that associated with a single-family dwelling, or introduce physical development that is incompatible with the surrounding pattern of development. The proposed detached bathroom is precluded from future expansion as habitable space under the Ventura County CZO Section 8175-3.5. The Ventura County CZO and Ventura County Building Code Section 202 exclude such structures from the definition of habitable (livable) space.

The project site is in the Santa Monica Mountains Overlay Zone. The purpose of this overlay is to protect habitats for several unique, rare, or endangered plant and animal species and to provide protective measures. As discussed in Sections C of this staff report (above), the proposed project is entirely located outside of ESHA and will not result in any impacts to ESHA.

To ensure the proposed single-family residence is compatible with the natural environment of the Santa Monica Mountains, the Applicant will be required to submit to the Planning Division for review and approval, plans and materials/color board for all new development prior to the issuance of a Zoning Clearance for construction of the proposed project (Exhibit 5, Condition No. 22). The building specifications shall utilize natural materials and be painted in earth tones to blend in with the environment and character of the community.

Furthermore, as discussed in Section C of this staff report (above), with the adoption of the recommended condition of approval to limit the days and times of noise-generating construction activities, the proposed project will not generate noise that is incompatible with surrounding residential uses (Exhibit 5, Condition No. 20). Therefore, the proposed project will be consistent with the character of the surrounding development.

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

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

The proposed project consists of a request for approval of a Coastal PD Permit to construct a new single-family dwelling. The proposed use is not a conditionally permitted use; and, therefore, the requirement of this finding does not apply to the proposed project.

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

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

The proposed project would not be obnoxious or harmful or impair the utility of neighboring property or uses. Water for the proposed project will be provided by Yerba Buena Water Company via a new utility connection. A new OWTS will be constructed to serve the single-family dwelling in compliance with local, State, and Federal Standards. The surrounding public road network is adequate to continue serving the project site. Due to the project's location in a very high fire hazard area, the proposed project will be subject to VCFPD-recommended conditions of approval to ensure that the proposed dwellings contain sprinklers, the Applicant implements and maintains adequate brush clearance around structures, and adequate access is provided on site (Exhibit 5, Condition Nos. 33 through 44).

Furthermore, as discussed in Section D of this staff report (above), the proposed project will comply with the maximum building height, minimum building setback, and maximum building coverage standards of the Coastal Rural Exclusive zone. The proposed project will be subject to a condition of approval to limit the days and hours of noise-generating construction activities in order to ensure that construction-generated noise does not significantly affect occupants of the nearest single-family residence, which is located 150 feet south of the project site (Exhibit 5, Condition No. 20). Therefore, the proposed project will not be obnoxious or harmful, or impair the utility of neighboring properties or uses.

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

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

As discussed in Section C of this staff report (above), water for the proposed project will be provided by the Yerba Buena Water Company. The proposed project includes the installation and use of an OWTS that will comply with all applicable County, State, and Federal regulations. The proposed project will be subject to conditions of approval to ensure that it complies with the VCFPD's and state requirements for residential development located within high fire hazard areas (Exhibit 5, Condition Nos. 33 through 44). The surrounding public road network is adequate to serve the residential use of the property. While the project will generate additional traffic on the County Regional Road Network and local public roads, the low volume of traffic that would be generated by the project does not have the potential to alter the LOS of the roadways that will be used by the proposed project. Adequate public resources and infrastructure exist to serve the residential use of the subject property. Additionally, the proposed project will not interfere with, or significantly affect, public use of recreational and open space resources within the Santa Monica Mountains National Recreation Area. Therefore, the proposed project will not be detrimental to the public interest, health, safety, convenience, or welfare.

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

6. Private services for each individual development requiring potable water will be able to serve the development adequately over its normal lifespan.

Water for the proposed dwelling will be provided by Yerba Buena Water Company in accordance with a Will-Serve Letter dated October 2, 2019 certifying that the proposed utility connection will not adversely impact any other current users of Yerba Buena Water Company's water system. A Water Availability Letter, WAL15-0010, dated July 31, 2015 (revised October 26, 2015 and accepted on December 3, 2015) by the Public Works Agency demonstrates that a sufficient water supply is available to the proposed project for the life of the project.

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

7. When a water well is necessary to serve the development, the applicant shall be required to do a test well and provide data relative to depth of water, geologic structure, production capacities, degree of drawdown, etc. The data produced from test wells shall be aggregated to identify cumulative impacts on riparian areas or other coastal resources. When sufficient cumulative data is available to make accurate findings, the County must find that there is no evidence that proposed wells will either individually or cumulatively cause significant adverse impacts on the above mentioned coastal resources.

As discussed in the staff report (above), water for the project site will be provided by the Yerba Buena Water Company. A permanent supply of water is available for the proposed project. The proposed project does not include a request for a groundwater well, therefore, the requirement of this finding does not apply to the proposed project.

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

All need for sewage disposal over the life span of the development will be satisfied by existing sewer service to the immediate area or by location of septic facilities on-site consistent with other applicable provisions of the LCP.

As discussed in Section A of this staff report above, the proposed project includes a new OWTS for wastewater disposal services. A geotechnical report prepared by Gorian and Associates Inc., dated October 2019 (Exhibit 6), indicates the project site is suitable for a conventional septic system consisting of one septic tank with a minimum capacity of 4,500 gallons and two seepage pits. EHD reviewed the proposed project and found that septic feasibility has been demonstrated and that the proposed OWTS would be sufficient to service the sewage disposal demand of the proposed single-family dwelling, and will comply

with Ventura County Building Code requirements, EHD guidelines, and State policies that apply to the OWTS. Public sewer service is not available for the proposed project as it is located over six miles from the proposed project.

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

Development outside of the established "Community" area shall not directly or indirectly cause the extension of public services (roads, sewers, water etc.) into an open space area.

The proposed project is located within an area that is subject to the Rural General Plan and Coastal Area Plan land use designations and not in an established "Community" area. As discussed in this staff report (above), Yerba Buena Water Company will provide water, and an OWTS will provide sewage disposal for the proposed residential use of the subject property. The property will be served with electricity by Southern California Edison and does not involve the construction of new or expansion of existing, public roads, or other public facilities or infrastructure (e.g., fire prevention or law enforcement facilities).

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

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

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), CZO (Section 8181-6.2 et seq.). On March 17, 2021 the Planning Division mailed notice to owners of property within 300 feet and residents within 100 feet of the property on which the project site is located. On March 22, 2021, the Planning Division placed a legal ad in the Ventura County Star. As of the date of this document, no comments have been received.

#### G. RECOMMENDED ACTIONS

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

- CERTIFY that the Planning Director has reviewed and considered this staff report and all exhibits thereto, including the ND and proposed Addendum to the ND (Exhibit 4), and has considered all comments received during the public comment process;
- 2. **FIND** that none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent ND have occurred;
- 3. **ADOPT** the Addendum to the ND (Exhibit 4);

(Exhibit 4), and has considered all comments received during the public comment process;

- 2. **FIND** that none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent ND have occurred;
- 3. ADOPT the Addendum to the ND (Exhibit 4);
- 4. **MAKE** the required findings to grant a Coastal PD Permit pursuant to Section 8181-3.5 of the Ventura County CZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
- GRANT Coastal PD Permit Case No. PL19-0113, 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 permit has been approved, conditionally approved, or denied (or on the following workday if the 10<sup>th</sup> 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 John Oquendo at (805) 654-3855 or John.Oquendo@ventura.org.

Prepared by:

John Quendo, Case Planner Residential Permit Section

Ventura County Planning Division

Reviewed by:

Jennifer Welch, Manager Residential Permit Section

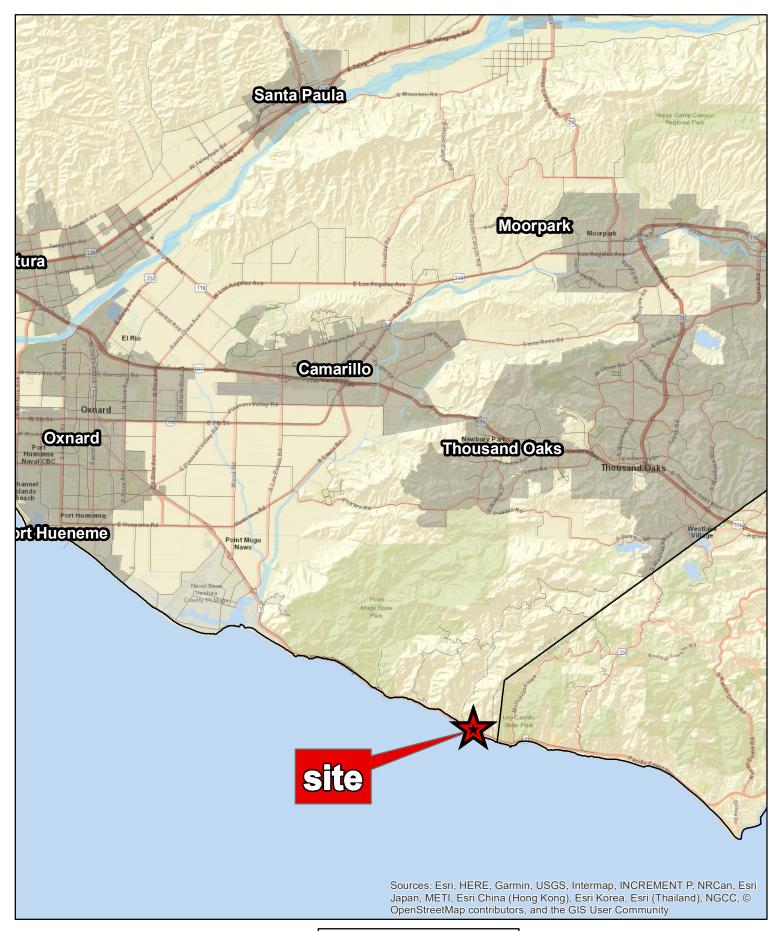
Ventura County Planning Division

#### **EXHIBITS**

Exhibit 2 Maps Exhibit 3 Plans

Exhibit 4 Addendum to a ND and ND Exhibit 5 Draft Conditions of Approval

Exhibit 6 Geotechnical Update and Percolation Testing Report (October 7, 2019)

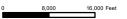




Ventura County, California Resource Management Agency GIS Development & Mapping Services Map created on 08-18-2020



County of Ventura
Planning Director Hearing
Case No. PL19-0113
Exhibit 2 - Maps



Disclaimer: This Map was created by the Ventura County Resourc 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 twarrant the accuracy of this mapsard no decision involving a risk of economic loss or physical injury should be made in relatione thereon.











County of Ventura
Planning Director Hearing
PL19-0113

**Aerial Photography** 







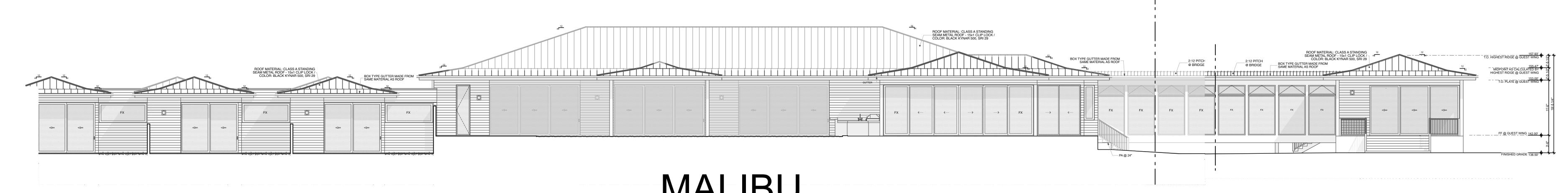
Ventura County, California Resource Management Agency 5 Development & Mapping Servic Map Created on 08-18-2020 This aerial imagery is under the copyrights of Pictometry Source: Pictometry, DEC 2019



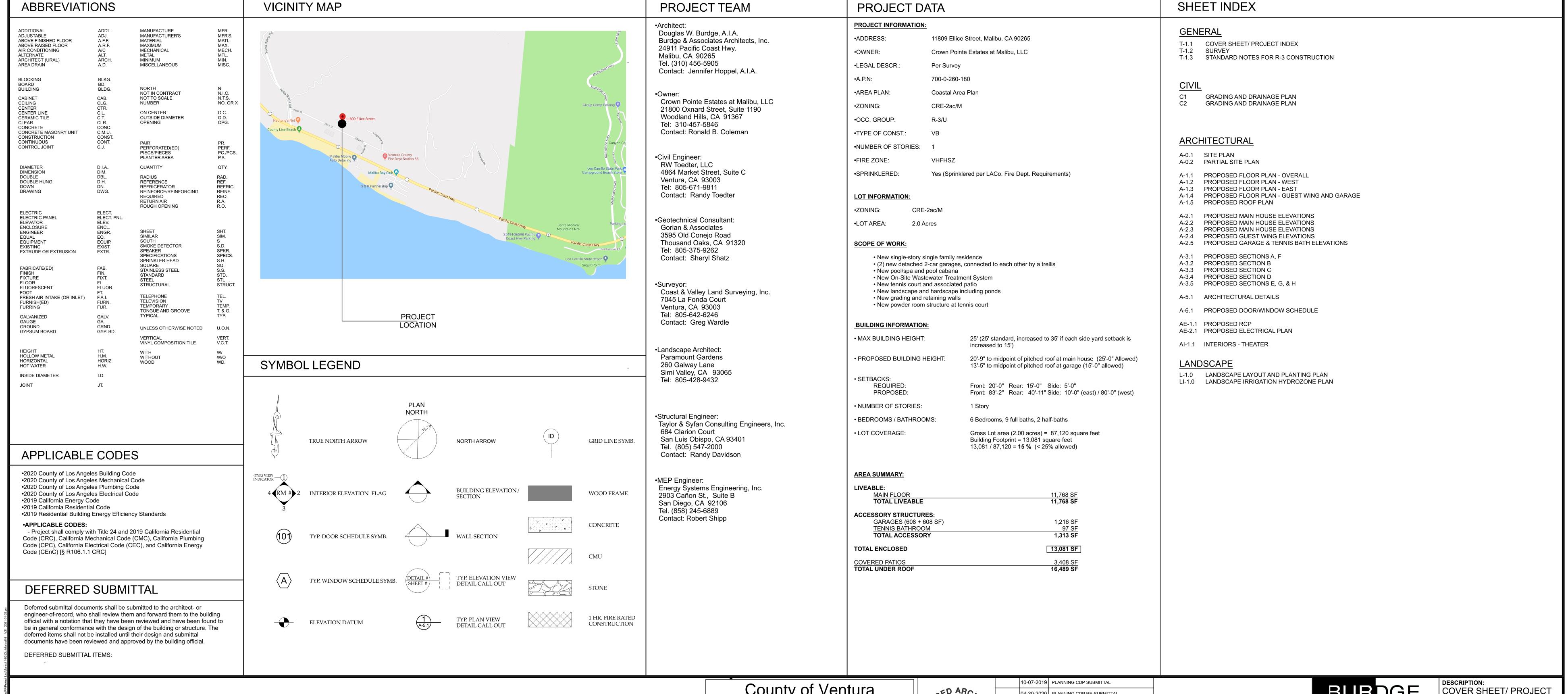
County of Ventura
Planning Director Hearing
PL19-0113



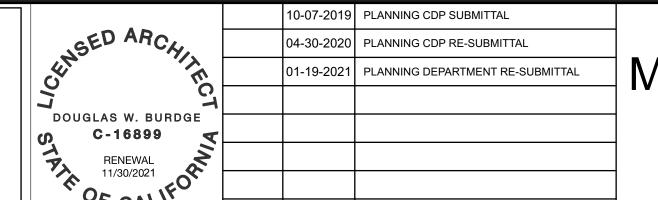
# MARISOL LOT 16



# MALIBU JANUARY, 2021



County of Ventura Planning Director Hearing Case No. PL19-0113 Exhibit 3 - Plans



DATE DESCRIPTION

MARISOL LOT 16

11809 ELLICE STREET

Malibu, CA

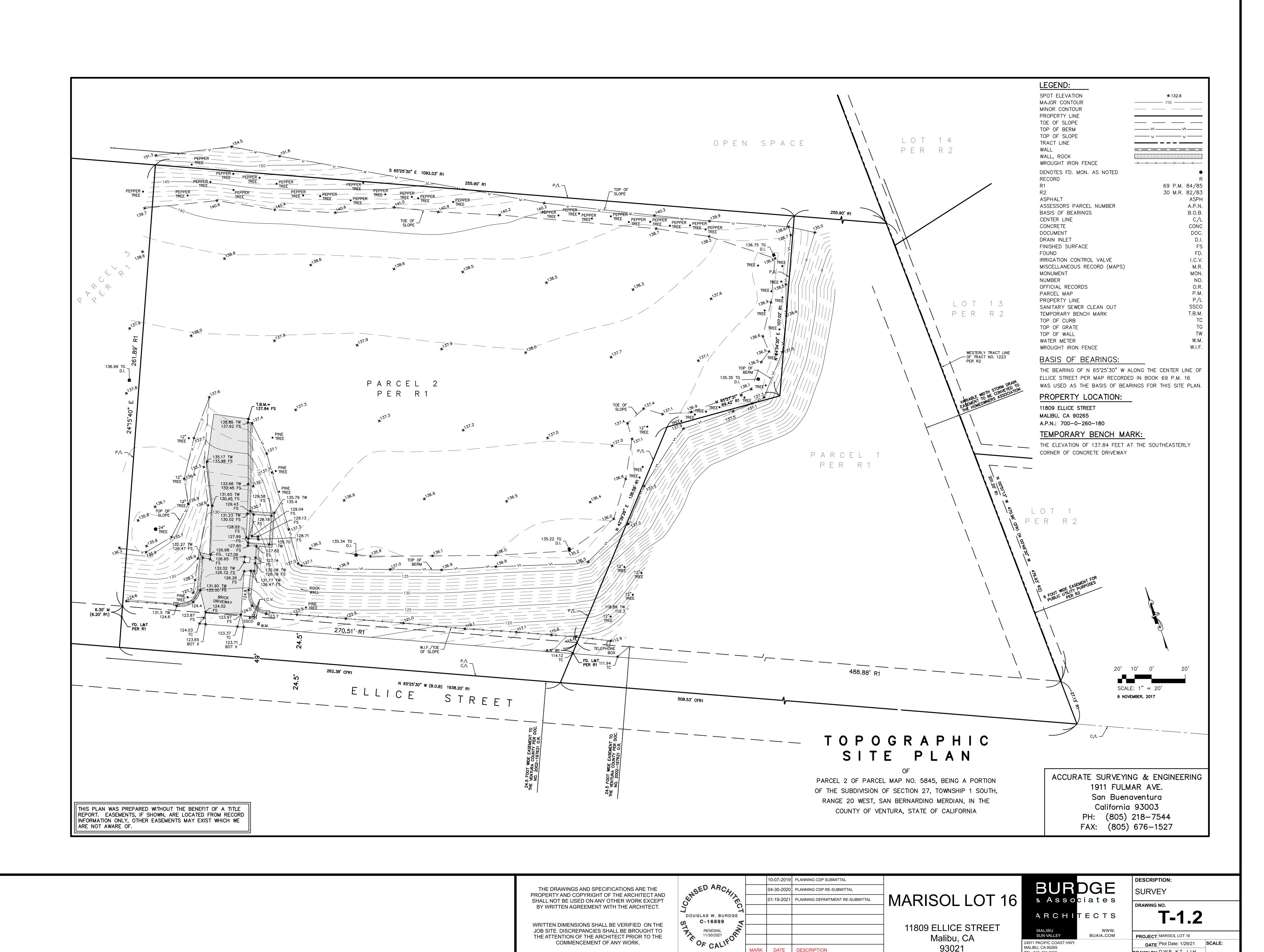
93021

BURDGE & Associates ARCHITECTS SUN VALLEY

COVER SHEET/ PROJECT DRAWING NO. T-1.1

PROJECT MARISOL LOT 16 DATE Plot Date: 1/29/21 SCALE: RAWN BY D.W.B., K.T., J.J.H.

BUAIA.COM 24911 PACIFIC COAST HWY. MALIBU, CA 90265 TEL. 310-456-5905



COMMENCEMENT OF ANY WORK.

DATE Plot Date: 1/29/21 SCALE:

DRAWN BY D.W.B., K.T., J.J.H.

24911 PACIFIC COAST HWY.

MALIBU, CA 90265

TEL. 310-456-5905

93021

DATE DESCRIPTION

### FLOOR PLAN NOTES:

#### **GENERAL NOTES**

- 1.a. THE CONSTRUCTION SHALL NOT RESTRICT A FIVE-FOOT CLEAR AND UNOBSTRUCTED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES (POWER POLES, PULL-BOXES, TRANSFORMERS, VAULTS PUMPS, VALVES, METERS, APPURTENANCES, ETC.) OR TO THE LOCATION OF THE HOOK-UP. THE CONSTRUCTION SHALL NOT BE WITHIN TEN FEET OF ANY POWER LINES-WHETHER OR NOT THE LINES ARE LOCATED ON THE PROPERTY. FAILURE TO COMPLY MAY CAUSE CONSTRUCTION DELAYS AND/OR ADDITIONAL EXPENSES.
- b. AN APPROVED SEISMIC GAS SHUTOFF VALVE WILL BE INSTALLED ON THE FUEL GAS LINE ON THE DOWN STREAM SIDE OF THE UTILITY METER AND BE RIGIDLY CONNECTED TO THE EXTERIOR OF THE BUILDING OR STRUCTURE CONTAINING THE FUEL GAS PIPING. (PER ORDINANCE 170,158) (SEPARATE PLUMBING PERMIT IS REQUIRED).
- c. PLUMBING FIXTURES ARE REQUIRED TO BE CONNECTED TO A SANITARY SEWER OR TO AN APPROVED SEWAGE DISPOSAL SYSTEM (R306.3).
- d. KITCHEN SINKS, LAVATORIES, BATHTUBS, SHOWERS, BIDETS, LAUNDRY TUBS AND WASHING MACHINE OUTLETS SHALL BE PROVIDED WITH HOT AND COLD WATER AND CONNECTED TO AN APPROVED WATER SUPPLY (R306.4).
- e. BATHTUB AND SHOWER FLOORS, WALLS ABOVE BATHTUBS WITH A SHOWER HEAD, AND SHOWER COMPARTMENTS SHALL BE FINISHED WITH A NONABSORBENT SURFACE. SUCH WALL SURFACES SHALL EXTEND TO A HEIGHT OF NOT LESS THAN 6 FEET ABOVE THE FLOOR (R307.2).
- f. PROVIDE ULTRA LOW FLUSH WATER CLOSETS FOR ALL NEW CONSTRUCTION. EXISTING SHOWER HEADS AND TOILETS MUST BE ADAPTED FOR LOW WATER CONSUMPTION.
- g. PROVIDE 72 INCH HIGH NON-ABSORBENT WALL ADJACENT TO SHOWER AND APPROVED SHATTER-RESISTANT MATERIALS FOR SHOWER ENCLOSURE. (R308)
- h. UNIT SKYLIGHTS SHALL BE LABELED BY A LA CITY APPROVED LABELING AGENCY. SUCH LABEL SHALL STATE THE APPROVED LABELING AGENCY NAME. PRODUCT DESIGNATION AND PERFORMANCE GRADE RATING (RESEARCH REPORT NOT REQUIRED). (R308.6.9)
- i. WATER HEATER MUST BE STRAPPED TO WALL (SEC. 507.3, LAPC)
- . FOR EXISTING POOL ON SITE, PROVIDE AN ALARM FOR DOORS TO THE DWELLING THAT FORM A PART OF THE POOL ENCLOSURE. THE ALARM SHALL SOUND CONTINUOUSLY FOR MIN. OF 30 SECONDS WHEN THE DOOR IS OPENED. IT SHALL AUTOMATICALLY RESET AND BE EQUIPPED WITH A MANUAL MEANS TO DEACTIVATE (FOR 15 SECS. MAX.) FOR A SINGLE OPENING. THE DEACTIVATION SWITCH SHALL BE AT LEAST 54" ABOVE THE FLOOR. P/BC 2008-014
- k. FOR EXISTING POOL ON SITE, PROVIDE ANTI-ENTRAPMENT COVER MEETING THE CURRENT ASTM OR ASME IS REQUIRED FOR THE SUCTION OUTLETS OF THE SWIMMING POOL, TODDLER POOL AND SPA FOR SINGLE FAMILY DWELLINGS PER THE ASSEMBLY BILL (AB) NO.2997.
- I. AUTOMATIC GARAGE DOOR OPENERS, IF PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325.
- m. SMOKE DETECTORS SHALL BE PROVIDED FOR ALL DWELLING UNITS INTENDED FOR HUMAN OCCUPANCY, UPON THE OWNER'S APPLICATION FOR A PERMIT FOR ALTERATIONS, REPAIRS, OR ADDITIONS, EXCEEDING ONE THOUSAND DOLLARS (\$1,000). (R314.6.2)
- n. WHERE A PERMIT IS REQUIRED FOR ALTERATIONS, REPAIRS OR ADDITIONS EXCEEDING ONE THOUSAND DOLLARS (\$1,000), EXISTING DWELLINGS OR SLEEPING UNITS THAT HAVE ATTACHED GARAGES OR FUEL-BURNING APPLIANCES SHALL BE PROVIDED WITH A CARBON MONOXIDE ALARMS SHALL ONLY BE REQUIRED IN THE SPECIFIC DWELLING UNIT OR SLEEPING UNIT FOR WHICH THE PERMIT WAS OBTAINED. (R315.2)
- 2. R3031. HABITABLE ROOMS EXCEPTIONS:
- 1) THE GLAZED AREAS NEED NOT BE OPENABLE WHERE THE OPENING IS NOT REQUIRED BY SECTION R310 AND AN APPROVED MECHANICAL VENTILATION SYSTEM CAPABLE OF PRODUCING 0.35 AIR CHANGE PER HOUR IN THE ROOM IS INSTALLED OR A WHOLE-HOUSE MECHANICAL VENTILATION SYSTEM IS INSTALLED CAPABLE OF SUPPLYING OUTDOOR VENTILATION AIR OF 15 CUBIC FEET PER MINUTE (CFM)(78 L/s) PER OCCUPANT COMPUTED ON THE BASIS OF TWO OCCUPANTS FOR THE FIRST BEDROOM AND ONE OCCUPANT FOR EACH ADDITIONAL BEDROOM.
- 2) THE GLAZED AREAS NEED NOT BE INSTALLED IN ROOMS WHERE EXCEPTION 1 ABOVE IS SATISFIED AND ARTIFICIAL LIGHT IS PROVIDED CAPABLE OF PRODUCING AN AVERAGE ILLUMINATION OF 6 FOOTCANDLES (65 LUX) OVER THE AREA OF THE ROOM AT A HEIGHT OF 30 INCHES (762 MM) ABOVE THE FLOOR LEVEL.
- B. GLAZING IN THE FOLLOWING LOCATIONS SHALL BE SAFETY GLAZING CONFORMING TO THE HUMAN INPACT LOADS OF SECTION R308.3 (SEE EXCEPTIONS) (R308.4)
- a. FIXED AND OPERABLE PANELS OF SWINGING, SLIDING AND BIFOLD DOOR ASSEMBLIES. b. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL ADJACENT TO A DOOR WHERE THE NEAREST VERTICAL EDGE IS WITHIN A 24-INCH ARC OF THE DOOR IN A CLOSED POSITION AND WHOSE BOTTOM
- EDGE IS LESS THAN 60 INCHES ABOVE THE FLOOR OR WALKING SURFACE. c. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL THAT MEETS ALL OF THE FOLLOWING
- CONDITIONS: 1) EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 SQUARE FEET.
- 2) BOTTOM EDGE LESS THAN 18 INCHES ABOVE THE FLOOR. 3) TOP EDGE GREATER THAN 36 INCHES ABOVE THE FLOOR

ROOF PLAN NOTES:

PLANS: "ROOFING ASSEMBLY SHALL BE LISTED BY AN APPROVED

TESTING AGENCY."

RESPECTIVELY.

- 4) ONE OR MORE WALKING SURFACES WITHIN 36 INCHES HORIZONTALLY OF THE GLAZING.
- e. GLAZING IN ENCLOSURES FOR OR WALLS FACING HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATHTUBS AND SHOWERS WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60 INCHES MEASURED VERTICALLY ABOVE ANY STANDING OR WALKING SURFACE.
- h. GLAZING ADJACENT TO STAIRWAYS WITHIN 60 INCHES HORIZONTALLY OF THE BOTTOM TREAD OF A STAIRWAY IN ANY DIRECTION WHEN THE EXPOSED SURFACE OF THE GLAZING IS LESS THAN 60 INCHES ABOVE THE NOSE OF THE TREAD.
- I. BUILDING SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR **ROAD FRONTING THE PROPERTY. (R319)**

- 5. VERY HIGH FIRE HAZARD SEVERITY ZONE (701A.3.2, 7201.2,) BASED ON CITY MAPS, THIS PROJECT IS LOCATED WITHIN VERY HIGH FIRE HAZARD SEVERITY ZONE. IT SHALL COMPLY WITH REQUIREMENTS OF MATERIALS, SYSTEMS & CONSTRUCTION METHODS OF CHAPTER 7A AND CHAPTER 72. ADD THE FOLLOWING MATERIAL SPECIFICATIONS AND/OR NOTES/ DETAILS TO PLANS:
- A) CLASS A ROOF COVERING IS REQUIRED FOR ALL BUILDINGS. (7207.4. 1505)
- B) VALLEY FLASHINGS SHALL BE NOT LESS THAN 0.019-INCH (0.48 MM) (NO. 26 GALVANIZED SHEET GAGE) CORROSION-RESISTANT METAL INSTALLED OVER A MINIMUM 36-INCH-WIDE (914MM) UNDERLAYMENT CONSISTING OF ONE LAYER OF NO. 72 ASTM CAP SHEET RUNNING THE FULL LENGTH OF THE VALLEY (704A.1.3)
- C) ROOF GUTTERS SHALL BE PROVIDED WITH THE MEANS TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER (704A.1.5)
- D) (ROOF) (ATTIC)(EXTERIOR WALL) VENTS SHALL RESIST THE INSTRUSION OF FLAME AND EMBERS INTO THE ATTIC AREA OF THE STRUCTURE, OR SHALL BE PROTECTED BY CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH WITH 1/4- INCH (6 MM) OPENINGS OR ITS EQUIVALENT. VENTS SHALL NOT BE INSTALLED IN EAVES AND CORNICES (704A.2.1, 704A3.2.1, 704A.2.2, 7207.3)
- E) EAVES AND SOFFITS SHALL MEET THE REQUIREMENTS OF SFM 12-7A-3 OR SHALL BE PROTECTED BY IGNITION-RESISTANT MATERIALS OR NONCOMBUSTIBLE CONSTRUCTION ON THE EXPOSED UNDERSIDE (704A.2.3)
- F) EXTERIOR WALLS SHALL BE APPROVED NONCOMBUSTIBLE OR IGNITION-RESISTANT MATERIAL, HEAVY TIMBER, OR LOG WALL CONSTRUCTION OR SHALL PROVIDE PROTECTION FROM THE INTRUSION OF FLAMES AND EMBERS IN ACCORDANCE WITH STANDARD SFM 12-7A-1 (704A.3.1)
- G) EXTERIOR WALL COVERINGS SHALL EXTEND FROM THE TOP OF FOUNDATION TO THE ROOF, AND TERMINATE AT 2-INCH (50.8 MM) NOMINAL SOLID WOOD BLOCKING BETWEEN RAFTERS AT ALL ROOF OVERHANGS, OR IN THE CASE OF ENCLOSED EAVES, TERMINATE AT THE ENCLOSURE (704A.3.2)
- H) EXTERIOR WINDOWS, WINDOW WALLS, GLAZE DOORS, AND GLAZED OPENINGS WITHIN EXTERIOR DOORS SHALL BE INSULATING- GLASS UNITS WITH A MINIMUM OF ONE TEMPERED PANE, OR GLASS BLOCK UNITS. OR HAVE A FIRE- RESISTANCE RATING OF NOT LESS THAN 20 MINUTES. WHEN TESTED ACCORDING TO ASTM E 2010, OR CONFORM TO THE PERFORMANCE REQUIREMENTS OF SFM 12-7A-2 (704A.3.2.2)
- I) EXTERIOR DOOR ASSEMBLIES SHALL CONFORM TO THE PERFORMANCE REQUIREMENTS OF STANDARD SFM 12-7A-1 OR SHALL BE APPROVED NONCOMBUSTIBLE CONSTRUCTION, OR SOLID CORE WOOD HAVING STILES AND RAILS NOT LESS THAN 1 3/4 INCHES THICK WITH INTERIOR FIELD PANEL THICKNESS NO LESS THAN 1 1/4 INCHES THICK, OR SHALL HAVE A FIRE-RESISTANCE RATING OF NOT LESS THAN 20 MINUTES WHEN TESTED ACCORDING TO ASTM E 2074. (EXCEPTION: NONCOMBUSTIBLE OR EXTERIOR FIRE-RETARDANT TREATED WOOD VEHICLE ACCESS DOORS) (704A.
- J) DECKING, SURFACES, STAIR TREADS, RISERS, AND LANDINGS OF DECKS, PORCHES, AND BALCONIES WHERE ANY PORTION OF SUCH SURFACE IS WITHIN 10 FEET (3048 MM) OF THE PRIMARY STRUCTURE SHALL BE APPROVED NON COMBUSTIBLE CONSTRUCTION PER SEC. (704A.4.1)
- K) THE UNDERSIDE OF CANTILEVERED AND OVERHANGING APPENDAGES AND FLOOR PROJECTIONS SHALL MAINTAIN THE IGNITION- RESISTANT INTEGRITY OF EXTERIOR WALLS, OR THE PROJECTION SHALL BE ENCLOSED TO THE GRADE (704A.4.2.1)
- L) BUILDINGS SHALL HAVE ALL UNDERFLOOR AREAS COMPLETELY ENCLOSED TO THE GRADE WITH CONSTRUCTION AS REQUIRED FOR EXTERIOR WALLS (704A.4.2.2. 7207.1)
- M) DUCTS AND AIR TRANSFER OPENINGS IN FIRE-RESISTANCE RATED EXTERIOR WALLS SHALL COMPLY WITH [CBC 704.14 & 716]
- N) FLOOR DRAINS AND SHOWER STALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH [PC, 411]. SHOWER RECEPTORS SHALL CONFORM TO THE GENERAL REQUIREMENTS OF [PC, 411].
- O) EXTERIOR WALL VENT OPENINGS SHALL BE SCREENED WITH CORROSION-RESISTANT, NONCOMBUSTIBLE WIRE MESH WITH 1/4" OPENINGS. (704A. 3.2.1)
- 6. EACH CONTRACTOR RESPONSIBLE FOR THE CONSTRUCTION OF A MAIN WIND-OR SEISMIC-FORCE RESISTING SYSTEM, DESIGNATED SEISMIC SYSTEM OR A WIND-OR SEISMIC-RESISTING COMPONENT LISTED IN THE ''STATEMENT OF SPECIAL INSPECTIONS'' SHALL SUBMIT A WRITTEN STATEMENT OF RESPONSIBILITY TO THE BUILDING OFFICIAL AND THE OWNER PRIOR TO THE COMMENCEMENT OF WORK ON THE SYSTEM OR COMPONENT. [1709]
- 7. SMOKE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING PROVIDED THAT SUCH WIRING IS SERVED FROM A COMMERCIAL SOURCE AND SHALL BE EQUIPPED WITH A BATTERY BACKUP. RESIDENTIAL CODE R314.4
- 8. THE MAXIMUM DEVIATION BETWEEN THE SMALLEST AND LARGEST RISE OR TREAD SHALL NOT EXCEED 3/8" WITHIN ANY FLIGHT OF STAIRS [R311.7.4.1
- 9. PROJECTIONS THAT EXTEND BETWEEN 2-FT AND LESS THAN 3-FT OF THE PROPERTY SHALL HAVE A ONE-HOUR FIRE PROTECTION ON THE UNDERSIDE. PROJECTIONS CANNOT EXTEND CLOSER THAN 2-FT OF THE PROPERTY LINE.
- 10. ALL APPLICABLE INSTALLATION CERTIFICATES (CF-6R) FORMS AND CERTIFICATE OF FIELD VERIFICATION AND DIAGNOSTIC TESTING (CF-4R) FORMS SHALL BE COMPLETED AND POSTED AT THE PROJECT SITE TO BE VERIFIED BY THE BUILDING INSPECTOR.
- 11. ANY INSTALLED GAS FIREPLACE SHALL BE DIRECT-VENT SEALED-COMBUSTION TYPE [CALGREEN 4.503]. WOOD BURNING FIREPLACES ARE NOT PERMITTED BY THE AIR QUALITY MANAGEMENT DISTRICT (RULE 445).
- 12. PROVISIONS FOR CONTRIBUTORY DRAINAGE SHALL BE MADE AT ALL TIMES.
- 13. UNVENTED ATTIC ASSEMBLIES [R806.3]. UNVENTED ATTIC ASSEMBLIES {SPACES BETWEEN THE CEILING JOISTS OF THE TOP STORY AND THE ROOF RAFTERS) SHALL BE PERMITTED IF ALL OF THE FOLLOWING CONDITIONS ARE MET:

- A) THE UNVENTED ATTIC SPACE IS COMPLETELY CONTAINED WITHIN THE BUILDING THERMAL ENVELOPE.
- B) NO INTERIOR VAPOR RETARDERS ARE INSTALLED ON THE CEILING SIDE (ATTIC FLOOR) OF THE UNVENTED ATTIC ASSEMBLY.
- C) DEPENDING ON THE AIR PERMEABILITY OF THE INSULATION DIRECTLY UNDER THE STRUCTURAL ROOF SHEATHING, DETAIL THE COMPONENTS OF THE APPLICABLE CONDITION (5.1, 5.2 OR 5.3) ON PLANS.
- 14. MASONRY OR FACTORY-BUILT FIREPLACES SHALL HAVE ALL OF THE FOLLOWING [150(E)]:
- A) CLOSABLE METAL OR GLASS DOORS COVERING THE ENTIRE OPENING OF THE FIREBOX.
- B) A COMBUSTION AIR INTAKE TO DRAW AIR FROM THE OUTSIDE WHICH IS AT LEAST 6 SQUARE INCHES IN AREA AND IS EQUIPPED WITH A READILY ACCESSIBLE OPERABLE AND TIGHT-FITTING DAMPER OR COMBUSTION-CONTROL DEVICE. EXCEPTION: NOT REQUIRED IF INSTALLED OVER A CONCRETE SLAB FLOORING AND LOCATED ON AN EXTERIOR WALL.
- C) A FLUE DAMPER WITH A READILY ACCESSIBLE CONTROL. EXCEPTION: WHEN A GAS LOG, LOG LIGHTER OR DECORATIVE GAS APPLIANCE IN INSTALLED IN A FIREPLACE, THE FLUE DAMPER SHALL BE BLOCKED OPEN.
- A SEPARATE PERMIT IS REQUIRED FOR GRADING, DEMOLITION, RETAINING WALLS AND FENCES, SWIMMING POOL AND SPA, SPORTS COURT, & OUTDOOR FIREPLACE. 91.106.1
- 16. FAU INSTALLATION WILL COMPLY WITH UMC'S SECTION'S 304.5 AND 707.1

APPROVED SHATTER-RESISTANT MATERIALS FOR SHOWER ENCLOSURE".

- 17. PROVIDE COMBUSTION AIR FOR WATER HEATER AND FAU LOCATED WITHIN 12" OF TOP AND BOTTOM OF COMPARTMENT.
- 18. ALL HVAC DUCTS, PLUMBING DROPS TO BE MIN. 2' AWAY FROM ALL STEEL & WOOD BEAM CONNECTIONS PER BURDGE OFFICE STANDARDS.

20. HOSE BIBS SHALL BE FITTED WITH A NON -REMOVABLE BACKFLOW DEVICE. (603.4.7 UPC)

- 19. ALL EXPOSED BOLTS, WASHERS, NAILS OR METAL CONNECTORS ARE TO BE SPECIFIED AS HOT-DIP GALVANIZED .
- 21. WALL COVERINGS IN SHOWERS AND TUBS TO BE CEMENT, PLASTER, TILE OR EQUAL TO 72" ABOVE DRAIN. ENCLOSURES MUST BE OF APPROVED SAFETY GLAZING AND DOORS MUST SWING OUT OF SHOWERS. WINDOWS IN ENCLOSURE WALLS SHALL BE LABELED SAFETY GLAZING WHEN LESS THAN 60" ABOVE THE DRAIN. "PROVIDE 72" INCH NON-ABSORBENT WALL ADJACENT TO SHOWER AND
- 22. 30 IN. CLEAR WIDTH FOR WATER CLOSET COMPARTMENT AND 24 IN. CLEARANCE IN FRONT OF WATER
- 23. FIXTURES HAVING CONCEALED SLIP JOINT CONNECTIONS SHALL BE PROVIDED WITH AN ACCESS PANEL OR UTILITY SPACE NOT LESS THAN 12 INCHES (305 MM) IN ITS LEAST DIMENSION AND SO ARRANGED WITHOUT OBSTRUCTIONS AS TO MAKE SUCH CONNECTIONS ACCESSIBLE FOR INSPECTION AND REPAIR. [402.11 CPC]
- 24. PROVIDED GROUND-FAULT CIRCUIT INTERRUPTER PROTECTED ELECTRICAL OUTLETS WITHIN 36 INCHES OF THE EDGE OF EACH BASIN. THE BATHROOMS OUTLETS SHALL BE FED FROM A DEDICATED 20 AMP CIRCUIT AT THE PANEL.
- 25. THE LIGHTS IN THE BATHROOMS AND KITCHEN SHALL BE ENERGY EFFICIENT TYPES MEETING MINIMUM 40 LUMENS PER WATT.
- 26. PROVIDE ELECTRICAL OUTLETS ALONG THE WALLS OF COUNTER SPACE, ISLAND AND PENINSULA COUNTER SPACE IN KITCHENS AT MAXIMUM SPACING OF 48 INCHES.
- 27. WATER HEATER MUST BE STRAPPED TO WALL IN (2) PLACES.

CLOSER FOR BATHROOMS.

- 28. EXTERIOR POSTS LOCATED ON A SLAB SHALL BE AT LEAST 1" ABOVE FLOOR/SLAB AND 6" ABOVE EXPOSED EARTH. ISOLATED PIERS MUST BE 8" ABOVE EXPOSED EARTH. AS AN ALTERNATE, USE PRESSURE TREATED POSTS.
- 29. THE CONSTRUCTION SHALL NOT RESTRICT A FIVE-FOOT CLEAR AND UNOBSTRUCTED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES (POWER POLES, PULL-BOXES, TRANSFORMERS, VAULTS, PUMPS, VALVES, METERS, APPURTENANCES, ETC.) OR TO THE LOCATION OF THE HOOK-UP. THE CONSTRUCTION SHALL NOT BE WITHIN TEN FEET OF ANY POWER LINES-WHETHER OR NOT THE LINES ARE LOCATED ON THE PROPERTY. FAILURE TO COMPLY MAY CAUSE CONSTRUCTION DELAYS AND/OR ADDITIONAL EXPENSES.
- 30. MINIMUM THICKNESS FOR STRUCTURAL STEEL IS 3/8". THIS INCLUDES CONNECTOR PLATES AND BEAM/ COLUMN WEBS AND FLANGES. ALL WELDING SHALL BE DONE BY CERTIFIED WELDER AND ALL METAL PROTECTION BURNED, SCRAPED., CHIPPED, OR REMOVED SHALL BE RE-PROTECTED.
- 31. EXPOSED STEEL BEAMS AND COLUMN TO BE GALVANIZED.
- 32. ALL PIPE AND CONDUIT, WHERE EXPOSED TO WEATHER OR MOISTURE OR OUTSIDE THE BUILDING ENVELOPE SHALL BE SUPPORTED WITH NON- CORROSIVE DEVICES, GAS PIPING MUST BE APPROVED FOR BURIED CONDITIONS WHERE EXPOSED TO MOISTURE.22.) ABS AND PVC ,DWV PIPING INSTALLATION SHALL BE LIMITED TO STRUCTURES NOT EXCEEDING TWO STORIES IN HEIGHT. (P.C. 701.1.2)
- 33. ADDRESS NUMBERS SHALL BE 4 INCH IN HEIGHT AND OF CONTRASTING COLOR TO THEIR BACKGROUND.
- 34. ALL SHOWERS AND TUB-SHOWERS SHALL HAVE EITHER A PRESSURE BALANCE OR A THERMOSTATIC MIXING VALVE.
- 35. CLOTHES DRYER (S) LOCATED IN AN AREA THAT IS HABITABLE OR CONTAINING FUEL BURNING APPLIANCES SHALL BE EXHAUSTED TO THE OUTSIDE.

- 36. PROVIDE FIRE BLOCKING IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS. INCLUDING FURRED SPACES AT THE CEILING AND FLOOR LEVEL AND AT 10 FT. INTERVALS BOTH VERTICAL AND HORIZONTAL6. (B.C. T-8-B)
- 37. INTERIOR FINISH IN GROUP R-3 OCCUPANCIES SHALL HAVE A MINIMUM FLAME SPREAD CLASSIFICATION OF III EXCEPT IN KITCHENS, BATHROOMS AND GARAGES. (B.C. T-8-B)
- 38. ALL WORK IN PUBLIC RIGHT OF WAY SHALL BE UNDER SEPARATE PERMIT ISSUED BY DEVELOPMENT
- 39. UNDERGROUND UTILITIES ARE TO COMPLY WITH CITY ORDINANCE.
- 40. UNDERGROUND SERVICE ALERT -CALL 1-800-422-4133 FOR UNDERGROUND LOCATING TWO WORKING DAYS BEFORE DIGGING IN RIGHT -OF-WAY.
- 41. THE CONTRACTOR SHALL KEEP STREETS FREE OF DEBRIS AND CONTROL DUST AT ALL TIMES BY
- 42. FOR DECORATIVE APPLIANCES/ GAS FIREPLACES (907, 908)
- A) THE LISTED APPLIANCE/FIREPLACE SHALL BE INSTALLED IN ACCORDANCE WITH ITS LISTING AND THE MANUFACTURER'S INSTRUCTION."(907, 908)
- B) WHEN GAS APPLIANCES ARE INSTALLED IN FIREPLACES WITH A FLUE DAMPER, THE DAMPER SHALL BE BLOCKED IN AN OPEN POSITION.
- C) SHALL NOT BE INSTALLED WITH A CONTINUOUSLY BURNING PILOT.
- 43. ALL APPLICABLE "INSTALLATION CERTIFICATE" (CF-6R FORMS AND "CERTIFICATE OF FIELD VERIFICATION AND DIAGNOSTIC TESTING"(CF-4R) FORMS SHALL BE COMPLETED AND POSTED AT THE PROJECT SITE TO BE VERIFIED BY THE BUILDING INSPECTOR."
- 44. SEE ATTACHED FORMS CF-1R AND MF-1R SPECIFYING THE REQUIRED ENERGY FEATURES FOR WALL/ CEILING INSULATION, WINDOW AREAS AND TYPES, HVAC SYSTEMS, DUCT INSULATION AND TESTING, LIGHTING TYPE AND SWITCHING, WATER HEATER TYPE AND PIPE/HEATER INSULATION AND HERS RATER VERIFICATION REQUIREMENTS. (FORM CF-6R REQUIRED).
- 45. IF THE REQUIRED ELECTRICAL SERVICE IS 400 AMPS OR MORE AND/OR NOT OTHERWISE SPECIFIED IN THESE PLANS, THE ELECTRICAL SUB-CONTRACTOR IS REQUIRED TO SUBMIT AN ELECTRICAL PLAN INCLUDING SINGLE-LINE DIAGRAM AND LOAD & PANEL SCHEDULE, AND WILL BE REQUIRED TO COMPLETE A PLAN-CHECK APPLICATION AND PAY PLAN-CHECK FEES PRIOR TO ISSUANCE OF AN ELECTRICAL PERMIT.
- 46. THE DWELLING SHALL HAVE WATER CLOSETS (TOILETS) WHICH USE NO MORE THAN 1.28 GALLONS PER FLUSH. [402.2.2 CPC]
- 47. SHOWER HEADS TO HAVE A FLOW RATE OF NOT MORE THAN 2.0 GALLONS PER MINUTE [402.1.1 CPC]
- 48. FAUCETS TO HAVE A FLOW RATE OF NOT MORE THAN 1.5 GALLONS PER MINUTE [402.1.2 CPC]
- 49. A MINIMUM OF TWO 20 AMP SMALL APPLIANCE BRANCH CIRCUITS SHALL BE PROVIDED FOR ALL RECEPTACLE OUTLETS IN THE KITCHEN, DINING ROOM, PANTRY, OR OTHER SIMILAR AREAS [210.11(C)
- 50. AT LEAST ONE 20 AMP BRANCH CIRCUIT SHALL BE PROVIDED TO SUPPLY LAUNDRY RECEPTACLE OUTLETS. SUCH CIRCUITS SHALL HAVE NO OTHER OUTLETS. [210.11(C) (2) CEC]
- 51. ALL RECEPTACLES SHALL BE TAMPER RESISTANT. [406.11 CEC]
- 52. SHOWERS AND SHOWER-TUBS SHALL BE PROVIDED WITH INDIVIDUAL CONTROL VALVES OF THE PRESSURE BALANCE, THERMOSTATIC, OR COMBINATION PRESSURE BALANCE/THERMOSTATIC MIXING VALVE TYPE THAT PROVIDE SCALD AND THERMAL SHOCK PROTECTION. [§408.3 CPC]
- 53. DRYER EXHAUST DUCT SHALL TERMINATE NO LESS THAN 3'-0" FROM OPENINGS INTO THE BUILDING. [§504.5 CMC]
- 54. EGRESS DOORS SHALL BE OPENABLE FROM INSIDE THE DWELLING WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT. [§ R311.2 CRC]
- 55. PROVIDE LANDINGS AT EXTERIOR DOORS EQUAL TO THE WIDTH OF THE DOOR AND A LENGTH IN THE DIRECTION OF TRAVEL EQUAL TO 36 INCHES. SLOPE OF EXTERIOR LANDINGS SHALL NOT EXCEED 1/4" PER FOOT (2% SLOPE). [§ R311.3 CRC]
- 56. LANDINGS AT THE REQUIRED EGRESS DOOR SHALL NOT BE MORE THAN 1-1/2" LOWER THAN THE TOP OF THE THRESHOLD. DOORS THAT DO NOT SWING OVER THE LANDING MAY HAVE A DIFFERENCE IN ELEVATION OF 7 3/4" MAXIMUM BELOW THE TOP OF THE THRESHOLD. [§ R311.3.1 CRC]
- 57. LANDINGS AT DOORS OTHER THAN THE REQUIRED EGRESS DOOR SHALL NOT BE MORE THAN 7-3/4" BELOW THE TOP OF THE THRESHOLD. [§ R311.3.2 CRC]
- 58. WHERE GLAZED OPENINGS WITH MINIMUM SIZE AND OPENABLE AREA ARE NOT PROVIDED IN BATHROOMS, WATER CLOSET COMPARTMENTS, AND SIMILAR ROOMS, ARTIFICIAL LIGHT AND A MECHANICAL VENTILATION SYSTEM SHALL BE PROVIDED. MINIMUM VENTILATION RATE OF 50 CFM SHALL BE PROVIDED AND EXHAUSTED DIRECTLY TO THE OUTSIDE (MINIMUM 20 CFM IF CONTINUOUS VENTILATION PROVIDED). [§ R303.3 CRC EXCEPTION]
- 59. ALL 125-VOLT, 15-AMP, AND 20-AMP RECEPTACLES SHALL BE LISTED AS TAMPER-RESISTANT RECEPTACLES. [§ 406.12 CEC]
- 60. LUMINAIRES LOCATED ABOVE A BATHTUB OR SHOWER SHALL BE LISTED FOR WET LOCATIONS. [§410.10
- 61. A MINIMUM OF TWO 20 AMP SMALL APPLIANCE BRANCH CIRCUITS SHALL BE PROVIDED FOR ALL RECEPTACLE OUTLETS IN THE KITCHEN, DINING ROOM, PANTRY, OR OTHER SIMILAR AREAS [§210.11(C)
- 62. AT LEAST ONE 20 AMP BRANCH CIRCUIT SHALL BE PROVIDED TO SUPPLY LAUNDRY RECEPTACLE OUTLETS. SUCH CIRCUITS SHALL HAVE NO OTHER OUTLETS. [§210.11(C)(2) CEC]
- 63. AT LEAST ONE 20 AMP BRANCH CIRCUIT SHALL BE PROVIDED TO SUPPLY BATHROOM RECEPTACLE OUTLETS. SUCH CIRCUITS SHALL HAVE NO OTHER OUTLETS. [§210.11(C)(3) CEC]
- 64.SCAFFOLDING MUST BE GREEN TAGGED.

#### **SYMBOLS**

SMOKE /CARBON MONOXIDE DETECTOR

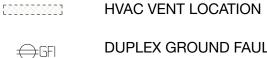
SINGLE- AND MULTIPLE-STATION CARBON MONOXIDE ALARMS SHALL BE LISTED TO COMPLY WITH UL 2034. CARBON MONOXIDE DETECTORS SHALL BE LISTED TO COMPLY WITH UL 2075. INSTALLATION SHALL BE IN ACCORDANCE WITH NFPA 720 AND THE MANUFACTURER'S INSTALLATION INSTRUCTIONS. [§



R315.3 CRC]

EXHAUST FAN ONLY

BATHROOMS THAT CONTAINS A BATHTUB, SHOWER AND SIMILAR SOURCE OF MOISTURE SHALL HAVE AN EXHAUST FAN DUCTED TO THE OUTSIDE WITH A MINIMUM VENTILATION RATE OF 50 CFM. THE DUCTING SHALL BE SIZED ACCORDING TO ASHRAE STANDARD 62.2 TABLE 7.1 [§150 (O) CEnC]



DUPLEX GROUND FAULT INTERRUPTER RECEPTACLE

EMERGENCY EGRESS. MIN. 24" CLEAR HT, 20" CLEAR WIDTH, 5.7 SQ.

INDICATES STEP DIMENSION IN PLAN

7.5" MAX. AT INSWING DOORS 0.5" MAX. AT OUTSWING DOORS

FT MIN AREA & 44" MAX TO SILL.

INDICATES MINIMUM INTERNAL CLEAR 

INDICATES ARC-FAULT INTERRUPT BREAKER

INDICATES MINIMUM EXTERIOR LIGHTING REQUIRED FOR SECURITY AND SWITCHING - RE: ELECTRICAL PLANS FOR FULL EXTENT OF

RETURN AIR GRILLE - CEILING

LIGHTING & CIRCUITRY

RETURN AIR GRILLE - IN WALL

### 1) "PROVIDE AN APPROVED SPARK ARRESTER FOR THE CHIMNEY OF A FIREPLACE, STOVE OR BARBEQUE."

2) FACTORY BUILT CHIMNEYS SHALL TERMINATE IN A LISTED FACTORY BUILT CHIMNEY CAP. NO OTHER ARCHITECTURAL FEATURE IS PERMITTED WITHOUT MANUFACTURES APPROVAL. 3) ROOF ASSEMBLY SHALL BE CLASS A RATED AND SHALL BE LISTED BY AN APPROVED TESTING AGENCY. REDLAND CLAY TILE TWO-PIECE MISSION TILE (ESR-1489) IS SPECIFIED FOR SHED ROOFS. REDLAND

TORCH' MODIFIED BITUMEN MEMBRANE IS SPECIFIED FOR BARREL VAULTED ROOFS. ENVIRONMENTAL

BUILDING PRODUCTS, INC. 'ENDURO-KOTE' (ESR-2245) IS SPECIFIED FOR THE LOW-SLOPE ROOF. (CBC 704A.1.1/ LACo 704A.1.2) 4) CHIMNEY SHALL BE EQUIPED WITH AN APPROVED SPARK ARRESTOR WITH A NET OPENING AREA OF

CLAY TILE TWO-PIECE MISSION TILE (ESR-1489) OVER GAF MATERIALS CORPORATION 'RUBEROID

- FOUR TIMES THAT OF THE CHIMNEY. MAXIMUM 1/2 INCH SCREEN. 5) OPENINGS INTO ATTICS, FLOORS, OR OTHER ENCLOSED AREAS SHALL NOT EXCEED 144 SQUARE INCHES AND SHALL BE COVERED WITH CORROSION RESISTANT WIRE MESH WITH MESH OPENING OF
- 6) SHOW COMPLIANCE WITH THE VERY HIGH FIRE HAZARD SEVERITY ZONES (VHFHSZ) REQUIREMENTS: a. TILE ROOF SHALL BE FIRE STOPPED AT THE EAVE ENDS. NOTE ON

7) PROVIDE MINIMUM STUD/RAFTER SIZING TO ACCOMMODATE INSULATION. PROVIDE 1" MINIMUM CLEARANCE BETWEEN INSULATION AND ROOF SHEATING FOR RAFTER SPACE VENTILATION. WHERE RAFTER SPACE VENTILATION IS REQUIRED, PROVIDE 2X12, 2X8 AND 2X6 FOR R-30, R-19, AND R-13

8) ON THE ROOF PLAN PROVIDE THE FOLLOWING NOTES:

FREE AREA OF THE OUTLET OF THE CHIMNEY.

DISTANCE OF TEN (10) FEET.

- 8.A) FACTORY-BUILT CHIMNEYS SHALL BE UL 103HT TESTED AND LISTED SYSTEMS APPROVED FOR USE WITH MASONRY FIREPLACES. SEE INSTALLATION MANUAL FOR SUGGESTED SYSTEM. FACTORY-BUILT CHIMNEYS SHALL BE INSTALLED IN ACCORDANCE WITH THEIR LISTINGS AND THE MANUFACTURER'S
- INSTALLATION INSTRUCTIONS. 8.B) TERMINATIONS OF A FIREPLACE CHIMNEY SHALL BE SHOWN IN ACCORDANCE WITH [MC 802.5.2]. TERMINATIONS SHALL BE SHOWN:
- (8.B.1) AT LEAST THREE FEET ABOVE THE HIGHEST POINT WHERE IT PASSES THROUGH A ROOF: AND

(8.B.2) AT LEAST TWO (2) FEET HIGHER THAN ANY PORTION OF A BUILDING WITHIN A HORIZONTAL

- (8.B.3) DECORATIVE SHROUDS SHALL NOT BE INSTALLED AT THE TERMINATION OF A FACTORY-BUILT CHIMNEY EXCEPT WHERE SUCH SHROUDS ARE LISTED AND LABELED FOR SUCH USE WITH THE SPECIFIED FACTORY-BUILT CHIMNEY SYSTEM AND IS INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
- AN APPROVED SPARK ARRESTER. THE SPARK ARRESTER SHALL MEET ALL OF THE FOLLOWING **REQUIREMENTS:** (8.C.1) THE NET FREE AREA OF THE SPARK ARRESTER SHALL NOT BE LESS THAN FOUR (4) TIMES THE NET

(8.C) SPARK ARRESTERS. [BC 2801] ALL CHIMNEYS THAT BURNS SOLID FUELS SHALL BE EQUIPPED WITH

(8.C.2) THE SPARK ARRESTER SCREEN SHALL HAVE HEAT AND CORROSION RESISTANCE EQUIVALENT TO 12 GAGE WIRE, 19 GAGE GALVANIZED WIRE OR 24 GAGE STAINLESS STEEL.

INCH AND SHALL NOT BLOCK THE PASSAGE OF SPHERES HAVING A DIAMETER OF LESS THAN 3/8 INCH. (8.C.4) THE SPARK ARRESTER SHALL BE ACCESSIBLE FOR CLEANING AND THE SCREEN OR CHIMNEY CAP SHALL BE REMOVABLE TO ALLOW FOR THE CLEANING OF THE CHIMNEY FLUE.

(8.C.3) OPENINGS SHALL NOT PERMIT THE PASSAGE OF SPHERES HAVING A DIAMETER LARGER THAN 1/2

- 9) ROOF VALLEY FLASHINGS SHALL BE NOT LESS THAN 0.019-INCH (NO. 26 GALVANIZED SHEET GAGE) CORROSION-RESISTANT METAL INSTALLED OVER A MINIMUM 36-INCH WIDE UNDERLAYMENT CONSISTING OF ONE LAYER OF NO.72 ASTM CAP SHEET RUNNING THE FULL LENGTH OF THE VALLEY. (FIRE CODE 4710.1.3)
- 10) A VAPOR RETARDER NOT EXCEEDING 1 PERM SHALL BE INSTALLED ON THE WARM SIDE OF THE ATTIC INSULATION.
- 12) THE FIRE CODE OFFICIAL IS AUTHORIZED TO REQUIRE AN APPROVED MAINTENANCE PLAN FOR VEGETATION PLACED ON ROOFS DUE TO THE SIZE OF THE GARDENS OR LANDSCAPING AREA, OR IF MATERIALS AND PLANTS USED MAY CREATE A FIRE HAZARD TO THE BUILDING OR EXPOSURES. FIRE CODE APPENDIX K104.3

11) ROOF COVERING ASSEMBLIES SHALL BE AN ICC-ES OR UL LISTED CLASS A FIRE-RESISTIVE ROOF

ASSEMBLY COMPLYING WITH ASTM E108 OR UL 790. (1505.1)

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10-07-2019 PLANNING CDP SUBMITTAL

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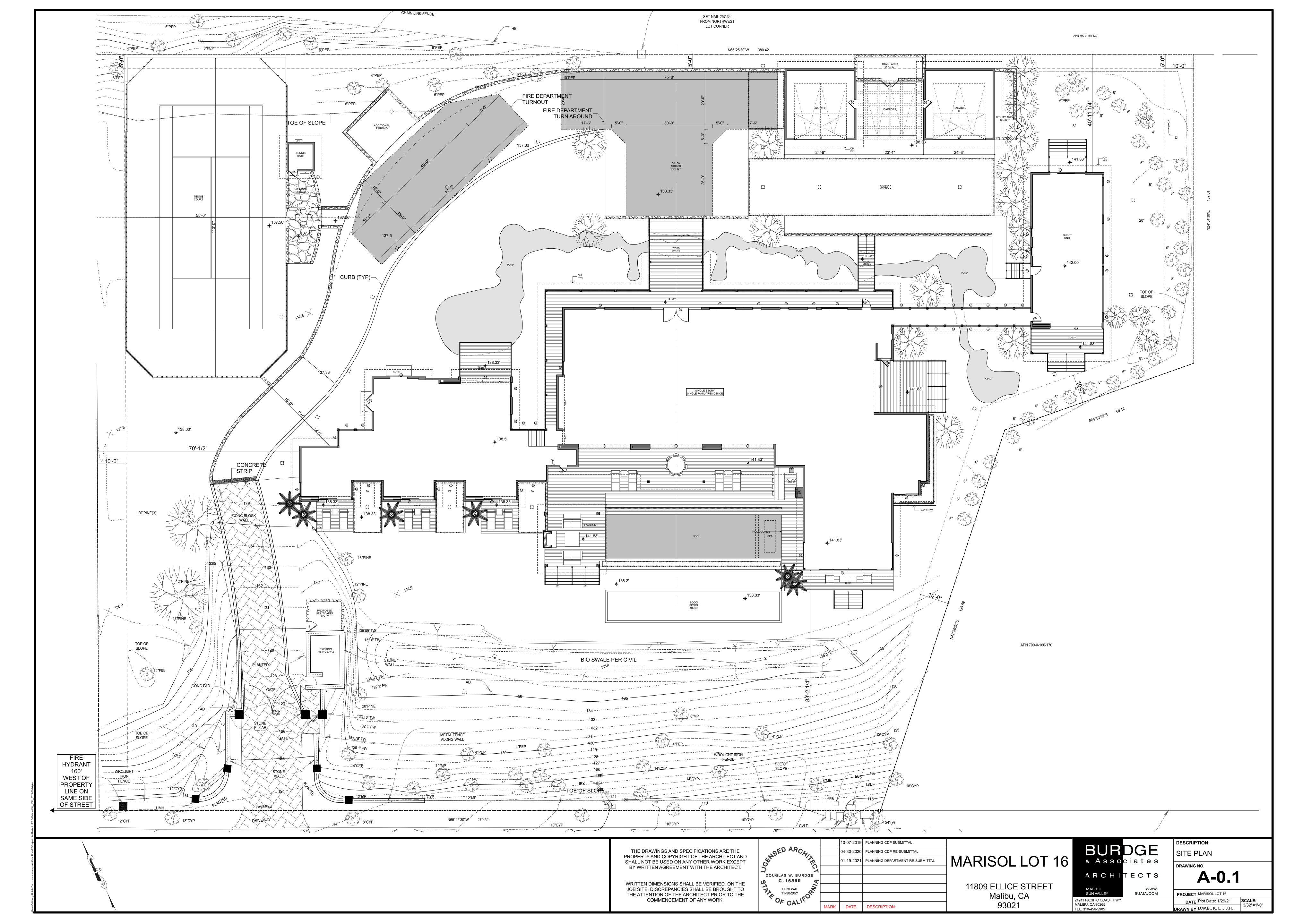
TEL 310-456-5905

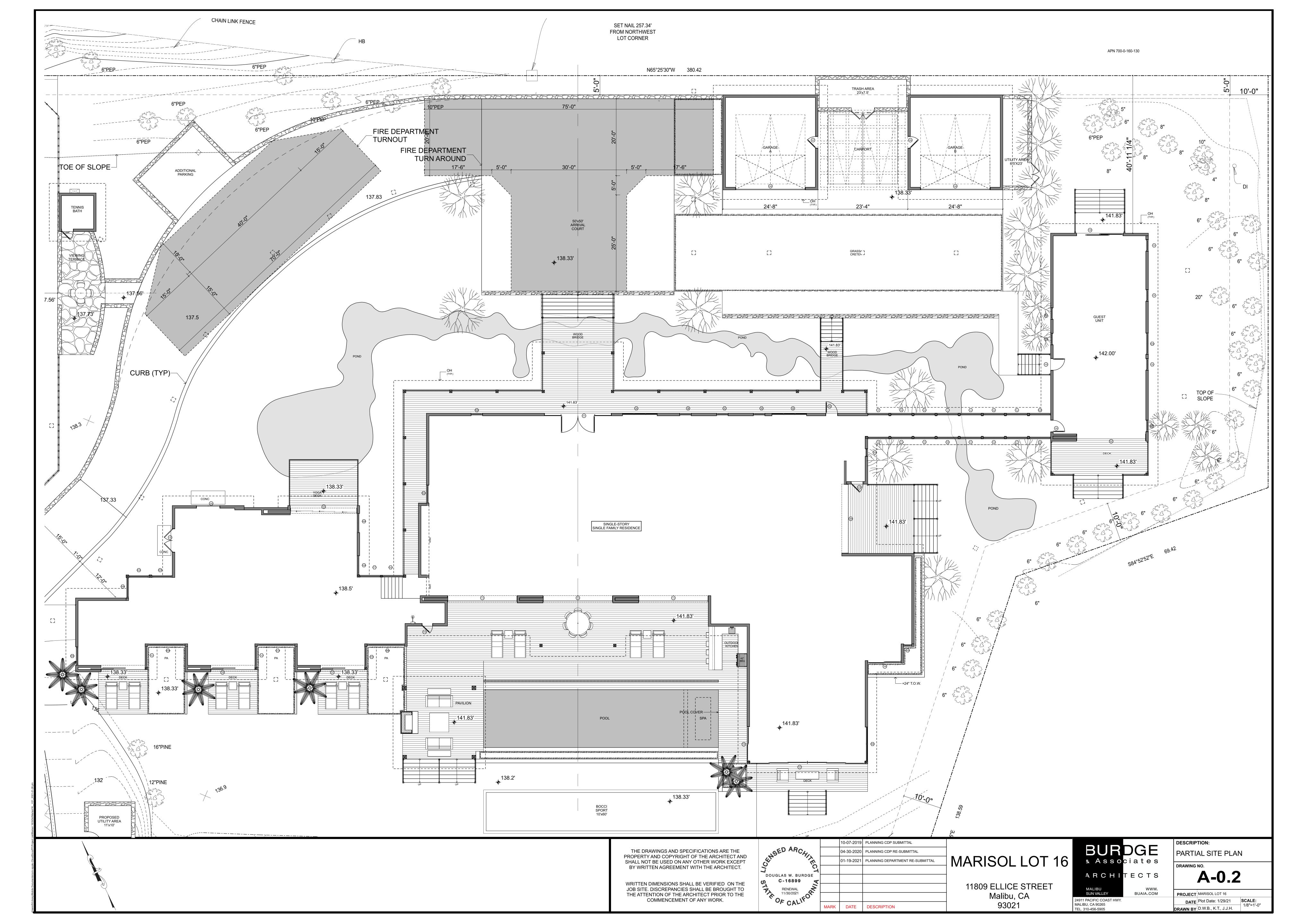
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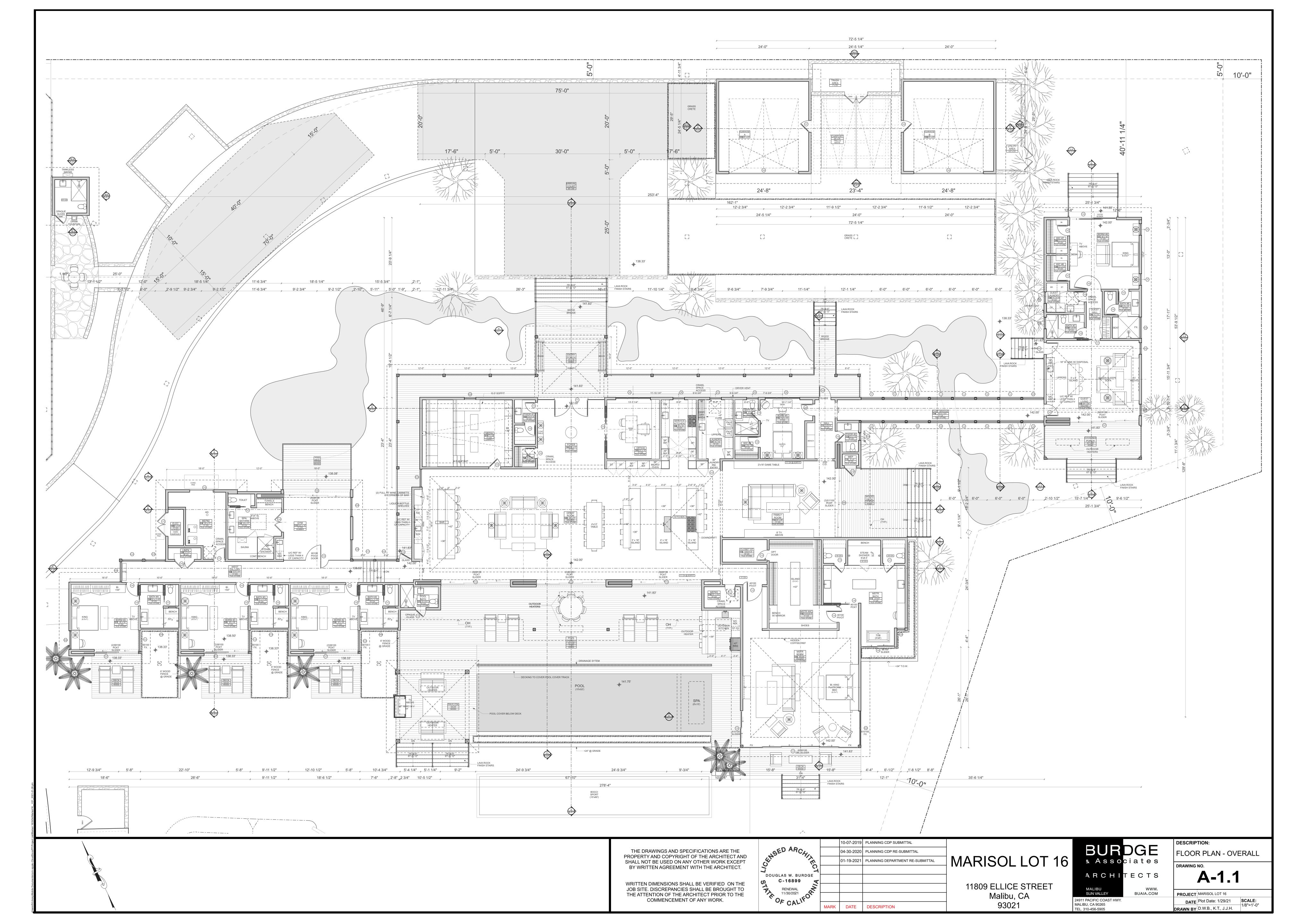
STANDARD NOTES FOR R-CONSTRUCTION DRAWING NO. T-1.3

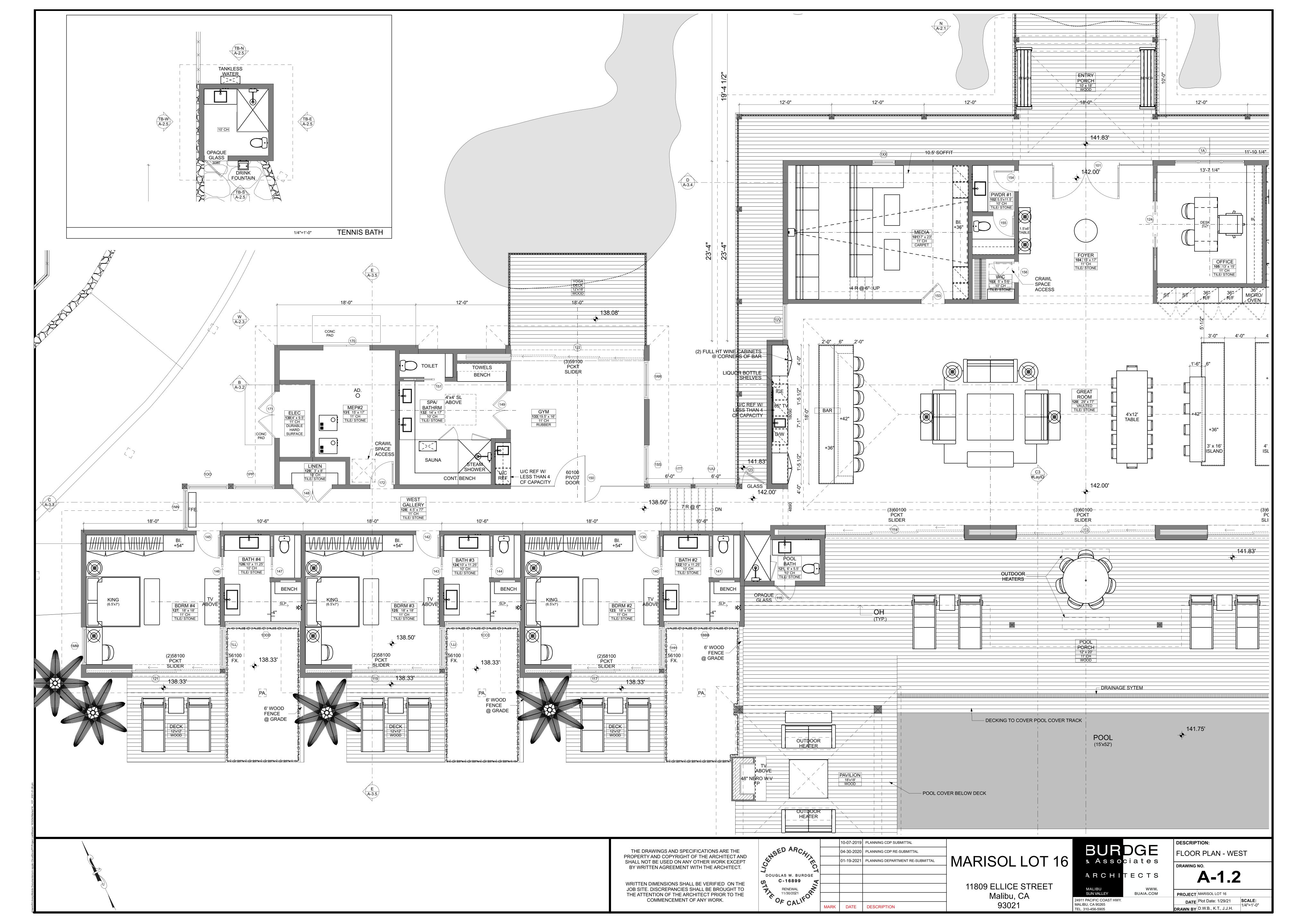
PROJECT MARISOL LOT 16 BUAIA.COM DATE Plot Date: 1/29/21 SCALE:

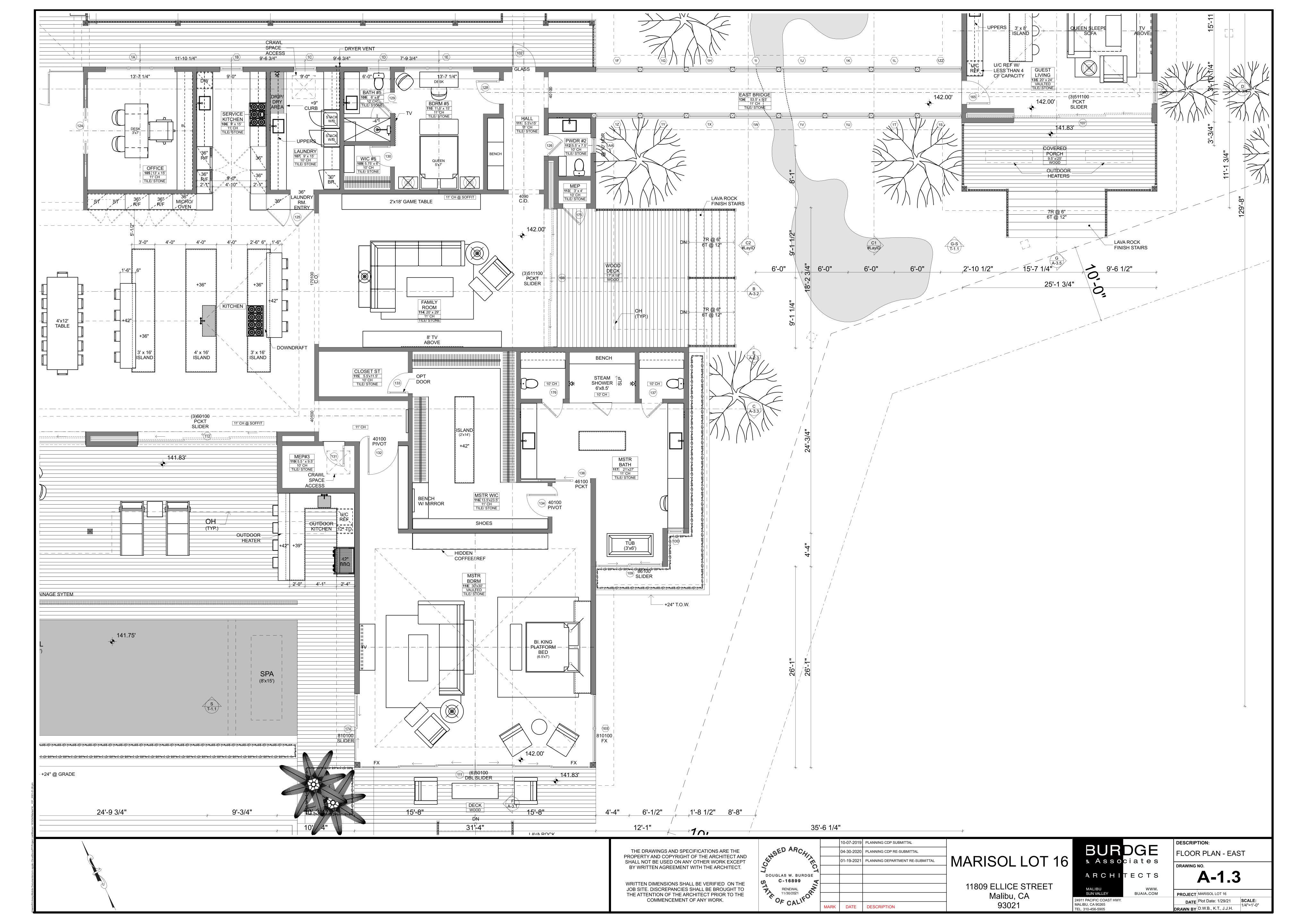
RAWN BY D.W.B., K.T., J.J.H.

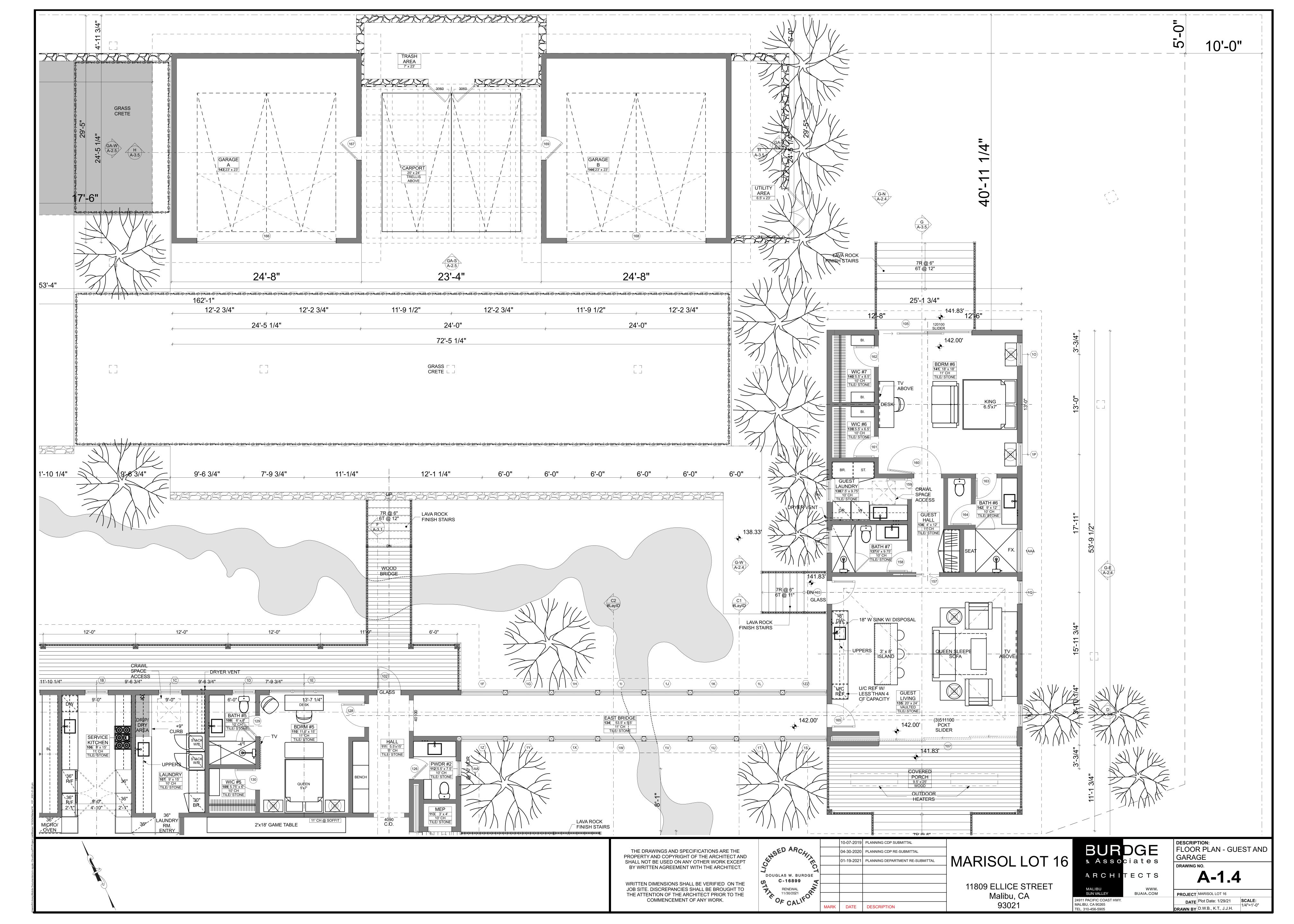


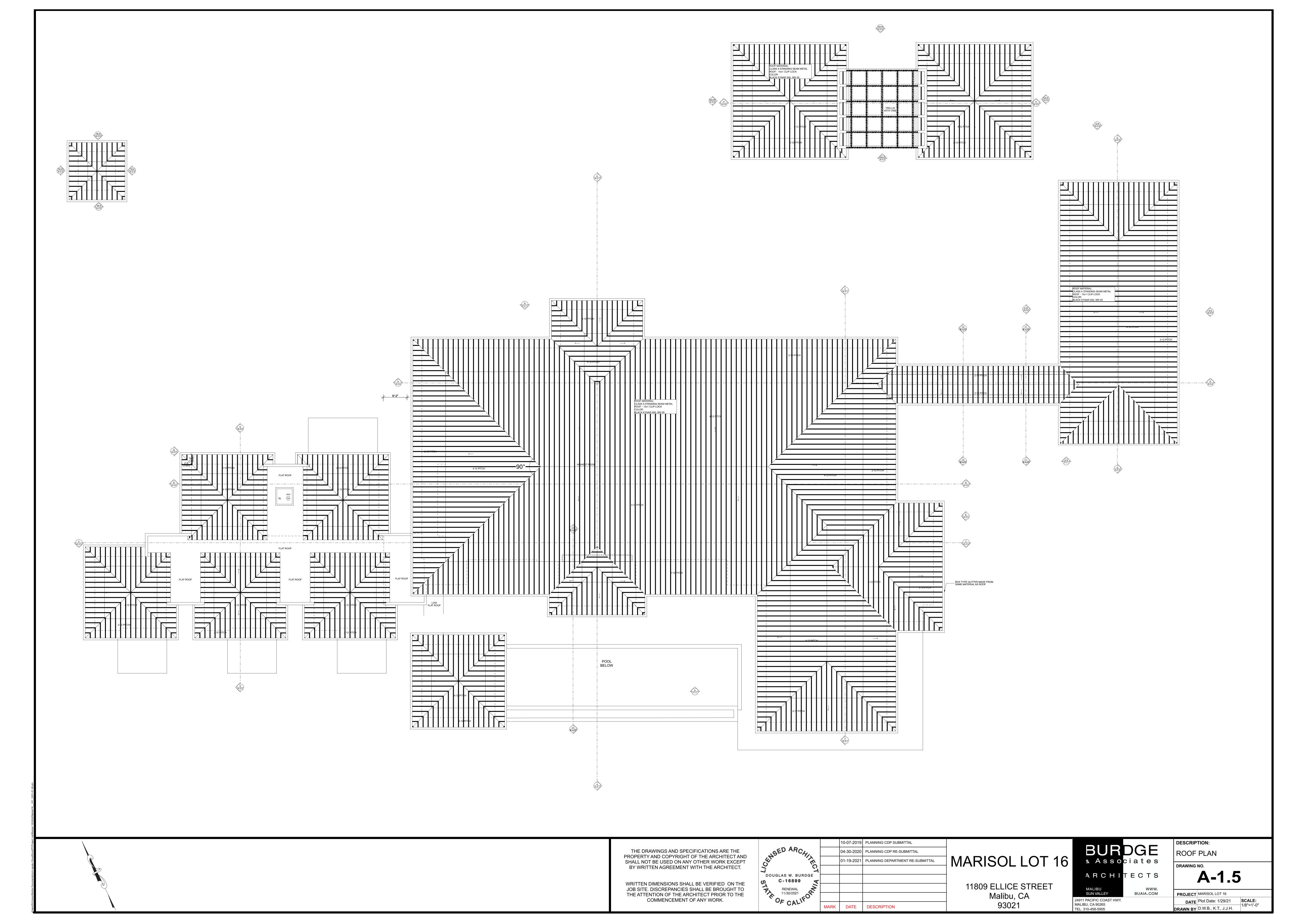


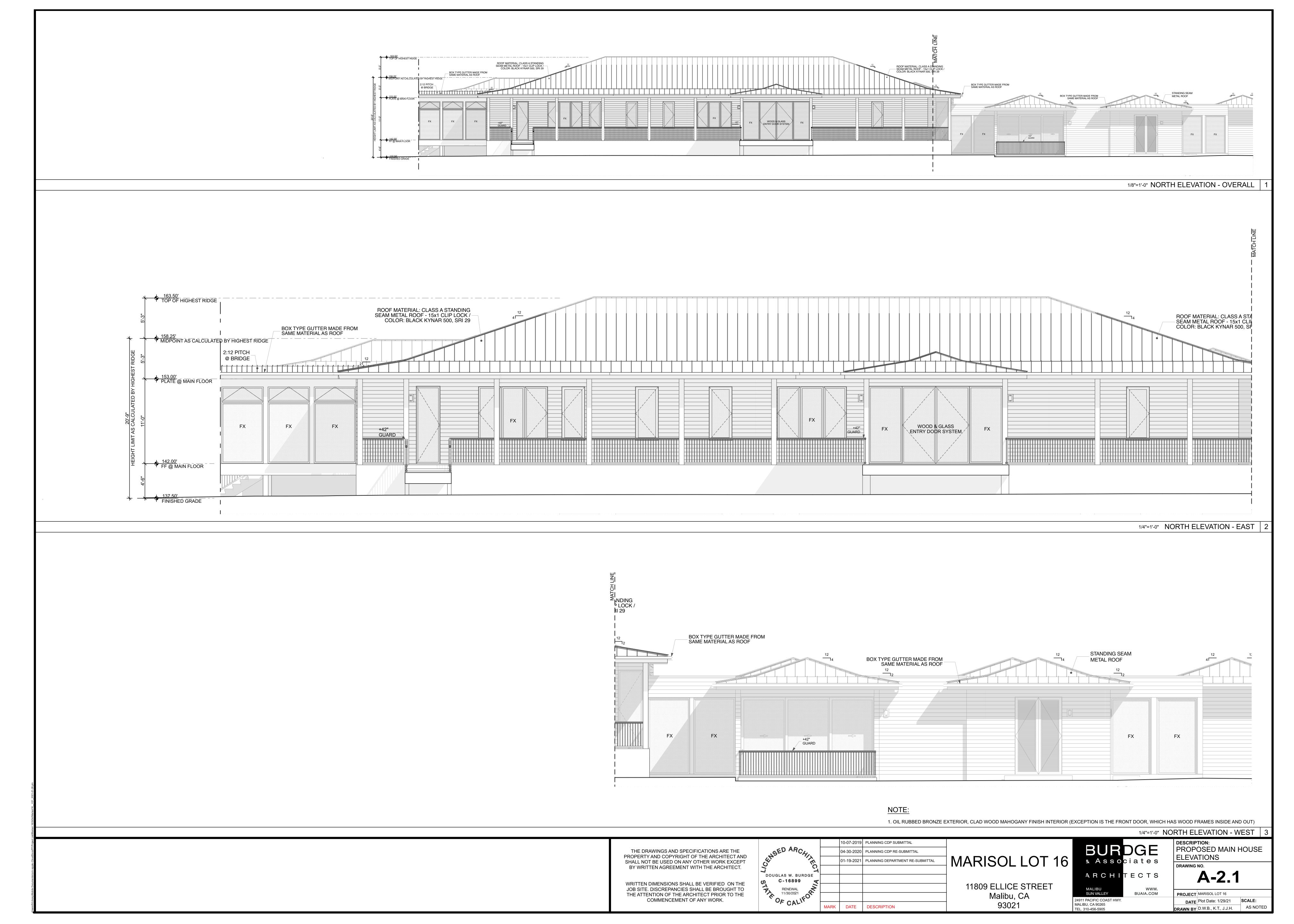


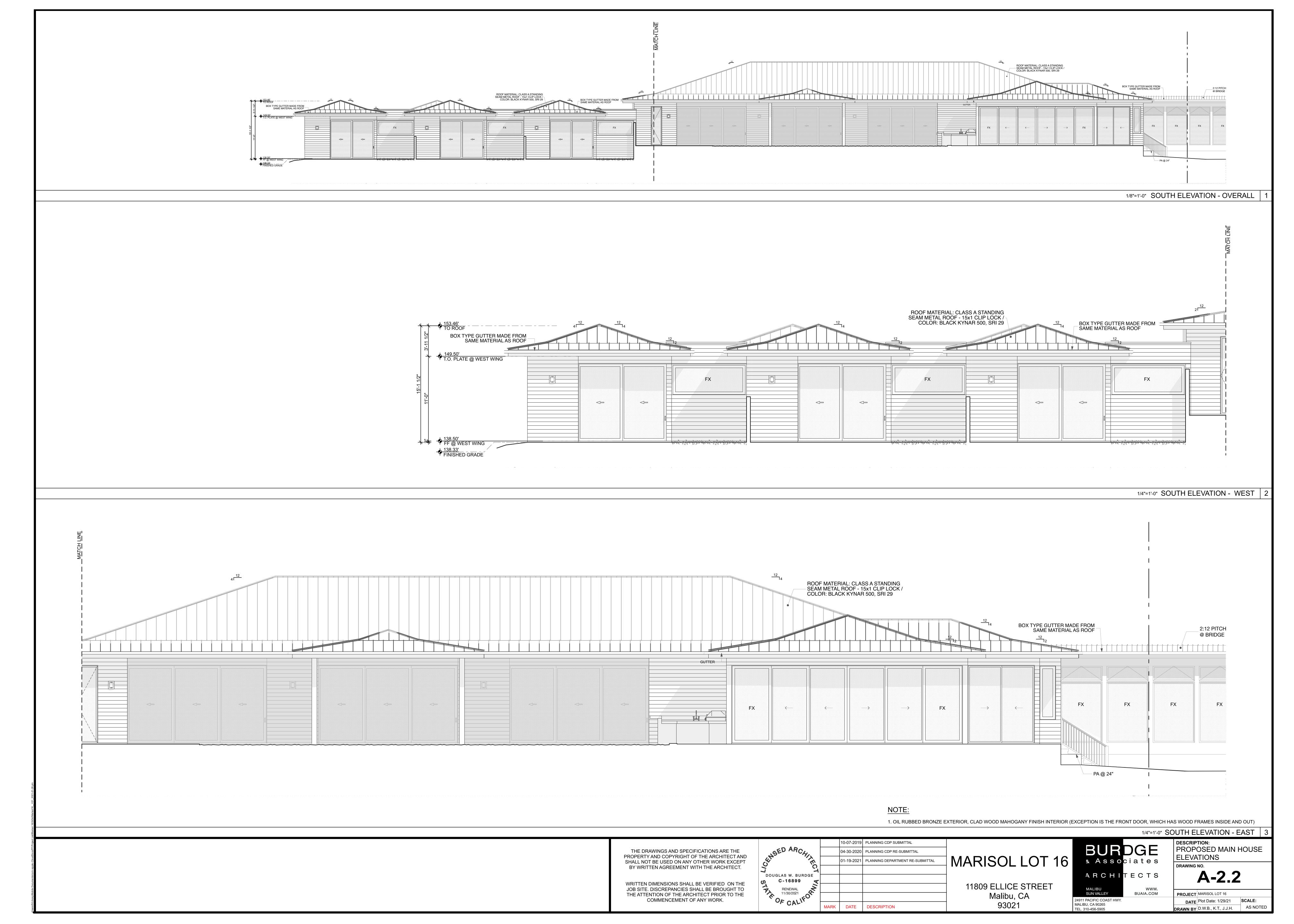




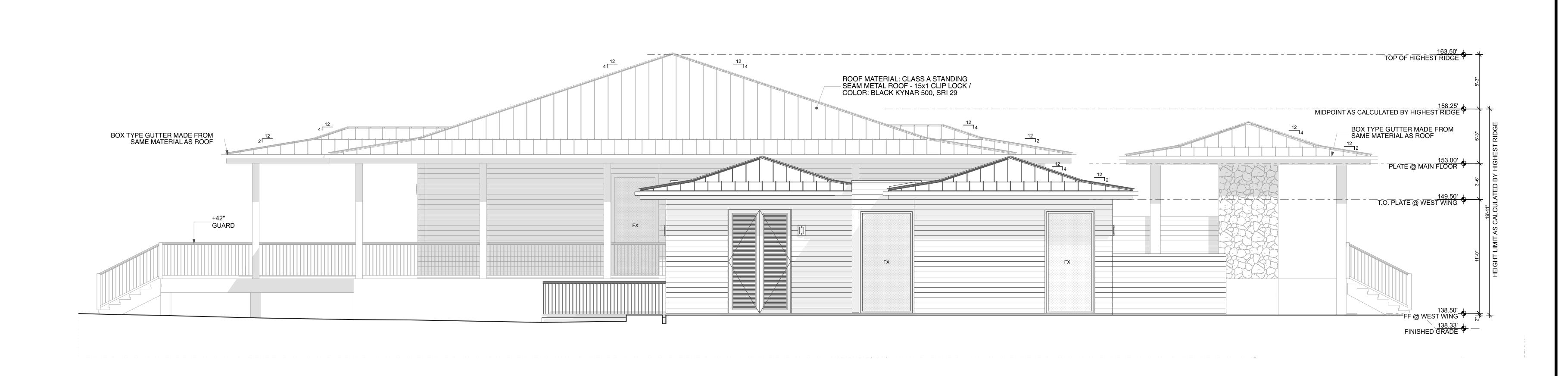












THE DRAWINGS AND SPECIFICATIONS ARE THE

SHALL NOT BE USED ON ANY OTHER WORK EXCEPT

WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE

JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE

COMMENCEMENT OF ANY WORK.

BY WRITTEN AGREEMENT WITH THE ARCHITECT.

PROPERTY AND COPYRIGHT OF THE ARCHITECT AND

NOTE:

10-07-2019 PLANNING CDP SUBMITTAL

DATE DESCRIPTION

04-30-2020 PLANNING CDP RE-SUBMITTAL

01-19-2021 PLANNING DEPARTMENT RE-SUBMITTAL

ENSED ARCHIA

DOUGLAS W. BURDGE

C-16899

RENEWAL
11/30/2021

OF CALIFOR

1. OIL RUBBED BRONZE EXTERIOR, CLAD WOOD MAHOGANY FINISH INTERIOR (EXCEPTION IS THE FRONT DOOR, WHICH HAS WOOD FRAMES INSIDE AND OUT)

MARISOL LOT 16

11809 ELLICE STREET

Malibu, CA

93021

BURDGE & Associates

ARCHITECTS

BUAIA.COM

MALIBU SUN VALLEY

TEL. 310-456-5905

24911 PACIFIC COAST HWY. MALIBU, CA 90265

WEST ELEVATION | 2

PROPOSED MAIN HOUSE

A-2.3

DATE Plot Date: 1/29/21 SCALE:

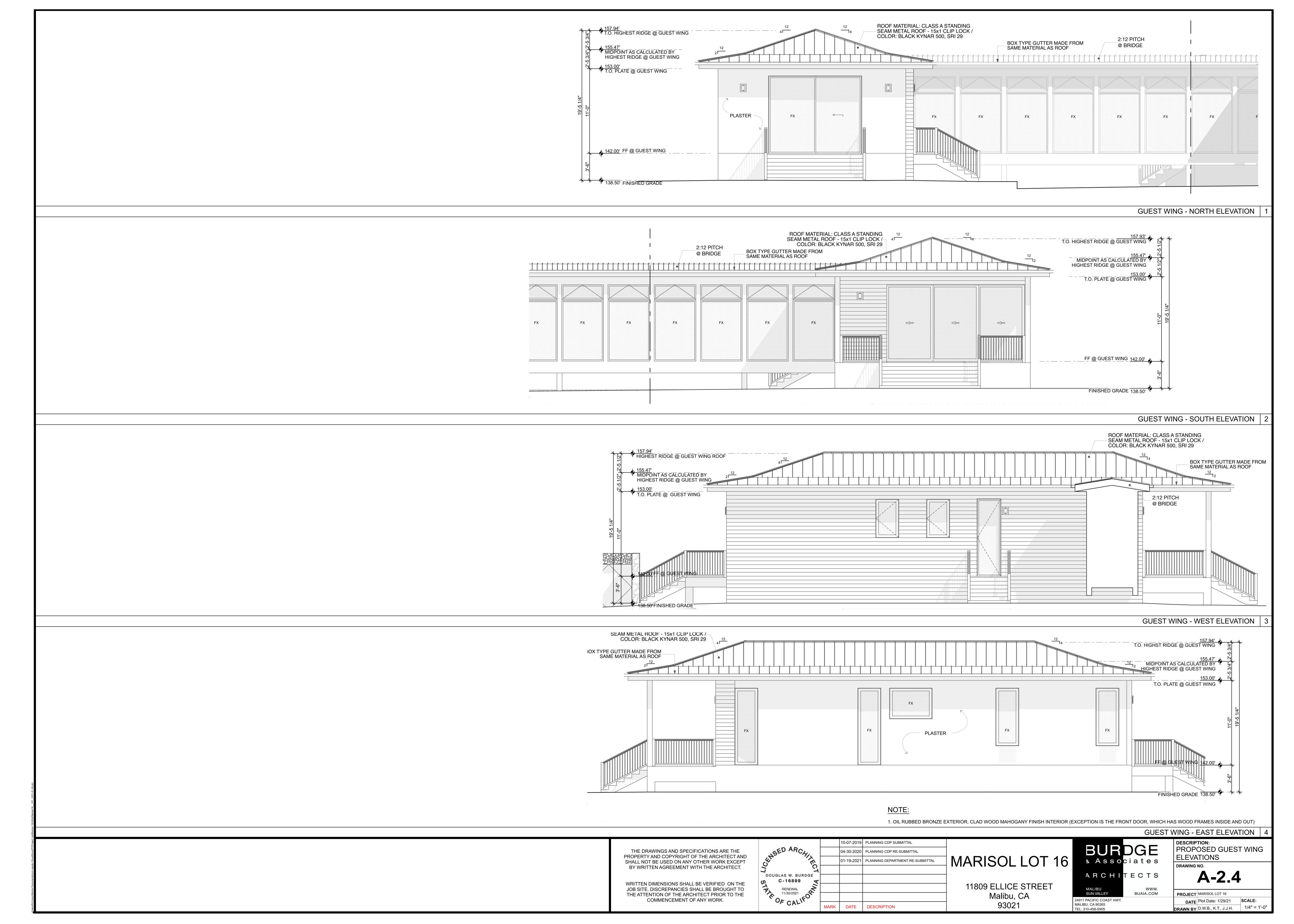
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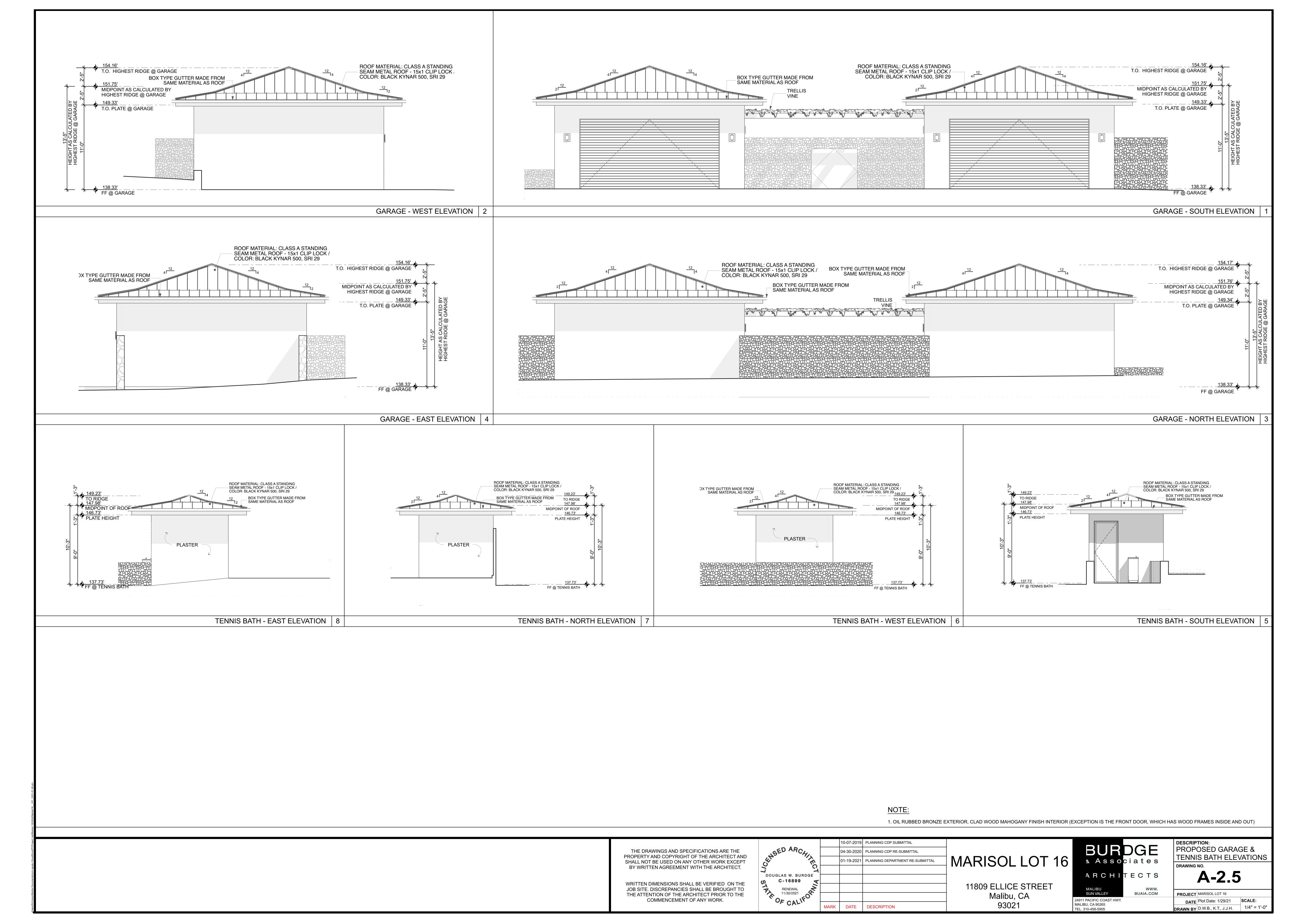
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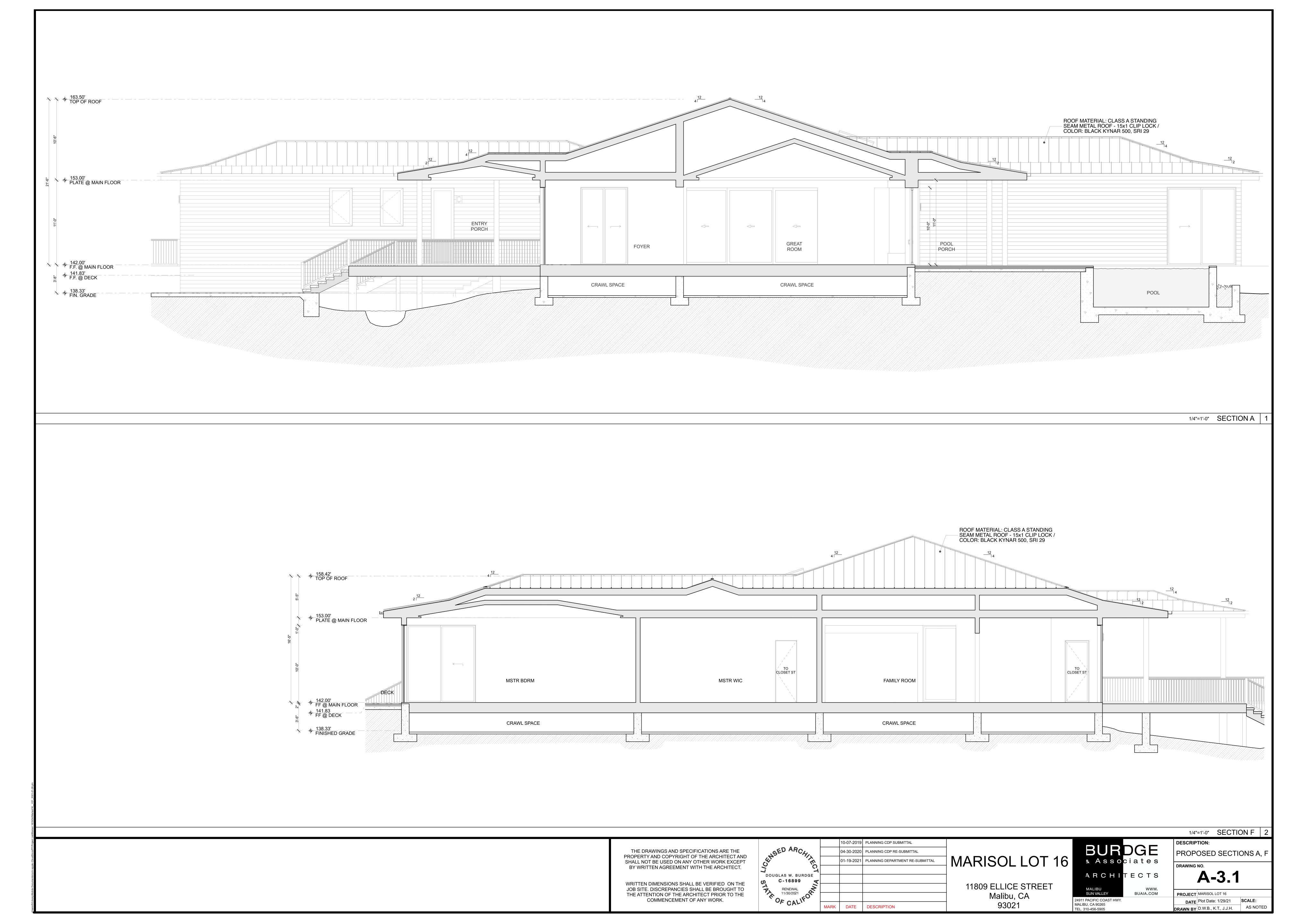
DRAWING NO.

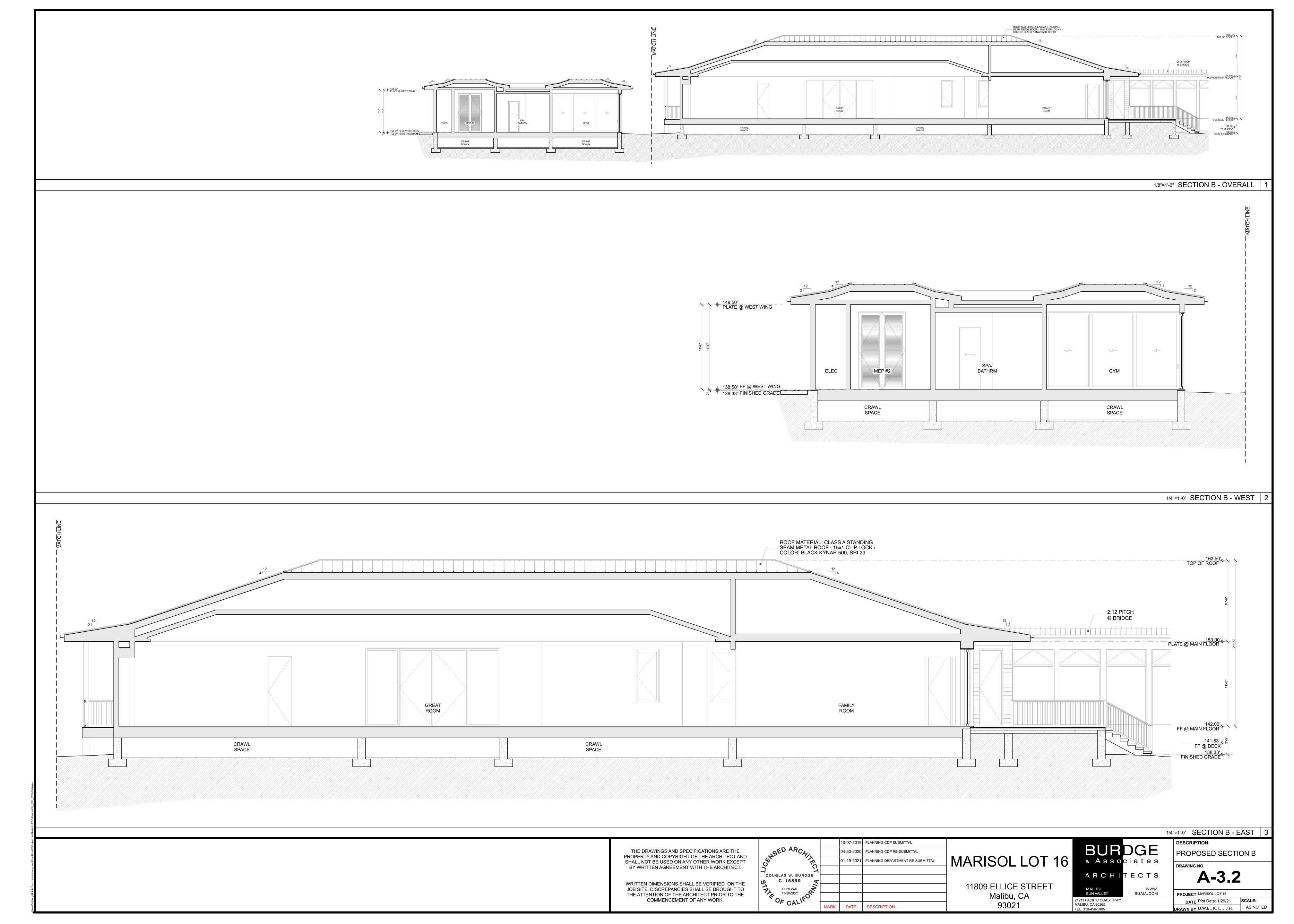
ELEVATIONS

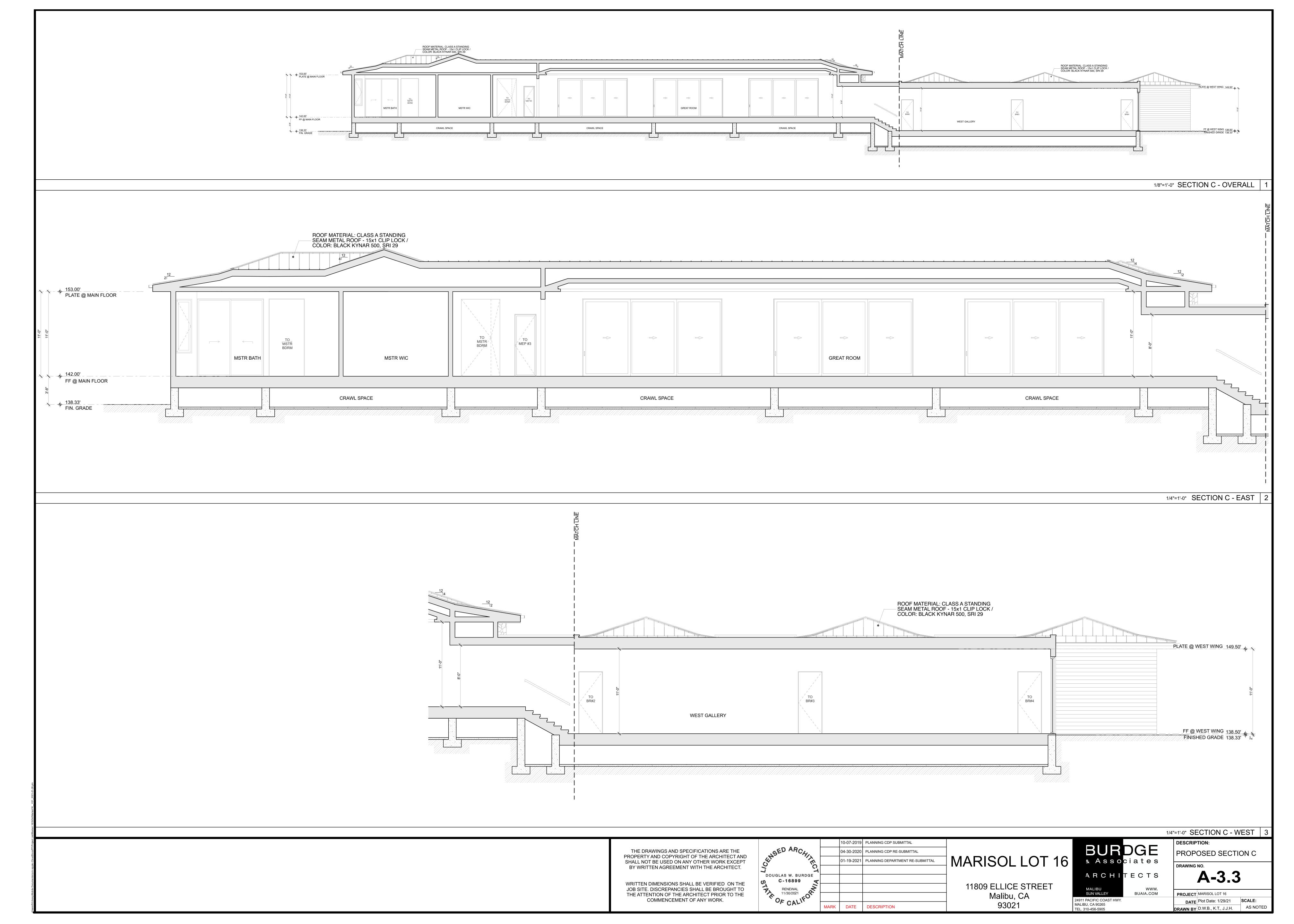
PROJECT MARISOL LOT 16

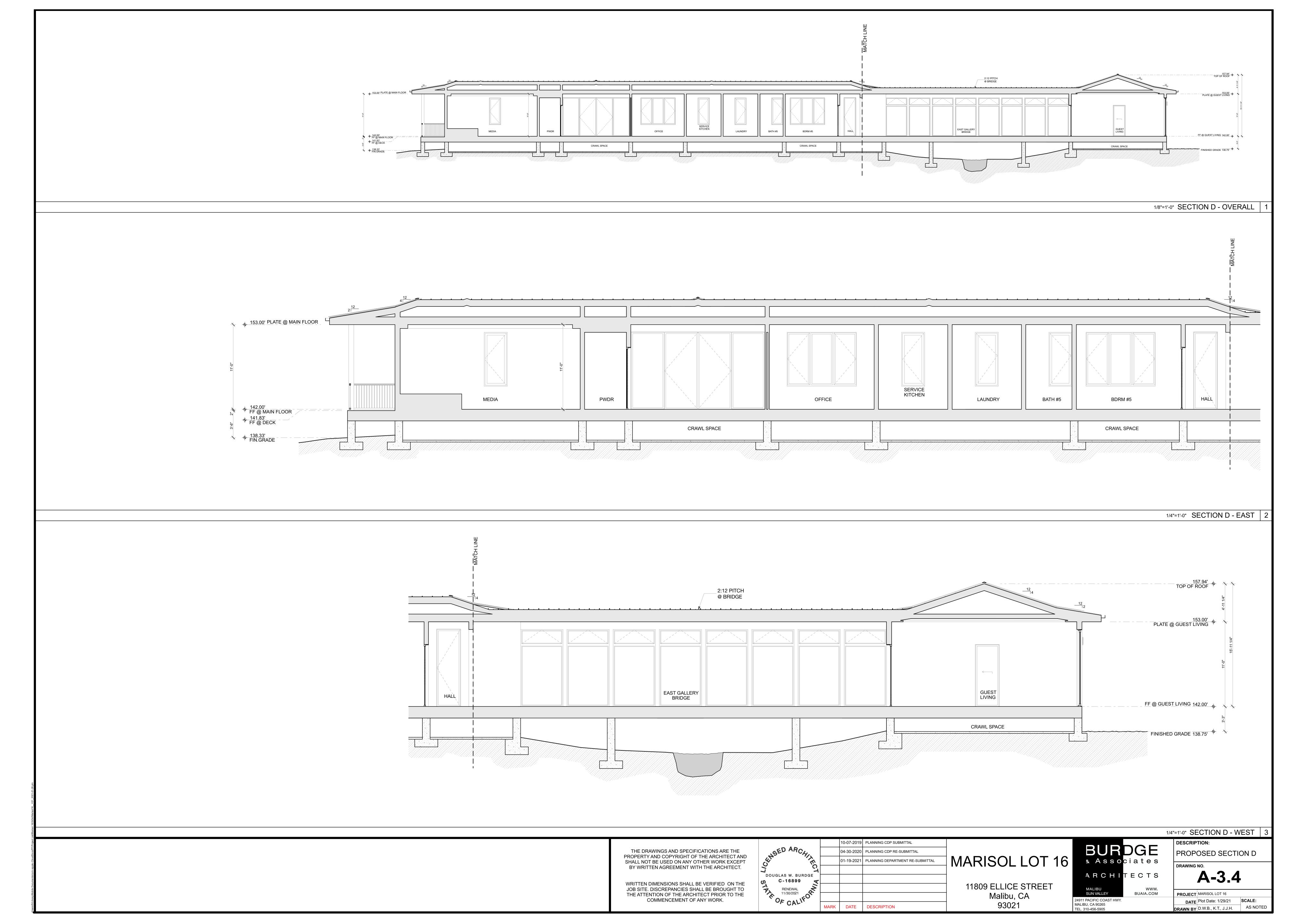


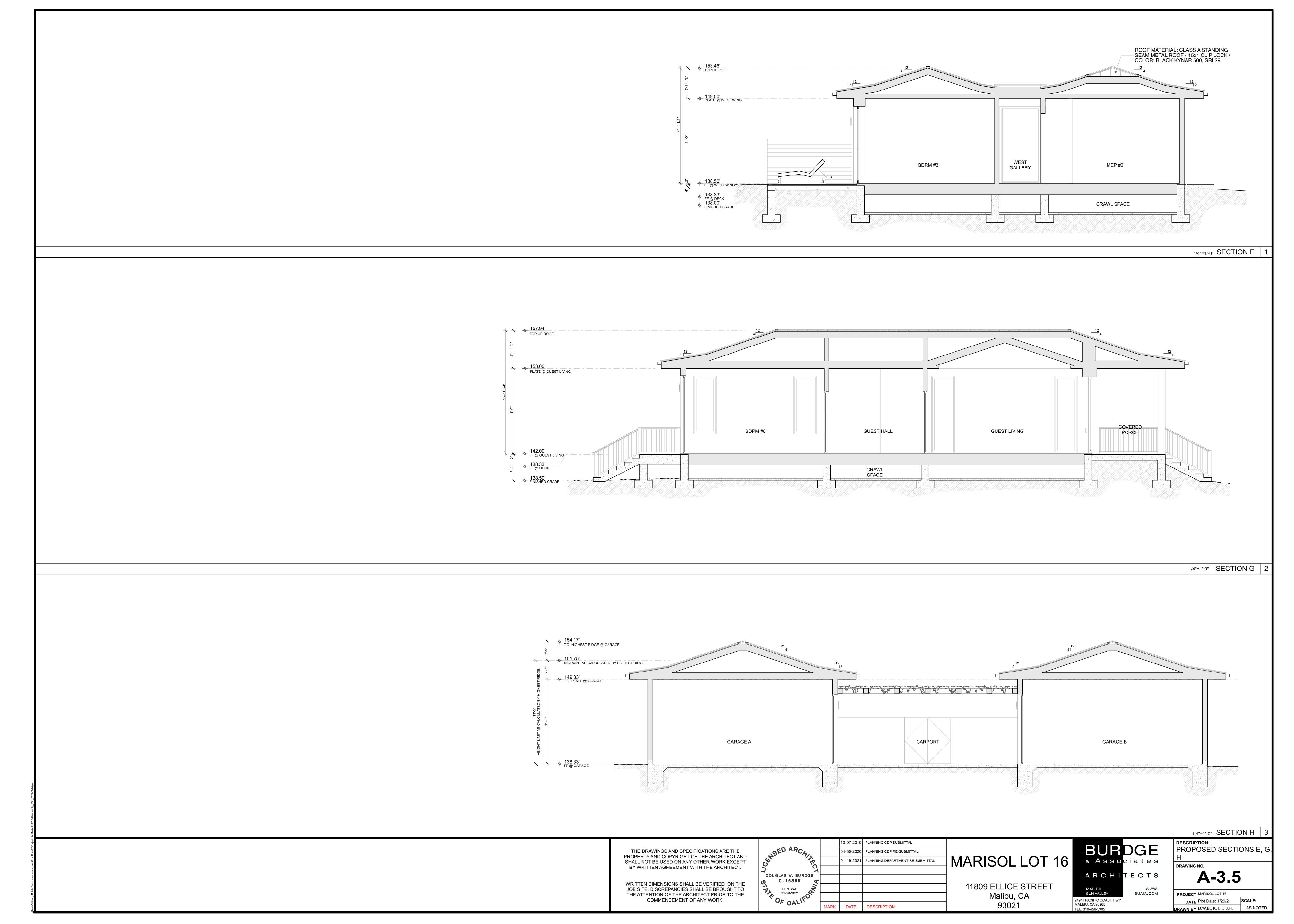






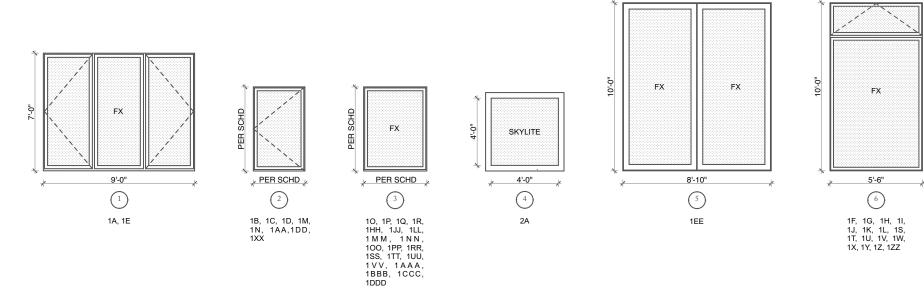






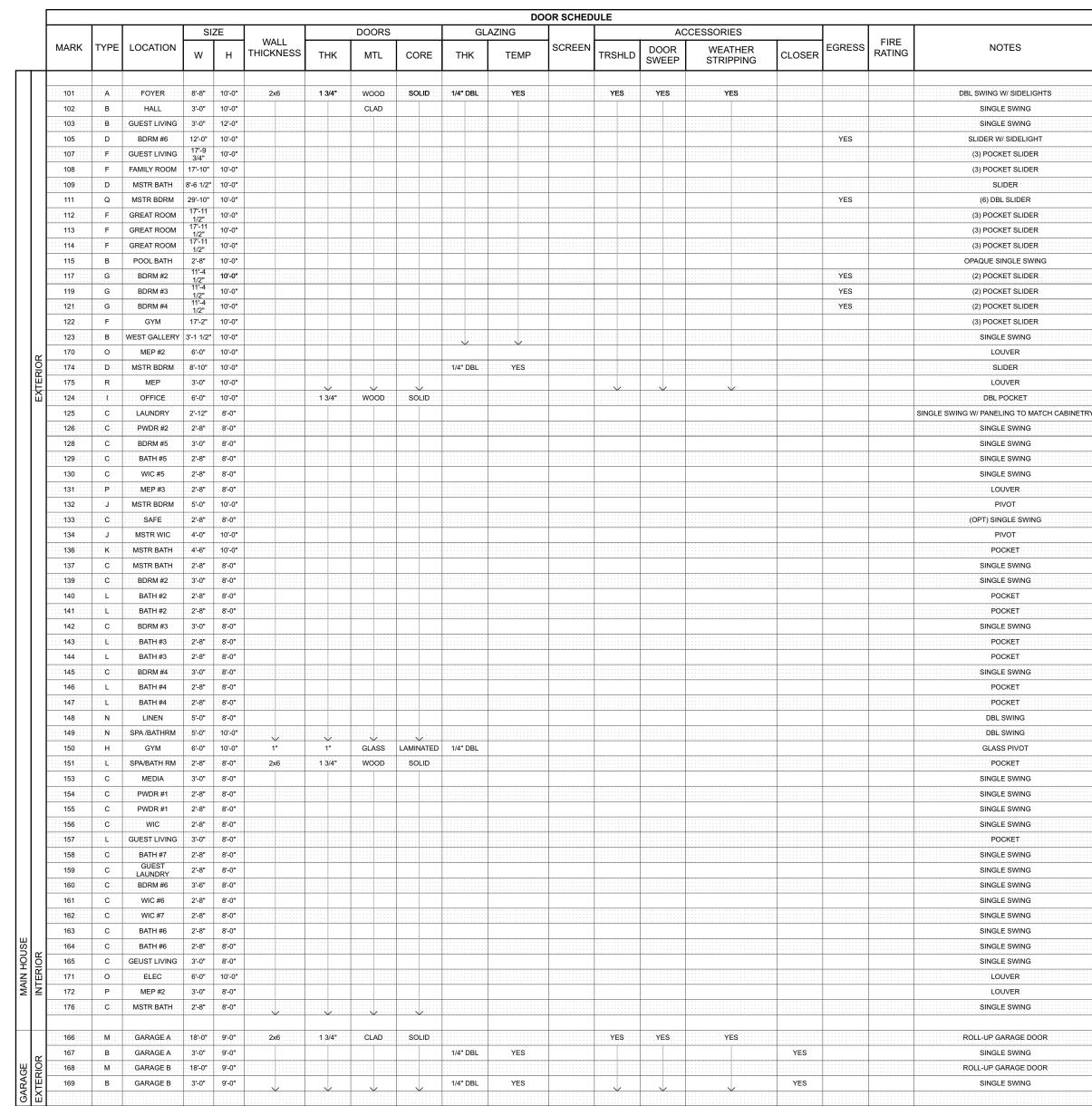
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MARK	TYPE		SI	ZE	011			WINDOW TYPE				FRAME			GLAZING					FIDE	
			W	Н		WALL THICKNESS		CSMNT	AWNING	FIXED PANEL	OTHER	MTL	THK	THK	TE	TEMP		W-E	EGRESS	FIRE RATING	NOTES
1A : : : :	1::::	SERVICE	9'-0"	7'-0"	3'-0"		2x6::::::				XOX	CLAD :::		1/4" DBL		/ES	Y.	ES			
1B	2	KITCHEN	3'-0"	7'-0"	3'-0"			YES						<u> </u>							
1C	2:::	LAUNDRY	3'-0"	7'-0"	3'-0"			YES													
1D	2	BATH #5	3'-0"	7'-0"	3'-0"			YES													
1E	1	BDRM #5	9'-0"	7'-0"	3'-0"						XOX								YES		
1F	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1G	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1H	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
11 :::::	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1J	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES							1					AWNING W/ FIXED
1K	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1L	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1M::::	2	BATH #7	3'-0"	5'-0"	5'-0"			YES													
1N	2	GUEST	3'-0"	5'-0"	5'-0"			YES								1					
10	3	LAUNDRY BDRM #6	3'-0"	7'-6"	2'-6"					YES						: : : : : :					
1P	3	BDRM #6		7'-6"	2'-6"					YES						:::::::					
			3'-0"							YES											
1Q	3	GUEST LIVING	3'-0"	10'-0"	0'-0"																
1R	3	GUEST LIVING	3'-0"	10'-0"	0'-0"					YES											
1S	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1T	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1U	6:::	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1V	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1W	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1X	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1Y	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1Z	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1AA	2:::	PWDR #2	2'-0"	4'-0"	6'-0"			YES													
1DD	2	MSTR BATH	2'-1"	7'-0"	3'-0"					YES											
1EE	5	MSTR BDRM	8'-10"	10'-0"	0'-0"					YES											2 PANE
1HH	3	BDRM #2	5'-6"	10'-0"	0'-0"					YES											CORNER UNIT W/ DOOR #117
1JJ	3	BDRM #3		10'-0"	0'-0"					YES											CORNER UNIT W/ DOOR #119
1LL	3	BDRM #4	5'-6"	10'-0"	0'-0"					YES											CORNER UNIT W/ DOOR #121
1MM	3	BDRM #4	4'-10"	10'-0"	0'-0"					YES											CONNER ONLY W/ DOOR #121
															::::::	: : : : : :					
1NN	3	WEST GALLERY		10'-0"	0'-0"					YES											
100	3::::	WEST GALLERY		10'-0"	0'-0"					YES											
1PP	3	WEST GALLERY		10'-0"	0'-0"					YES				1							
1RR	3:::	GYM	5'-0"	10'-0"	0'-0"					YES						1:::::					
1SS	3	GYM	5'-0"	10'-0"	0'-0"					YES											
: 1TT : : : :	3	WEST GALLERY	5'-5"	10'-0"	0'-0"					YES											
100	3	WEST GALLERY	5'-5"	10'-0"	0'-0"					YES											
: 1VV	3	BAR	4'-8"	10'-0"	0'-0"					YES											
1XX	2	MEDIA	3'-0"	7'-0"	3'-0"			YES													
1ZZ	6	EAST BRIDGE	5'-6"	10'-0"	0'-0"				YES												AWNING W/ FIXED
1AAA	3	BATH #6	5'-6 1/2"	4'-0"	6'-0"					YES											HIGH TRANSOM
1BBB	3	BATH #2	9'-8 3/4"	4'-0"	6'-0"					YES											
1CCC	3	BATH #3	9'-8 3/4"		6'-0"		1			YES						1	1				
1DDD	3	BATH #4	9'-8 3/4"		6'-0"					YES											
.:=.= <b></b> ::::		=::::::::::::::::::::::::::::::::::					V			: = • : : : : :				<b>1</b>		V		V			
20.00		CDA/ DATUDA	A1.011	Ni Oii						VEC		Al-I-II-4		1/4" DB'		/EC:::		E 6 · · · ·			CKALILE
2AAA	4:::	SPA/ BATHRM:	4'-0"	4'-0"	:::::N/A::::	: : : : : : : : : : : : : : : : : : :	N/A::::::			YES		::: ALUM :::		1/4" DBL	::::::	/ES::::	:::::: <u>*</u> :	ES			SKYLITE

\* OIL RUBBED BRONZE EXTERIOR, CLAD WOOD MAHOGANY FINISH INTERIOR

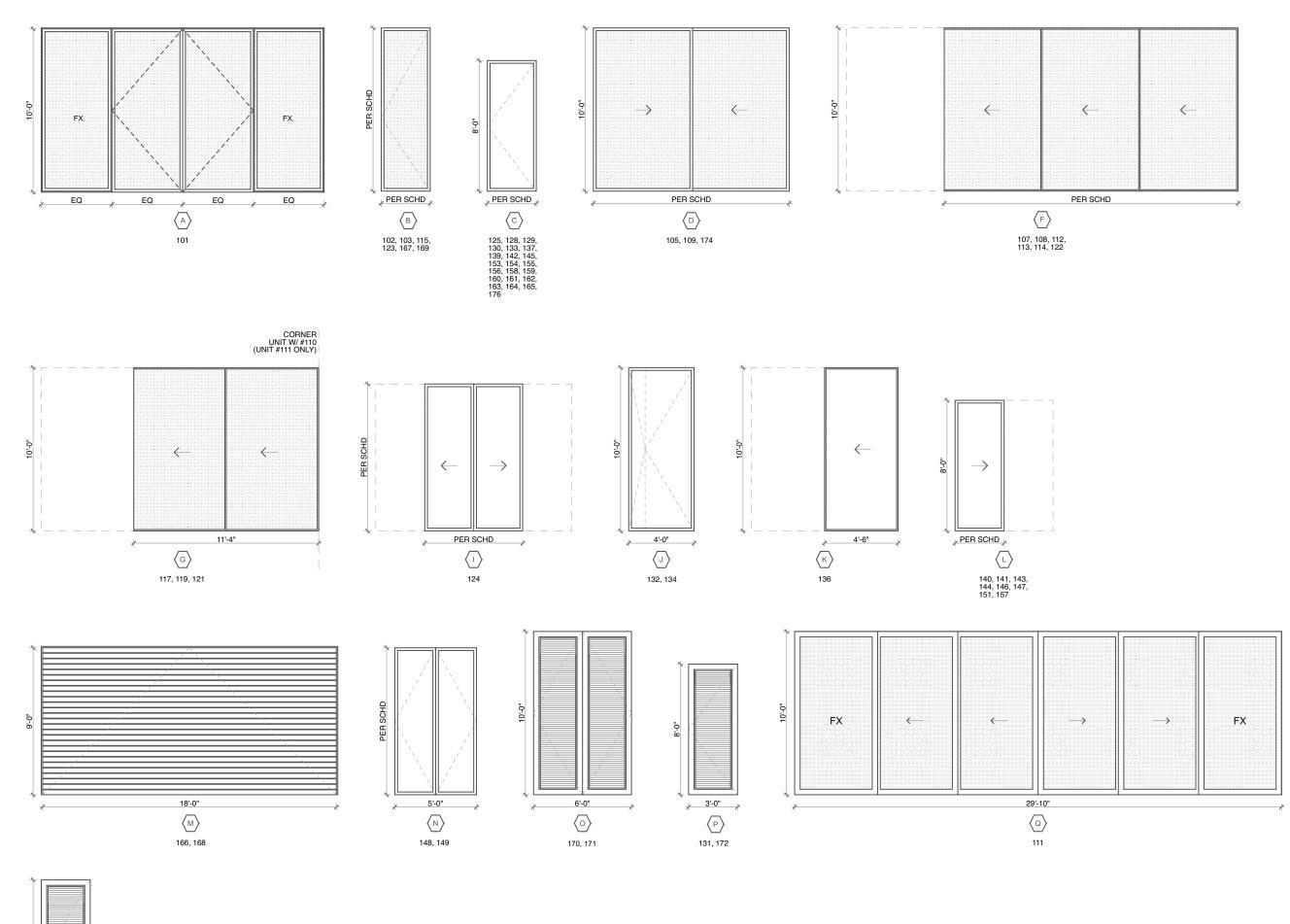


1.) EXTERIOR DOORS, DOORS BETWEEN HOUSE AND GARAGE, WINDOWS AND THEIR HARDWARE SHALL CONFORM TO THE SECURITY PROVISIONS OF CHAPTER 67 OF THE BUILDING CODE:

- A.) SINGLE SWINGING DOORS, ACTIVE LEAF OF A PAIR OF DOORS, AND THE BOTTOM LEAF OF DUTCH DOORS SHALL BE EQUIPPED WITH A DEADBOLT AND A LATCH. IF A KEY-LOCKING FEATURE IS INCORPORATED IN THE LATCHING MECHANISM, A DEAD LATCH SHALL BE USED. DEADBOLTS SHALL CONTAIN HARDENED INSERTS OR EQUIVALENT, SO AS TO REPEL CUTTING TOOL ATTACK. THE DEAD BOLT LOCKS SHALL BE KEY OPERATED FROM THE EXTERIOR SIDE OF THE DOOR AND ENGAGED OR DISENGAGED FROM THE INTERIOR SIDE OF
- THE DOOR BY A DEVICE NOT REQUIRING A KEY, TOOL OR EXCESSIVE FORCE. (B.C. 6709.2) B.) INACTIVE LEAF OF A PAIR OF DOORS OR UPPER LEAF OF DUCTH DOOR SHALL HAVE DEADBOLT AS PER PARAGRAPH "A" NOT KEY OPERATED, OR HARDENED DEADBOLT TOP AND BOTTOM WITH 1/2" EMBEDMENT. (B.C. 6709.3)
- C.) SWINGING WOOD DOOR(S) SHALL BE SOLID CORE NOT LESS THAN 1-3/8" THICK. (B.C. 6709.1.1) D.) PANELS OF WOOD DOORS SHALL BE FRABICATED OF LUMBER NOT LESS 1-3/8" THICK, PROVIDED SHAPE PORTION OF PANELS ARE NOT LESS THAN 1/4" THICK. INDIVIDUAL PANELS SHALL NOT EXCEEDS 300 SQUARE INCHES IN AREA.(B.C. 6709.1.2)
- E.) HOLLOW-CORE DOORS OR DOORS LESS THAN 1-3/8" IN THICKNESS EITHER OF WHICH SHALL BE COVERED ON THE INSIDE FACE WITH 16-GAUGE SHEET METAL ATTACHED WITH SCREWS AT 6" MAXIMUM CENTERS AROUND THE PERIMETER. (6709.1.3) F.) DOOR HINGE PINS ACCESSIBLE FROM THE OUTSIDE SHALL BE NON-REMOVABLE. (B.C. 6709.5) G.) DOOR STOPS OF WOOD JAMBS OF IN-SWINGING DOORS SHALL BE ONE PIECE CONSTRUCTION OR JOINED BY A RABBET. (B.C. 6709.4)
- H.) WINDOWS AND DOOR LIGTHS WITHIN 40" OF THE LOCKING DEVICE OF THE DOOR SHALL BE FULLY TEMPERED/ APPROVED BURGLARY RESISTANT/ PROTECTED BY BARS, SCREENS OR I.) OVERHEAD AND SLIDING GARAGE DOORS SHALL BE SECURED WITH A CYLINDER LOCK, PADLOCK WITH A HARDENED STEEL SHACKLE, OR EQUIVALENT WHEN NOT OTHERWISE LOCKED BY ELECTRIC POWER OPERATION. JAMBS LOCKS SHALL BE ON BOTH JAMBS FOR DOORS EXCEEDING 9 FEET IN WIDTH. (B.C. 6711)
- 2.) SLIDING GLASS DOORS (PATIO TYPE) SHALL HAVE CATEGORY II CLASSIFICATION PER U.B.C. STD. 24-2, TABLE 24-2-A.
- 3.) GLAZING IN DOORS AND FIXED GLAZED PANELS OF MORE THAN 9 SQ.FT. SHALL HAVE CATEGORY II CLASSIFICATION PER U.B.C. STD. 24-2, TABLE 24-2-A.
- 4.) GLAZING IN DOORS AND FIXED GLAZED PANELS OF 9 SQ.FT. OR LESS SHALL HAVE CATEGORY I CLASSIFICATION PER U.B.C. STD. 24.2, TABLE 24-2-A. 5.) GLAZING IN DOORS AND ENCLOSURES FOR BATHTUBS AND SHOWERS SHALL HAVE CATEGORY II CLASSIFICATION PER U.B.C. STD. 24-2, TABLE 24-2-A.
- 6.) GLAZED WARDROBE DOORS SHALL MEET THE IMPACT TEST REQUIREMENTS OF U.B.C. STD. 24-2, PART II. LAMINATED GLASS MUST ALSO MEET THE BOIL TEST REQUIREMENTS OF U.B.C.
- 7.) EMERGENCY ESCAPE AND RESCUE SHALL PROVIDE: (1026) A.) NET CLEAR OPENING AREA OF 5.0 SQ. FT. FOR GRADE-FLOOR OPENINGS AND A 5.7 SQ. FT. FOR ABOVE GRADE.(1026.2) B.) MINIMUM NET CLEAR OPENING HEIGHT DIMENSION SHALL BE 24 INCHES.
- C.) MINIMUM NET CLEAR OPENING WIDTH DIMENSION SHALL BE 20 INCHES. D.) THE BOTTOM OF THE CLEAR OPENING SHALL NOT BE GREATER THAN 44 INCHES FROM THE FLOOR.
- 8.) VEHICLE ACCESS DOORS MAY BE NONCOMBUSTIBLE MATERIAL. (FIRE CODE 4715.2.3)
- 9.) EXTERIOR DOOR ASSEMBLIES SHALL MEET THE FOLLOWING: SOLID CORE WOOD HAVING STILES AND RAILS NOT LESS THAN 1-3/8 INCH THICK WITH INTERIOR PANEL THICKNESS NOT LESS THAN 1-1/4 INCH THICK. (FIRE CODE 4715.2.3) 10.) EGRESS DOORS SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT. BUILDING CODE 1008.1.9
- 11.) ALL EXTERIOR GLAZING IN ALL WINDOWS AND DOORS TO HAVE A MINIMUM OF ONE PANE TEMPERED GLASS
- 12.) GLAZING WITHIN A 24" ARC OF THE DOORWAY / GLAZING WITHIN 18" OF FLOOR/GLAZING IN SHOWER AND BATHTUB DOORS AND ENCLOSURES SHALL BE TEMPERED. CRC R308.4 13.) GLAZING IN DOORS SHALL BE TEMPERED. CRC R308.4
- 14.) EXTERIOR WINDOWS AND EXTERIOR GLAZED DOORS SHALL BE MULTIPANE GLAZING WITH A MINIMUM OF ONE TEMPERED PANE, GLASS BLOCK UNITS, HAVE A FIRE RESISTANCE RATING OF 20 MINUTES WHEN TESTED IN ACCORDANCE WITH NFPA 257, OR MEET THE REQUIREMENTS OF SFM-7A-1 [§ R327.8.2.1 CRC]
- 15.) EXTERIOR DOORS SHALL BE OF APPROVED NONCOMBUSTIBLE CONSTRUCTION OR IGNITION RESISTANT MATERIAL, SOLID CORE WOOD HAVING STILES AND RAILS NOT LESS THAN 1-3/8 INCHES THICK WITH INTERIOR FIELD PANEL THICKNESS NO LESS THAN 1-1/4 INCHES THICK, SHALL HAVE A FIRE RESISTANCE RATING OF NO LESS THAN 20 MINUTES WHEN TESTED ACCORDING TO NFPA 252, OR MEET THE REQUIREMENTS OF SFM-7A-1. [§ R327.8.3 CRC]

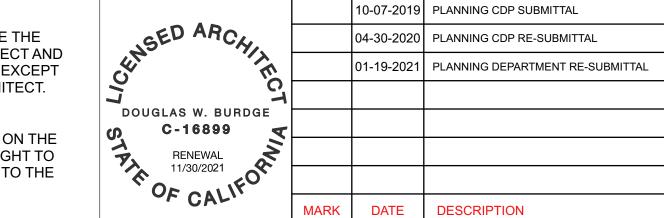


\* OIL RUBBED BRONZE EXTERIOR, CLAD WOOD MAHOGANY FINISH INTERIOR (EXCEPTION IS THE FRONT DOOR, WHICH HAS WOOD FRAMES INSIDE AND OUT)



THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY AND COPYRIGHT OF THE ARCHITECT AND SHALL NOT BE USED ON ANY OTHER WORK EXCEPT BY WRITTEN AGREEMENT WITH THE ARCHITECT.

WRITTEN DIMENSIONS SHALL BE VERIFIED ON THE JOB SITE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.



MARISOL LOT 16

ARCHITECTS 11809 ELLICE STREET MALIBU SUN VALLEY Malibu, CA 24911 PACIFIC COAST HWY. 93021 MALIBU, CA 90265

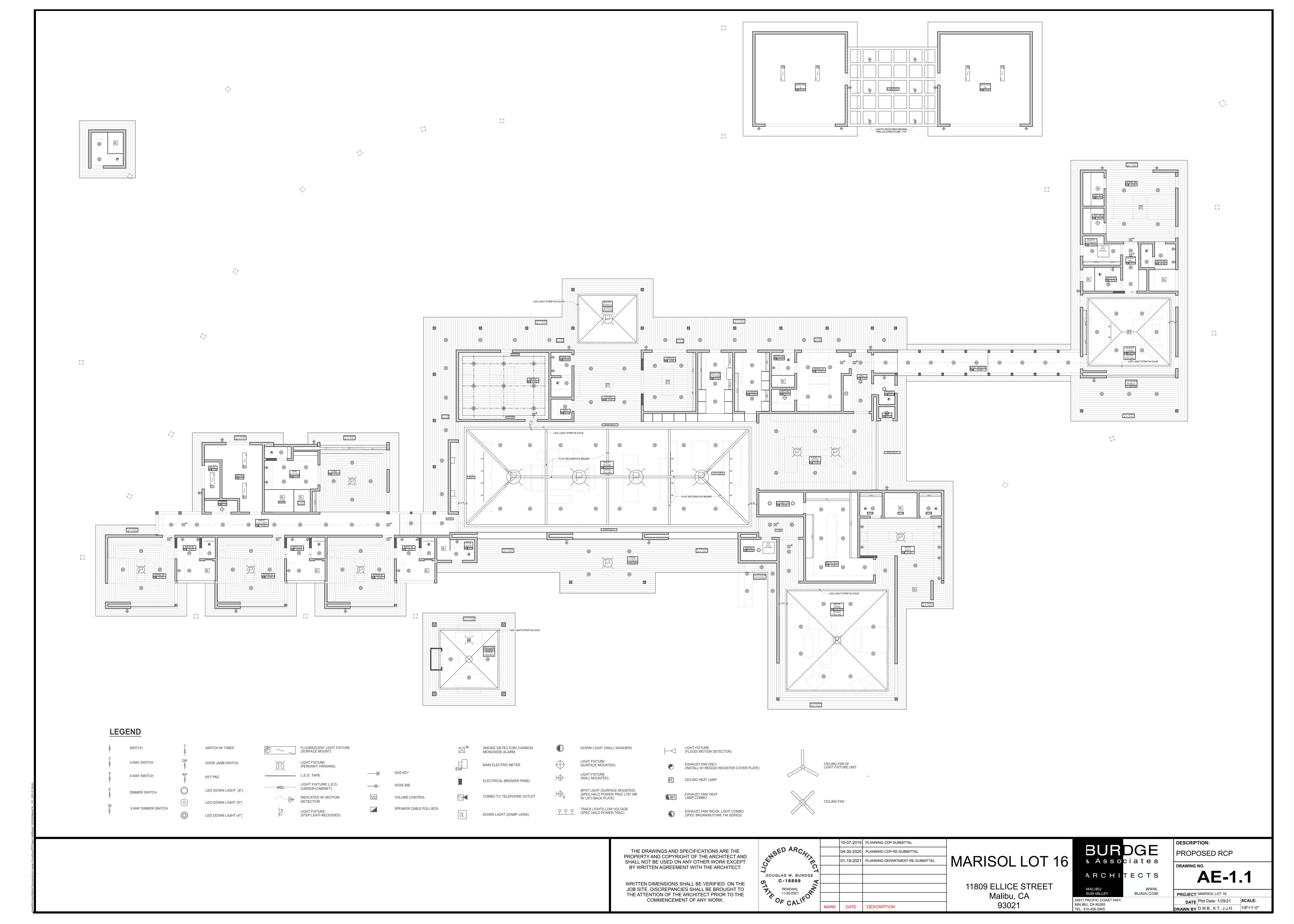
TEL. 310-456-5905

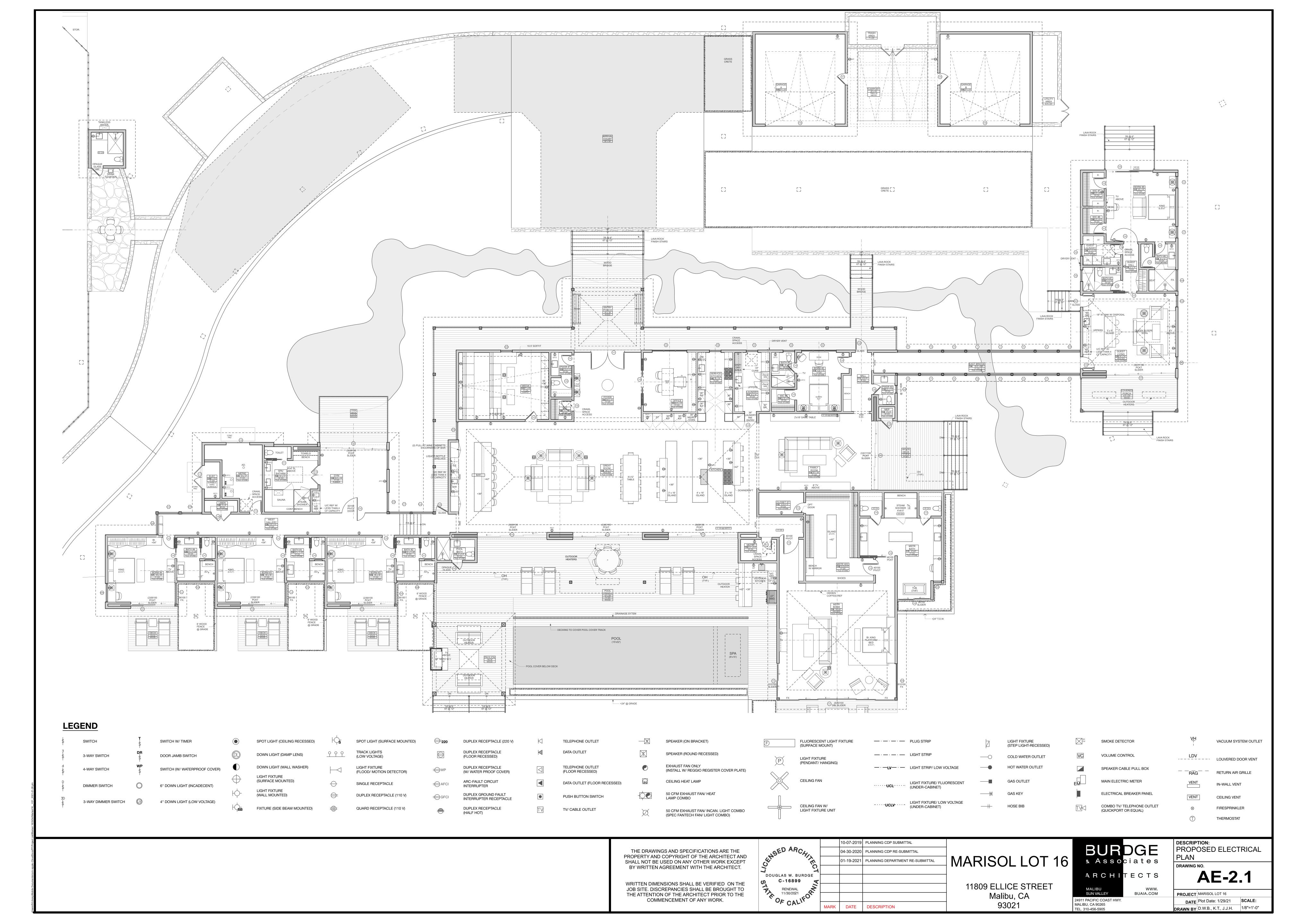
BURDGE & Associates

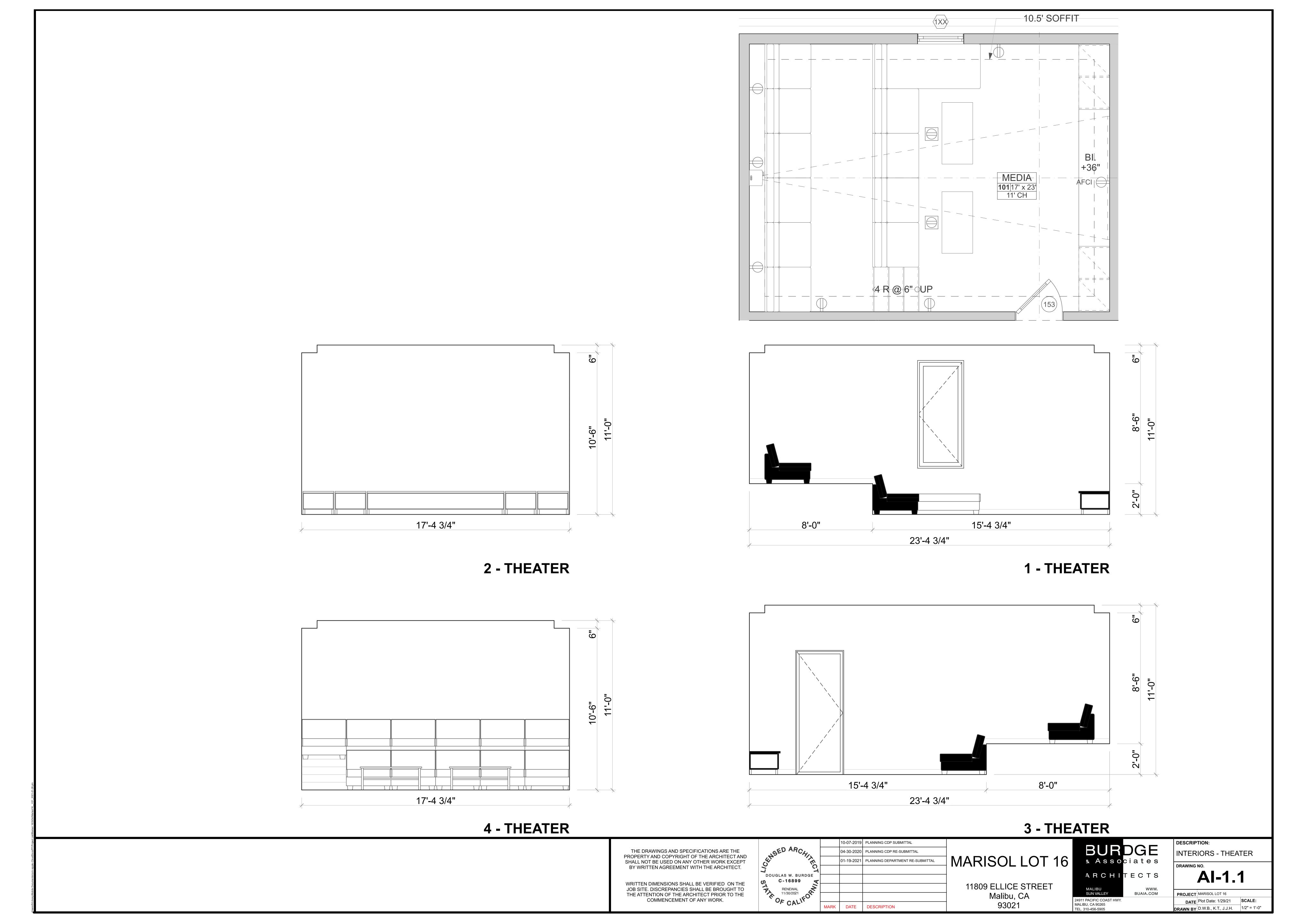
BUAIA.COM

DOOR AND WINDOW SCHEDULE DRAWING NO.

A-6.1 PROJECT MARISOL LOT 16 DATE Plot Date: 1/29/21 SCALE: DRAWN BY D.W.B., K.T., J.J.H.







Planning Director

#### **NEGATIVE DECLARATION (ND) ADDENDUM**

#### **BACKGROUND INFORMATION AND PROJECT DESCRIPTION:**

- **1. Entitlement:** Coastal Planned Development (PD) Permit for the construction of a new single-family dwelling (Case No. PL19-0113).
- 2. Applicant/Property Owner: Crown Pointe Estates at Malibu, LLC, 21800 Oxnard Street, Suite 1190, Woodland Hills, CA 91367
- **3. Applicant's Representative:** Ronald Coleman, 21800 Oxnard Street, Suite 1190, Woodland Hills, CA 91367
- 4. Location: 11809 Ellice Street, Malibu, CA 90265
- 5. Tax Assessor's Parcel Numbers: 700-0-260-180
- 6. Lot Size: 2 Acres
- 7. General Plan Land Use Designation: Rural
- **8. Coastal Area Plan Land Use Designation:** Residential Rural 1DU/2AC (one dwelling unit per 2 acres)
- **9. Zoning Designation:** CRE-2 ac/M (Coastal Rural Exclusive, 2-acre minimum lot size, Santa Monica Mountains Overlay Zone).
- 10. Responsible and/or Trustee Agencies: California Coastal Commission
- 11. Project Description: The Applicant requests approval of a Coastal PD Permit for the construction of a new single-story 11,768-square-foot (sq. ft) single-family dwelling. The building will be 20.75 feet in height. The proposed project includes the construction of a 1,040 sq. ft. outdoor swimming pool and spa, two 608 sq. ft. detached garages and a carport, exterior patio areas (total area of 3,408 square feet for covered patios), an exterior tennis and bocce ball court, and a detached 97 sq. ft. bathroom building.<sup>1</sup> The proposed project will include the installation of 40,898 square feet of new on-site landscaping.

The proposed project will be constructed within an existing graded pad and will not include areas beyond what were previously graded and cleared in accordance with Coastal PD Permit Case No. LU10-0074 and Grading Permit Case No. GP12-0030. A removal and recompaction grading permit is required to prepare the footings/foundations, retaining walls, and landscaping areas and to achieve the desired grades for the proposed project. Earthwork (estimated volume is 376 cubic yards) will balance on site, and no material import or export will occur. No additional grading beyond the regrading of the existing pad, and no vegetation removal is

County of Ventura
Planning Director Hearing
Case No. PL19-0113
Exhibit 4 - Addendum to a ND
and ND

Pursuant to Ventura County Building Code, Section 202, Definitions, bathrooms do not constitute habitable space. The building is subject to the Ventura County CZO limitations for detached accessory buildings.

ND Addendum Case No. PL19-0113 April 1, 2021 Page 2 of 4

proposed with this project. Additionally, the proposed project avoids impacts to Environmentally Sensitive Habitat Areas (ESHA), as no ESHA occurs on the project site.

Water to the site will be provided by the Yerba Buena Water Company, and wastewater disposal will be handled by a new on-site wastewater treatment system (OWTS), which will include a 4,500-gallon septic tank and two 6-foot (in diameter) seepage pits. Access to proposed single-family dwelling will be provided by extending an existing paved private driveway to Ellice Street.

#### **STATEMENT OF ENVIRONMENTAL FINDINGS:**

On August 8, 2011, the Planning Director adopted a Negative Declaration (ND) that evaluated the environmental impacts of Tentative Parcel Map (TPM) Case No. SD10-0020 (TPM No. 5845) and Coastal PD Permit Case No. LU10-0074, which authorized a subdivision (a 3-lot parcel map), grading (6,900 cubic yards of cut, and 26,900 cubic yards of fill) brush and vegetation removal (more than 0.5 acres), and the development of accessory uses and structures for the development of the subdivision. The project site previously included a recreation center and medically supervised children's camp (Camp Joan Mier). The ND evaluated impacts to water Resources, scenic resources, biological resources, education, and cumulative impacts associated with the project, as well as a request to amend the County's Certified Local Coastal Program and change the zoning of the project site from CRE-5 ac (Coastal Rural Exclusive, 5-acre minimum lot size) to CRE-2 ac (Coastal Rural Exclusive, 2-acre minimum lot size). On June 14, 2012, the Coastal Commission approved County of Ventura Local Coastal Program Amendment No. 1-12 certifying the requested zoning change. The subject property is Parcel 2 of Parcel Map 5845, which recorded on June 13, 2013.

Section 15164(b) of the CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3) states that the decision-making body may adopt an addendum to an adopted ND if: (1) only minor technical changes or additions are necessary; and (2) none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent Environmental Impact Report (EIR) or negative declaration have occurred.

The conditions described in Section 15162 of the CEQA Guidelines which require the preparation of an EIR or subsequent negative declaration, are provided below, along with a discussion as to why an EIR or subsequent negative declaration is not required:

1. Substantial changes are proposed in the project which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(1)].

ND Addendum Case No. PL19-0113 April 1, 2021 Page 3 of 4

The proposed project, as well as all construction activities associated with the project, includes the construction of a new single-family dwelling, along with two detached garages and a carport, a swimming pool, spa, outdoor tennis and bocce ball court, and a detached bathroom building. The proposed project would not create new environmental impacts that were not previously analyzed in the ND.

No impacts to biological resources will occur with the proposed project given the previous grading associated with Coastal PD Permit Case No. LU10-0074, which included rough grading to prepare the site for residential development. A removal and recompaction grading permit is required to prepare the footings/foundations, retaining walls, landscaping areas and achieve the desired grades for the proposed project. Earthwork (estimated volume is 376 cubic yards) will balance on-site and no material import or export will occur. The proposed project will not impact environmentally sensitive habitat areas (ESHA), as no ESHA is located on the project site.

Therefore, the proposed project will not involve any new significant environmental impacts that were not identified in the ND and will not require major revisions to the ND.

Substantial changes occur with respect to the circumstances under which the
project is undertaken which will require major revisions of the previous ND due
to the involvement of new significant environmental effects or a substantial
increase in the severity of previously identified significant effects [§
15162(a)(2)].

The existing baseline conditions that were used to analyze potential impacts to the environment have not changed to the extent that the proposed revisions to the project description would require important major revisions to the ND. No new impacts would result from the proposed project. Additionally, the subject property has been previously disturbed, and the project site was partially prepared for the construction of the proposed development with the installation of a building pad, drainage improvements, fencing improvements, and a paved private driveway in accordance with Coastal PD Permit Case No. LU10-0074.

Based on the above discussion, the proposed project would not result in any new potentially significant impacts that were not previously analyzed in the MND.

- 3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Planning Director adopted the previous ND, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous ND [§ 15162(a)(3)(A)].

ND Addendum Case No. PL19-0113 April 1, 2021 Page 4 of 4

No new information that was not known and could not have been known when the ND was adopted has become available. There are no environmental resources, hazards, or public facilities located on, or in the vicinity of, the project site that were previously unknown and could be substantially affected by the proposed project. No new significant effects have been identified. As stated in this Addendum (above), the proposed project will not change the analysis set forth in the previous ND. Therefore, no new information of substantial importance has been discovered, and the proposed project will not result in any new environmental effects that were not discussed or analyzed in the previous ND.

Therefore, based on the information provided above, there is no substantial evidence to warrant the preparation of a subsequent ND. The decision-making body shall consider this addendum to the adopted ND prior to making a decision on the project.

#### **PUBLIC REVIEW:**

Pursuant to the CEQA Guidelines [§ 15164(c)], this addendum to the ND does not need to be circulated for public review, and shall be included in, or attached to, the adopted ND.

Prepared by:-

John Oquendol Case Planner Residential Permits Section Ventura County Planning Division Reviewed by:

Jernifer Welch, Manager Residential Permits Section

Ventura County Planning Division

#### Kimberly L. Prillhart Director

## county of ventura

#### **NEGATIVE DECLARATION**

#### A. PROJECT DESCRIPTION:

<u>Entitlements</u>: Tentative Parcel Map No. 5845 (Case No. SD10-0020), Planned Development permit (Case No. LU10-0074), and Zone Change (Case No. ZN10-0002).

Applicant: Crown Pointe Estates at Malibu, LLC.

<u>Location</u>: The project site is located along Ellice Street, near the Ventura-Los Angeles County line, in unincorporated Ventura County.

Assessor Parcel No(s): 700-0-260-140.

Parcel Size: 7.18 acres.

<u>General Plan and Coastal Area Plan Designations</u>: The existing General Plan land use designation is Rural. The existing Coastal Area Plan land use designation is Residential Rural 1 DU/2AC (one dwelling unit per two acres).

Existing and Proposed Zoning: The existing zoning designation is CRE-5 ac (Coastal Rural Exclusive 5 acre minimum parcel size). The proposed zoning designation change is CRE-2 ac (Coastal Rural Exclusive 2 acre minimum parcel size).

Responsible and/or Trustee Agencies: The Planning Division contacted potential Responsible and Trustee Agencies. The California Coastal Commission was the only agency identified as having jurisdiction over the project.

<u>Project Description</u>: The subject property was previously developed as the Camp Joan Mier recreational center/children's camp (medically supervised). Special Use Permit 838 was granted by the Board of Supervisors on Jan. 6, 1959, construction of the camp structures began in 1964, and records indicate that the use permit (later modified to a Conditional Use Permit) expired on Sept. 21, 1999. Currently there are four remaining camp-related buildings.

The applicant requests approval of Tentative Parcel Map no. 5845 for a 3-lot residential subdivision with lot sizes as follows:

County of Ventura Planning Director Hearing SD10-0020 & LU10-0074

Exhibit 4—Environmental Document

1654-2481 Fax (805) 654-2509





Lot 1: 2.19 acres

Lot 2: 2.00 acres Lot 3: 2.37 acres

The project includes a Planned Development Permit (LU10-0074) for the demolition of four buildings, grading (including greater than 0.5 acres of brush/vegetation removal) for new building sites, and installation of storm drain and septic systems. The buildings to be demolished include a multi-vehicle garage, a residential dwelling and associated single-vehicle garage, and a dormitory building. The grading work will include the removal of existing concrete slabs, the installation of retaining walls, and preparation of new building pads. The grading involves 6,900 cubic yards of cut and 26,900 cubic yards of fill. Approximately 20,000 cubic yards of fill would be imported from the adjacent property. The existing residential building on the site (originally permitted under Special Use Permit 838) would remain during grading and construction activities associated with proposed subdivision SD10-0020, and would be demolished before construction of any new future residences onsite. (Construction of new dwelling units is not a part of this project.)

Three (3) ficus trees and one (1) palm tree would be removed to prepare the site for the proposed grading. One (1) ficus tree would be boxed and relocated on-site per the recommendations of a certified landscape architect. Access to each of the proposed building pads would be provided by 20 foot wide private driveways via Ellice Street. No public or private roads will be extended or expanded. Water will be supplied by the Yerba Buena Water Company. A septic system will be installed and utilized onsite.

The subdivision is contingent upon the approval of a zone change (ZN10-0002) from Coastal Rural Exclusive (CRE) 5-acre minimum parcel size to CRE 2-acre minimum parcel size to allow for the creation of two-acre (approx.) lots.

#### B. STATEMENT OF ENVIRONMENTAL FINDINGS:

State law requires that an Initial Study (environmental analysis) be conducted to determine if this project could significantly affect the environment. Based on the findings contained in the attached Initial Study, it has been determined that this project will not have a significant effect on the environment, and a Negative Declaration has been prepared.

#### C. PUBLIC REVIEW:

<u>Legal Notice Method</u>: Direct mailing to property owners within 300 feet and to residents within 100 feet of proposed project boundary, and a legal notice in a newspaper of general circulation.

Document Posting Period: May 20, 2011 through June 19, 2011.

<u>Public Review</u>: The Initial Study prepared for this proposed project has determined that the project will not have adverse environmental impacts. The Initial Study/Negative Declaration is available for public review on-line at

www.ventura.org/planning (select "CEQA Environmental Review") or at the County of Ventura, Resource Management Agency, Planning Department, 800 South Victoria Avenue, Ventura, California from 8:00 am to 5:00 pm Monday through Friday.

Comments: The public is encouraged to submit written comments regarding this Negative Declaration no later than 5:00 p.m. on the last day of the above posting period to the case planner, Chuck Anthony, at the County of Ventura Resource Management Agency, Planning Department, 800 South Victoria Avenue L#1740, Ventura, CA 93009. The Planning Division's FAX number is (805) 654-2509. You may also e-mail the case planner at chuck anthony@ventura.org.

#### D. CONSIDERATION AND APPROVAL OF THE NEGATIVE DECLARATION:

Prior to approving the project, the decision-making body of the Lead Agency must consider this Negative Declaration and all comments received during public review. That body shall approve the Negative Declaration if it finds that the project will not have a significant effect on the environment.

Prepared by:

Reviewed for Release to the Public by:

Chuck Anthony, Case Planner

(805) 654-3683

Dan Klemann, Manager

Residential Permits Section

Recommended for Approval by

Lead Agency by:

Kim L. Prillhart, Director

Ventura County Planning Division

#### INITIAL STUDY

#### Project Nos. SD10-0020, LU10-0074, and ZN10-0002

#### Applicant: Ronald Coleman

#### Section A. Project Description

- 1. Project Number(s): Case No. SD10-0020 (Tentative Parcel Map No. 5845), Case No. LU10-0074 (Planned Development permit), and Case No. ZN10-0002 (Zone Change).
- 2. Name of Applicant: Crown Pointe Estates at Malibu, LLC
- Project Location: The project site is located along Ellice Street, near the Ventura-Los Angeles County line, in unincorporated Ventura County. The project is located within Assessor's Parcel Number 700-0-260-140.
- 4. Specific Description of the Nature and Purpose of the Project and Description of the Physical Alterations/Improvements Caused by the Project: The subject property was previously developed as the Camp Joan Mier recreational center/children's camp (medically supervised). Special Use Permit 838 was granted by the Board of Supervisors on Jan. 6, 1959, construction of the camp structures began in 1964, and records indicate that the use permit (later modified to a Conditional Use Permit) expired on Sept. 21, 1999. Currently there are four remaining camp-related buildings.

The applicant requests approval of Tentative Parcel Map no. 5845 for a 3-lot residential subdivision with lot sizes as follows:

Lot 1: 2.19 acres

Lot 2: 2.00 acres

Lot 3: 2.37 acres

The project includes a Planned Development Permit (LU10-0074) for the demolition of four buildings, grading for new building sites, and installation of storm drain and septic systems. The buildings to be demolished include a multi-vehicle garage, a residential dwelling and associated single-vehicle garage, and a dormitory building. The grading work will include the removal of existing concrete slabs, the installation of retaining walls, and preparation of new building pads. The grading involves 6,900 cubic yards of cut and 26,900 cubic yards of fill. Approximately 20,000 cubic yards of fill would be imported from the adjacent property. The existing residential building on the site (originally permitted under Special Use Permit 838) would remain during grading and construction activities associated with

proposed subdivision SD10-0020, and would be demolished before construction of any new future residences onsite. (Construction of new dwelling units is not a part of this project.)

The subdivision is contingent upon the approval of a zone change (ZN10-0002) from Coastal Rural Exclusive (CRE) 5-acre minimum parcel size to CRE 2-acre minimum parcel size to allow for the creation of two-acre (approx.) lots.

Three (3) ficus trees and one (1) palm tree would be removed to prepare the site for the proposed grading. One (1) ficus tree would be boxed and relocated on-site per the recommendations of a certified landscape architect.

5. Existing and Proposed General Plan Designation and Zoning of the Project Site:

	Existing	Proposed
General Plan Designation	Rural	No change proposed
Coastal Area Plan Designation	Residential Rural 1 DU/2AC (one dwelling unit per two acres)	No change proposed
Zoning Designation	CRE-5 ac (Coastal Rural Exclusive 5 acre minimum parcel size)	CRE-2 ac (Coastal Rural Exclusive 2 acre minimum parcel size)

6. Description of the Public Facilities (e.g., roads, water supply, sewers, utilities) that must be Extended or Expanded to Serve the Project:

Access to each of the proposed building pads would be provided by 20 foot wide private driveways via Ellice Street. No public or private roads will be extended or expanded. Water will be supplied by the Yerba Buena Water Company. A septic system will be installed and utilized onsite.

7. List of Responsible and Trustee Agencies: The Planning Division contacted potential Responsible and Trustee Agencies. The California Coastal Commission was the only agency identified as having jurisdiction over the project.

# Section B Initial Study Checklist and Discussion of Responses

PROJECT NO. LU10-0088

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Issue (Responsible Department)	LANGUE FOI	Effect	sm s Degree	Of Effect	
RESOURCES:		MASSIM MASS	NAME OF STREET	#3 M	HS.
1. Air Quality (APCD)	1x	<del> </del>	1 . 1	. /	
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Regional Air Quality Impacts

Based on information provided by the applicant, air quality impacts will be below the 25 pounds per day threshold for reactive organic compounds and oxides of nitrogen as described in the Ventura County Air Quality Assessment Guidelines. Therefore, the project will **not have a significant impact** on regional air quality.

### Local Air Quality Impacts

Based on information in the project application, grading from the subject project will generate local air quality impacts but those impacts are not anticipated to be significant.

Although the project is not expected to result in any significant local air quality impacts, the District recommends the following conditions be placed on the permit to help minimize fugitive dust and particulate matter that may result from site preparation, grading and soil transfer activities on the site:

- All project construction and site preparation operations shall comply with all applicable VCAPCD Rules and Regulations which include but is not limited to Rule 10 (Permits Required), Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust).
- 2. Building demolition activities may cause possible exposure to asbestos. The applicant shall notify the District prior to issuance of demolition permits for any onsite structures. Demolition and/or renovation activities shall be conducted in compliance with District Rule 62.7, Asbestos Demolition and Renovation. Rule 62.7 governs activities related to demolition of buildings with asbestos-containing materials. This rule establishes the notification and emission control requirements for demolition activities. Specifically, this rule requires that the owner or operator of a facility shall remove all asbestos-containing material from a facility being demolished. For additional information on asbestos, or to download a copy of Rule 62.7, please visit our website at <a href="https://www.vcapcd.org/asbestos.htm">www.vcapcd.org/asbestos.htm</a>. You can also contact the District's Asbestos Coordinator, Jay Nicholas at (805) 645-1443 or by email at <a href="mailto:jay@vcapcd.org">jay@vcapcd.org</a>.

Source Documents: Ventura County Initial Study Assessment Guidelines of (July 27, 2010); Memorandum from Air Pollution Control District (March 28, 2011).

Water Resources (PWA): a. Groundwater Quantity x

Groundwater Quantity is deemed Less than Significant (LS). The historical average annual water usage for the existing parcel is approximately 9.32 acre-feet per year (AFY) for five years ending in 2005 (Yerba Buena Water Company records). The applicant's consultant Gorian and Associates Inc., February 4, 2010, "Estimated Future Water Usage, Parcels A-C, Tentative Tract No. 5845, Northwest of the Intersection of Ellice Street and Tonga Street, County of Ventura, California" calculations estimate the maximum annual water use including fixed landscape irrigation for the three residential parcels to be 7.60 AFY. This new estimated annual water usage of 7.60 AFY is approximately 1.72 AFY less than the historical water usage of 9.32 AFY. Therefore, impacts on groundwater will be less than significant for project and cumulative impacts.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Watershed Protection District, Groundwater Section (dated July 13, 2010)

b. Groundwater Quality

Groundwater Quality is deemed Less than Significant (LS). The proposed individual septic systems for the building sites will be located on a large lot and should not have cumulative or significant effects on groundwater quality.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Watershed Protection District, Groundwater Section (dated July 13, 2010)

c. Surface Water Quantity

Surface Water Quantity is deemed Less than Significant (LS) because no surface water usage is proposed.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Watershed Protection District, Groundwater Section (dated July 13, 2010)

d. Surface Water Quality x

The proposed development will result in the demolition of six buildings and three concrete pads as well as extensive on-site grading to create three new building pads and access roads (6,900 cy. of cut and 26,900 cy. of fill placement). These are construction-related activities and potentially can have an adverse impact on surface water quality. This potential impact is adequately addressed through the requirement for the developer to obtain an NPDES General Construction Permit (CAS000002). The applicant will also be required to submit a Notice of Intent (NOI) to the California State Water Resources Board, Storm Water Permit Unit.

Through the implementation of these measures, the Surface Water Quality Section has determined that this project will not cause a significant increase in storm water runoff from the project site. The project's water quality impacts are not expected to result in a violation of any surface water quality standards as defined in the Los Angeles Basin Plan. As such, neither the individual project nor the cumulative threshold for significance is being exceeded and the project is expected to have Less Than Significant impact (LS) on the surface water quality.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Watershed Protection District, Surface Water Quality Section (dated July 13,, 2010)

3. 5. Mineral Resources (Plag):

a. Aggregate X X

Aggregate resources consist of sand, gravel, and crushed rock used in the construction industry. The *Ventura County Zoning Ordinance* includes Mineral Resource Protection (MRP) overlay zones for areas where important mineral resources do or may exist and the extraction of these resources may be a compatible land use. Neither the proposed site nor the assessor's parcel are within the MRP zone or an aggregate resource area (known as MRZ-2), and does not contain and is not adjacent to a principal access road to an existing aggregate facility operated under a Conditional Use Permit. Thus, the project would have no project-specific or cumulative adverse impacts on aggregate resources.

Source Documents: Ventura County Initial Study Assessment Guidelines (July 27, 2010); Planning GIS data layers (accessed Jan. 26, 2011)

b. Petroleum x

Projects located in or immediately adjacent to any known petroleum resource area, or adjacent to a principal access road to an existing petroleum facility operated under a CUP, could potentially have an impact on the extraction of or access to this resource. The proposed project is not located within a petroleum resource area, or within or adjacent to the boundary of an oil extraction Conditional Use Permit (CUP). Thus, the project would have no project-specific or cumulative adverse impacts on petroleum resources.

Source Documents: Ventura County Initial Study Assessment Guidelines (July 27, 2010); Ventura County General Plan, Resources Appendix, Figure 1.4.7

4. Biological Resources X X

Endangered, Threatened, Rare and Locally Important Species

The project site was previously developed and the only vegetation currently present on the site is ornamental or ruderal (common native and non-native species that grow in regularly disturbed areas). A 100-foot fuel modification zone already exists around the property due to the existing structures on the site. A survey conducted by Rincon Consultants in February 2010, and previous surveys of the property (by Dr.

Lawrence Hunt and Rachel Teirney on May 4, 1993 and Kimberly Toal on July 5, 2005)¹ found no endangered, threatened, rare or other special-status species on the project site. The 1993 survey did find Blochman's dudleya, a CNPS List 1B plant, in the drainage above the debris basin, but this area is outside of the area to be impacted by the proposed project, and no suitable habitat for this plant exists on the project site.

The survey conducted by Rincon Consultants in February 2010 was part of a Due Diligence Environmental Review report prepared for the applicant. This report states that there is a potential for Plummer's mariposa lily, a CNPS List 1B plant, to occur on the project site. However, due to the previous development on the site, the potential for this plant to occur is low. Communication with Rincon Consultants in August 2010 confirms that it is highly unlikely for this plant to occur on the project site.<sup>2</sup>

Based on the surveys results cited above, no impacts to endangered, threatened, rare or other special-status species, including locally important species, would occur as a result of this project.

### Wetland Habitat

Approximately 300 feet north of the parcel, a natural drainage flows from the mountains into a recently excavated detention basin. Development of the 3 proposed lots and related fuel modification for the structures would not increase the extent of disturbance caused by the current development on the parcel and therefore would not impact this drainage.

### Coastal Habitat

The project site is located within the Coastal Zone and coastal habitats occur within the project area. However, the subject parcel has been previously developed, including a 100-foot fuel modification zone maintained for the previous development. Sensitive coastal habitat does not currently exist on the parcel. Coastal scrub habitat that may occur inside the future fuel modification zone of proposed structures are already subject to fuel modification to protect existing structures. Because the extent of fuel modification activities would not be increased by this project, impacts to coastal habitat would be less than significant.

# Wildlife Migration Corridors

The properties that border the western, southern, and eastern sides of the project parcel are developed with residential structures. The project site is also currently developed with structures. Thus, the ability of wildlife to use the site as a migration corridor is substantially limited. Given this circumstance and the fact that the project would replace existing development with new development, impacts on wildlife migration corridors would be less than significant.

<sup>&</sup>lt;sup>1</sup> Rincon Consultants. March 1, 2010. Due Diligence Environmental Review for Camp Joan Mier, Ventura County, California. Prepared for Ron Coleman of Rimroc Investments, LLC.
<sup>2</sup> Rincon Consultants. August 2, 2010. Email correspondence with John Dreher, Senior Biologist.

Locally Important Communities

The subject parcel has been previously developed, including a 100-foot fuel modification zone maintained for the previous development. Locally important communities do not currently exist on the parcel. Coastal scrub habitat that may occur inside the future fuel modification zone of proposed structures are already subject to fuel modification to protect existing structures. Because the extent of fuel modification activities would not be increased by this project, impacts to locally important communities would be less than significant.

Source Documents: Document from Planning Division Biologist (Aug. 9, 2010); Ventura County Initial Study Assessment Guidelines of July 2010

5. Agricultural Resources:

a. Soils (Ping.)

X

The evaluation pertains to the amount of classified farmland that will be over covered and thereby converted to a non-farming use. The subdivision will create 2 additional parcels (a total of 3 parcels). There is no Important Farmland mapped on the site. The classification is Other Land. Therefore, no direct or cumulative impacts on agricultural resources are anticipated.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; Memo from Office of Agricultural Commissioner (June 24, 2010); and email from Office of Agricultural Commissioner (Sept. 24, 2010)

b. Land Use Incompatibility (Ag. Dept.)

The evaluation pertains to the introduction of incompatible uses associated with new non-agricultural projects that may affect nearby off-site agricultural properties. There are no agricultural properties in the vicinity of the project area. Therefore, project impacts are deemed Less than Significant.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; Memo from Office of Agricultural Commissioner (June 24, 2010); and email from Office of Agricultural Commissioner (Sept. 24, 2010)

6. Scenic Resources (Ping)

Planning staff evaluated visual impacts during a site visit on July 22, 2011. The proposed project is not located in a Scenic Resource Protection zone. No scenic resources exist onsite and the subject site is not considered a scenic vista. The Santa Monica Mountain ridgelines (a scenic resource) are located outside of the subject property to the north. The ridgelines are visible from Pacific Coast Highway (an Eligible State Scenic Highway) and the beach (a public viewing location). Line of sight drawings evaluated by County staff indicate that the future residential structures expected to be built on the proposed lots would not be visible from these public viewing locations. The line of site drawings indicate that the project will not obscure scenic vistas from PCH or from the beach. Future dwellings that would be constructed onsite would be largely

hidden behind the intervening coastal bluffs (20-70 feet high) and existing housing development (Tract 4483). Yerba Buena Road, a narrow canyon road without bicycle lanes or sidewalks, extends north from PCH approximately 900 feet west of the subject site. The project site is not visible from this roadway. Scenic vistas from Ellice Street (publicly owned, privately maintained) to the ridgelines and hillsides to the north will be partially obscured by the eventual placement of dwelling units. However, most of the scenic vistas along Ellice Street (approx. 2,700 feet long) will not be obscured by the proposed development. The points along Ellice Street at which scenic views may be obscured represent only a portion of the scenic views in the surrounding area that will not be obscured by the project.

Consistent with General Plan policy 1.7.2-1, the project will not degrade scenic resources and will not significantly obscure scenic views. Consistent with Coastal Act policy 30251, the project will not significantly alter natural land forms and will be compatible with the residential development to the south and east. The acting Planning Director reviewed the project and concluded that it would not result in significant impacts. Therefore, project-specific and cumulative impacts on scenic resources will be less than significant.

Source Document: Line of site drawings from R.W. Toedter Engineering, September 7, 2010; Ventura County Initial Study Assessment Guidelines of July 2010

7. Paleontological Resources The subject property is underlain by Topanga Formation bedrock which is locally intruded with Conejo Volcanics formation. Quaternary-age terrace deposits (alluvium) overlie the bedrock portions of the subject site. Artificial fill is also located on site (Preliminary Geotechnical Investigation, Gorian & Associates, July 26, 2005). According to the Initial Study Assessment Guidelines, the Topanga Formation is given a paleontological importance ranking of "Moderate" and the Conejo Volcanics formation is given the ranking of "None." According to staff from the Ventura County Public Works Agency - Engineering Services Department, the Quaternary deposits (alluvium) on and within the subject site are ranked "Low" paleontological importance. In the unlikely event that paleontological resources would be uncovered during ground disturbance or construction activities, a standard condition will be imposed requiring that construction be suspended until the find can be evaluated and recovered. This condition would cause a temporary cessation of all ground disturbance, notification of the Planning Director, and assessment of the find by a paleontological consultant or professional geologist. The Planning Director would review the recommendations of the consultant and decide on the disposition of the resources encountered.

Based on the above discussion, **no adverse impacts** to paleontological resources are expected. Given the lack of project specific paleontological impacts, the project would not have any cumulative paleontological impacts. The proposed project is consistent with the goals and policies in the *Ventura County General Plan Section 1.8 – Paleontological and Cultural Resources*.

Source Document: Ventura County General Plan Section 1.8 – Paleontological and Cultural Resources; Ventura County Initial Study Assessment Guidelines (July 27, 2010); and email from Ventura County Public Works Agency, Engineering Services Department, Development & Inspection Services Division (August 26, 2010)

### 8. Cultural Resources:

a. Archaeological

The Planning Division determined that the project site required a Phase I records search by the South Central Coastal Information Center (SCCIC). The SCCIC recommended a Phase I archeological survey as "several archeological sites are present within a ½ mile radius of the project site... Archeological sensitivity within the project site should be determined prior to the approval of project plans." A Phase I Report was provided by a qualified Archeologist (Greenwood and Associates). The Report included a review of the records and a surface survey which was conducted on the subject site. No prehistoric or historic resources were discovered and no adverse impacts would occur to cultural resources from the proposed project. Nevertheless, the Planning Division shall impose the following condition (consistent with the Greenwood and Associates recommendation). Should archaeological artifacts be encountered during ground disturbance or construction activities, operations in the immediate area must cease. The applicant shall notify the Planning Director and obtain a County-approved archeological consultant to assess the artifacts and make recommendations. The Planning Director's written concurrence must be obtained before resuming development. A similar procedure will be required in the event human burial remains are encountered; in addition, the County Coroner must be notified and a Native American Monitor may be included in assessing the remains and making a recommendation.

Given the lack of project specific archaeological impacts, the project would not have any cumulative archaeological impacts.

Source Document: Ventura County Planning Division GIS mapping system; Initial Records Search, South Central Coastal Information Center, California State University, Fullerton (August 5, 2010); Archeological Investigation for Crown Pointe/Joan Mier Camp, Greenwood and Associates (August 2010); and the Ventura County Initial Study Assessment Guidelines

b. Historical (Plng.)

In regard to historical resources, Planning staff conducted a field visit to the site. The remaining buildings (approximately four) appeared to be less than 50 years old. Staff researched APN 700-0-260-140 (and previous APN 700-0-070-050) in the County's Permits Plus database system, but no historic resources were listed for subject parcel. In addition, the proposed project was sent to the South Central Coastal Information Center (SCCIC) review. The SCCIC did not identify any historic resources onsite. Research of the permit history revealed that the subject site was vacant and unimproved prior to approval of the first known discretionary permit, Special Use Permit 838 (Ventura County Planning Commission Meeting, December

22, 1958). Planning staff researched Zoning Clearances and Building and Safety records to determine the age of any existing or recently existing structures on the property. The earliest construction Zoning Clearance was issued in 1964 for an Industrial Arts Building (associated with SUP 838). A review of Building and Safety's electronic database revealed that no permits and records were issued prior to 1964.

Furthermore, an Environmental Review conducted by the Rincon Consultants, Inc., stated:

None of the four remaining on-site structures are listed in the California Register of Historic Resources (California Register). The 2005 Greenwood and Associates Architectural Assessment (conducted prior to demolition of a number of onsite structures) identified all buildings as being less than 50 years old and concluded that none of the former or current structures meet the "exceptional importance" criteria required for historic designation for buildings of this age. The Camp Joan Mier's association with the Crippled Children's Society also does not appear to be of an exceptional nature. The Architectural Assessment notes that additional studies are not recommended... (p. 8)

Therefore, as no historic resources were identified on the subject site, project-specific impacts are considered less than significant. In regard to cumulative impacts, SCCIC did not identify any significant adverse impacts to historic resources within a 1/4 mile radius surrounding the site. Also, no properties within 0.5 miles of the proposed project site are listed on the National Register of Historic Places (Archeological investigation, 2010). Staff researched all adjacent Assessor's Parcels in the County's Permits Plus database system, but no historic resources were listed on any neighboring properties. In addition, staff researched Zoning Clearances and Building Permits for the three residential properties adjacent to the eastern property boundary of proposed Parcel 1. As none of the residential structures on these three properties (42040 Tonga Reva St., 42030 Tonga Reva St., and 11785 Ellice St.) were constructed prior to 1963, they are less than 50 years old. Therefore, cumulative impacts to historic resources are considered less than significant.

Source Document: Ventura County Planning Division GIS mapping system; Due Diligence Environmental Review for Camp Joan Mier by Rincon Consultants, Inc. (March 1, 2010); and the Ventura County Initial Study Assessment Guidelines

9. Coastal Beaches & Sand Dunes	X.	1	X		
While the proposed project will be located	in the Coastal 2	Zone, it will r	not be lo	cated	neat
or on a coastal beach or sand dune. In a	ddition, the prop	osed projec	t does	not inv	olve:
any of the following: the removal of sand	from a coastal t	each or sai	nd dune	e; shore	eline
protective structures; the removal of du	ne vegetation;	or activities	(minin	ıg, diğç	ging;
grading, construction, dumping) in stream	ms or rivers.	General Pla	in and	Area	Plan
Coastal Beaches/Sand Dunes policies are	not applicable	to this proje	ct, or th	e proje	ect is
consistent with such policies. No direct	, indirect or cu	imulative in	npacts"	on coa	astal
beaches or sand dunes would occur.					

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010 and Ventura County Local Coastal Program

### HAZARDS:

10. Fault Rupture (PWA)

There are no known active or potentially active faults extending through the proposed lot based on the State of California Earthquake Fault Zone Map prepared under the Alquist-Priolo Earthquake Fault Zoning Act, and the Ventura County General Plan Hazards Appendix -Figure 2.2.3b. Impacts associated with potential fault rupture hazard are less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; Ventura County General Plan Hazards Appendix (Figure 2.2.3b); and Memo from Public Works Agency Development and Inspection Services Division (June 24, 2010) ....

### 11. Ground Shaking (PWA).



The property will 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 2007, Chapter 16, Division IV requires the structures be designed to withstand this ground shaking. The requirements of the building code will reduce the effects of ground shaking to less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; Ventura County General Plan Hazards Appendix (Figure 2.2.3b); and Memo from Public Works Agency Development and Inspection Services Division (June 24, 2010)

### 12. Liquefaction (PWA)



The site is not located within a potential liquefaction zone based on the Ventura County General Plan Hazards Appendix - Figure 2.4b. This map is a compilation of the State of California Seismic Hazards Maps for the County of Ventura and is used as the basis for delineating the potential liquefaction hazards within the county. There is no impact from potential hazards from liquefaction.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; Ventura County General Plan Hazards Appendix (Figure 2.4); and Memo from Public Works Agency Development and Inspection Services Division (June 24, 2010).

### 13. Seiche & Tsunami (PWA)

The site is not located adjacent to a closed or restricted body of water based on aerial photograph review (photos dated April 2009). There is potential impact on the project from seiche.

The site is not located within a tsunami inundation zone based on the Ventura

County General Plan, Hazards Appendix Figure 2.6. Access to the site may, however, be temporarily affected should a tsunami occur along this part of the coast line. No impact from potential tsunami hazards is anticipated.

Source Documents: Ventura County Initial Study Assessment Guidelines, July 2010; Ventura County General Plan Hazards Appendix (Figure 2.6); and Memo from Public Works Agency Development and Inspection Services Division (June 24, 2010)

### 14. Landslides/Mudslides (PWA)

Pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.7.1b, the proposed project is not located in a mapped landslide and/or mudslide zone. Portions of the site are located within a Potential Earthquake Induced Landslide area as shown on Figure 2.7.2 of the Countywide General Plan Hazards Appendix.

Preliminary slope stability analysis presented in the Gorian and Associates report, dated July 26, 2005 indicates that the natural slopes ascending from the project are stable and the proposed 2:1 gradient cut and fill slopes to a height of 20 feet (Report page 6) will be stable. Verification of slope stability for the specific grading plans will be necessary prior to issuance of a grading permit.

The hazards associated with landslides/mudslides are considered to be less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines, July 2010; Ventura County General Plan Hazards Appendix (Figures 2.7.1b, 2.7.2); and Memo from Public Works Agency Development and Inspection Services Division (June 24, 2010)

### 15. Expansive Soils (PWA)

Future development of the site will be subject to the requirements of the County of Ventura Building code adopted from the California Building Code, dated 2007, Section 1802.2.2 that require mitigation of potential adverse effects of expansive soils. The project geotechnical report prepared by Gorian and Associates, dated July 26, 2005, indicates an expansion index for the near surface soils of low expansion (Expansion Index 23 to 37) and in this regard, the hazard associated with adverse effects of expansive soils is considered to be less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines, July 2010; Memo from Public Works Agency Development and Inspection Services Division (June 24, 2010)

### 16. Subsidence (PWA)

The subject property is not within the probable subsidence hazard zone as delineated on the Ventura County General Plan Hazards Appendix Figure 2.8 (January 27,2004) and the project does not relate to oil, gas or groundwater withdrawal, the subsidence hazard is considered as no impact for the proposed

project.

Source Documents: Ventura County Initial Study Assessment Guidelines, July 2010; Ventura County General Plan Hazards Appendix (Figure 2.8); and Memo from Public Works Agency Development and Inspection Services Division (June 24, 2010)

17. Hydraulic Hazards):
a. Non-FEMA (PWA)

The proposed project will be subject to the requirements of the Grading Code and Uniform Code. The project structures are of ordinary type and construction and will be required to detain onsite the difference between peak runoff for the existing condition and the condition of the site with the proposed project. In this regard, the hazard from erosion and siltation is considered to be less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines, July 2010; Memo from Public Works Agency, Development and Inspection Services Division (July 12, 2010)

b. FEMA (WPD)

The subject property is located outside of a 1% annual chance flood zone as per the latest (January 20, 2010) Digital Flood Insurance Rate Map (DFIRM) issued by the Federal Emergency Management Agency (FEMA). The applicable DFIRM map is 06111C1140E, and the Panel is 1140 of 1275 (January 20, 2010). The property is located in an 'X Unshaded Zone' (within the 500-year floodplain). Therefore, elevation and flood proofing of structures is not required nor is a Floodplain Development Permit required. Development will however, be required to obtain a Floodplain Clearance from the County of Ventura Public Works Agency prior to the issuance of a building permit and/or a grading permit.

Impacts from the flooding hazard are therefore considered to be Less Than Significant.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; Memo from Ventura County Watershed Protection District (June 24,, 2010)

18. Fire Hazards (Fire) x x

Future structures installed on the proposed lots must be built in conformance with the 2009 International Fire Code as adopted and amended by VCFPD Current Ordinance for Fire Hazard Abatement and the California Building Code. Compliance with these regulatory standards is adequate to ensure fire safety. Impacts related to fire hazards will be less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Fire Protection District (dated Jan. 19, 2011)

19. Aviation Hazards (Airports)

Since the proposed project is not located within the sphere of influence of Oxnard, Camarillo, Santa Paula, or Naval Base Ventura County airports, there will be no adverse impact related to aviation hazards.

Source Document: Ventura County General Plan and the Ventura County Initial Study Assessment Guidelines (July 27, 2010)

20: Hazardous Materials/Waste:

a. Hazardous Materials (EH/Fire)

X . This project will have no effect on Hazardous Materials. The proposed project will not involve hazardous materials use or storage. Therefore, the project will not have any impacts relative to hazardous materials.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; Memo from Fire Protection District (dated Jan. 19, 2011); and Memo from Environmental Health Division (dated March 29, 2011)

b. Hazardous Waste (EH)

The creation of parcels is not considered an activity that produces hazardous waste Therefore, the project will not have any impacts relative to hazardous wastes.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Environmental Health Division (dated March 29, 2011)

21. Noise and Vibration

The proposed subdivision is designed for future residential dwelling units. The noise assessment was based on an evaluation of potential noise impacts on dwellings to be located onsite. The proposed subdivision area is not within the 60 dB(A) CNEL noise contour of Pacific Coast Highway. The General Plan and Coastal Area Plan land use designations in the project area were reviewed, and it was found that the proposed subdivision area is not within 500 feet of an industrially designated area. Aerial imagery of the project area was reviewed, and the subdivision area is not within 3,400 feet of a railroad. Therefore, a consultant-prepared acoustical analysis in not required.

In accordance with the Initial Study Assessment Guidelines, construction noise impacts on surrounding residences were evaluated using the assessment methodology, criteria, and reporting procedures provided in the Construction Noise. Threshold Criteria and Control Measures. Figure 3 in the Construction Noise Threshold Criteria identifies noise-sensitive receptors that would be affected by construction activities along with their periods of greatest sensitivity to construction noise. Neighboring residences are the only noise sensitive receptors that will be near the grading and construction activities associated with the subdivision. The typical sensitive construction noise time period for residential dwellings is during the evening (7:00 p.m. - 10:00 p.m.) and nighttime (10:00 p.m. - 7:00 a.m.) periods. Project

construction activities would be limited to the daytime period from 7:00 a.m. to 7:00 p.m. Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday and local holidays. This daytime construction period is identified as a less sensitive construction noise period by the Construction Noise Threshold Criteria and Control Measures. Because construction noise is restricted to daytime hours which would result in relatively less noise impacts, construction noise is determined to be less than significant.

In regard to construction vibration, the applicant states that construction for the subdivision will not include any blasting or pile driving. No further excavation of proposed Parcel 1 will occur. Future excavation will occur on proposed Parcels 2 and 3, but will occur 60-70 feet behind the curb of Ellice Street. Fill will be added to the proposed topography areas identified on TPM 5845. Construction equipment will include scrapers, bulldozers, sheepsfoot, trucks, and water truck: Grading activities will last approximately 3 months. The nearest existing dwelling is located approximately 25 feet east of proposed Parcel 1 property line (on Assessor's Parcel 700-0-110-01). As mentioned, no further excavation and no blasting, pile-driving, vibratory compaction, demolition, or drilling will occur on proposed Parcel 1. As mentioned above, construction activities will be limited to the daytime hours from 7:00 a.m. to 7:00 p.m. Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday and local holidays: In addition, according to the Ventura County General Plan Update of 2005, a statement of overriding considerations has been adopted by the Board of Supervisors for short-term noise and vibration impacts.

Based on the above discussion, project-specific and cumulative noise impacts will be less than significant.

Source Document: Ventura County Initial Study Assessment Guidelines (July 27, 2010); Planning GIS system (accessed Jan. 26, 2011); Ventura County Construction Noise Threshold Criteria and Control Measures (July 2010); Transit Noise and Vibration Impact Assessment United States Department of Transportation (May 2006); email from Ronald Coleman, applicant (Jan. 28, 2011).

### 22. Daytime Glare

The proposed project does not include reflective materials as no glass or reflective structures are proposed. Therefore, project-specific and cumulative impacts related to daytime glare are less than significant.

Source Document: Ventura County Initial Study Assessment Guidelines of July 2010.

### 23. Public Health (EH)

The proposed project may have impacts to public health. Compliance with applicable state regulations enforced by the Environmental Health Division will reduce potential impacts to a level considered less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Environmental Health Division (dated March 29, 2011)

24. Greenhouse Gases (APCD)

The Ventura County Air Pollution Control District has not yet adopted any approach to setting a threshold of significance for land use development projects in the area of project greenhouse gas emissions. The project will generate less than significant impacts to regional and local air quality and the project will be subject to a condition of approval to ensure that all project construction and operations shall be conducted in compliance with all APCD Rules and Regulations. Furthermore, the amount of greenhouse gases anticipated from the project (178.03 tons per year of carbon dioxide) 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.

Therefore, the project specific and cumulative impacts to greenhouse gases are less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines of (July 27, 2010); email from Air Pollution Control District (August 10, 2010; memorandum from Air Pollution Control District (March 28, 2011).

#### LAND USE:

25. Community Character (Ping.)

X X

The applicant requests a zone change from "CRE-5 ac" (Coastal Rural Exclusive 5 acre minimum parcel size) to "CRE-2 ac." This request is consistent with the General Plan Rural land use designation which requires a 2 acre minimum parcel size. The General Plan considers areas designated Rural as appropriate for low-density rural residential development.

East of the proposed project, the residential neighborhood along Tonga Reva Street is designated Existing Community, which recognizes a range of uses (residential, commercial, industrial) and housing densities. The Tonga Reva neighborhood includes a variety of parcel sizes less than one acre. As many as 36 dwelling units per acre are allowed in the southern portion of the neighborhood (along Ellice Street), and as few as 1-2 dwellings per acre are allowed in the northern portion. This neighborhood contains a mixture of architectural forms with no predominant, distinctive style.

One-acre parcels (designated Existing Community) are located south of the project. On these parcels, modern dwelling units are being constructed with wood and stone features and natural color tones.

North and east of the project, the land is designated Open Space which requires a 10 acre minimum parcel size. Uses appropriate for Open Space include natural resource preservation, production of resources, and recreational activities. Open Space is also intended to confine urban development. The proposed project would not expand urban uses or urban boundaries.

The proposed project will remain a rural residential use consistent with the 2 acre minimum parcel size of the Rural designation. The project area will remain at a level of density between the higher density to the east/south and the very low density to the west/north. The proposed project is consistent with the land use and density requirements of the General Plan will be compatible with the character of the adjacent existing uses. Project-specific and cumulative impacts related to community character will be less than significant.

Source Document: Ventura County Initial Study Assessment Guidelines of July 2010

Because an existing single-family dwelling will be eliminated as result of the proposed project, there will be an impact to the County's Existing Housing Stock. However, because the proposed project will eliminate less than three dwelling units, and will eventually add three higher-income dwelling units, project-specific or cumulative impacts to the County's housing stock are considered less than significant. In regard to Demand for Housing, the project will not result in new, full-time equivalent employees. Construction jobs created by the project have the potential to create a temporary demand for additional housing. However, since construction is short-term and there is a sufficient pool of construction workers in Ventura County and the Los Angeles metropolitan regions, construction worker demand on new housing is considered less than significant.

Because the project includes a legislative amendment (zone change), the potential for growth-inducement was evaluated. There are no similarly situated CRE-5 properties located in the vicinity. The proposed rezone would not, therefore, establish a precedent and be anticipated to result in further subdivisions. Thus, the proposed zone change is not anticipated to induce growth in the surrounding area.

Based on the above discussion, project-specific and cumulative impacts on housing will be less than significant.

Source Document: Ventura County Initial Study Assessment Guidelines of July 2010

PUBLIC FACILITIES AND SERVICES:		**			-	• •	<del></del>	<u> </u>
27. Transportation/Girculation:				<u></u>	<del></del>	<del></del>		
a. Roads and Highways:		·	<del></del>	<del></del>	<del></del>			
(1) Level of Service (PWA)		T :   .	T X	<u> </u>	1	V	<del></del>	1
(2) Safety/Design of Public Ro	ads(PV	VA)	X		+	- X		

The project, as proposed, will create an entitlement for generating additional traffic on the local public roads. However, the project, as described, should not create a significant site-specific impact on the Regional Road Network or local roads near the project per County General Plan (GP) and Initial Assessment Guidelines and no Traffic Impact Mitigation Fee (TIMF) is owed to the County.

If the permittee chooses to develop the property or increase the existing use, a cumulative adverse impact will occur due to traffic generated from the site. To address the cumulative adverse impacts of traffic on the Regional Road Network, Ventura County TIMF Ordinance 4246 and GP Policy 4.2.2 require that the Transportation Department of the Public Works Agency collect a TIMF from developments. This development will be subject to this Ordinance. With payment of the TIMF, the level of service (LOS) and safety of the existing roads would remain consistent with the County's GP.

The proposed subdivision and the residential dwellings eventually constructed on the lots were analyzed for impacts on Ellice Street. Impacts on road safety and design will be less than significant.

Therefore, adverse traffic impacts relating to LOS and safety/design will be a Less Than Significant, if mitigated.

Source Document: Ventura County Initial Study Assessment Guidelines of July 2010; Memo from Transportation Department (dated April 19, 2011)

(3) Safety/Design of Private Access (Fire)	· T.	· · · · · · · · ·	<u> </u>	· · ·
(4) Tactical Access (Fire)		1	X	
Since all the proposed lots within the au	X		x. :	· . · · · · · ·

Since all the proposed lots within the subdivision will take direct access to Ellice Street, which is a through street, Ellice meets secondary access requirements.

In addition, the project shall meet current Fire District Access standards and Ventura County Public Roads Standards. Therefore, the proposed project will have a less than significant impact.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Fire Protection District (dated Jan. 19, 2011); email from Fire Protection District (dated March 24, 2011)

		200 (S) (S)		
b. Pedestrian/Bicycle (PWA - Tra	no Dontal Las I			<u></u>
			X	
The Transportation Donardman	44 - 4 - 4			

The Transportation Department comments that the existing roads in the proximity of the proposed project site do not have adequate facilities pursuant to the County Road Standards and the State Department of Transportation. However, the proposed project does not plan to generate significant pedestrian and bicycle traffic.

Therefore, there will be no adverse impacts relating to the supplementary addition of pedestrians and bicycles.

Source Document: Ventura County Initial Study Assessment Guidelines of July 2010; Memo from Transportation Department (dated April 19, 2011)

c. Bus Transit		T-12-T-	<del></del>	·		· ·
According to the Ventura Coun	the latter 1 O	1		X	4.	
According to the Ventura Coun	ty initial S	tudy Guidel	nes, "A p	project w	ill norm	ally

have a significant impact on bus transit if it would substantially interfere with existing bus transit facilities or routes, or if it would create a substantial increased demand for additional or new bus transit facilities/services." However, only "projects that can be expected to generate more than 100 daily vehicle trips (10 single family housing units or equivalent traffic generation) will be required an evaluation of the specific project impacts through either consultation with the appropriate transit service provider or separate analysis performed by the applicant." Projects not generating more than 100 trips can be expected to result in "de minimis" impacts. The proposed subdivision and zone change are anticipated to result in the construction of three single family dwellings (although construction of residences is not a part of this project). Therefore, the project would have less than significant impacts on bus transit facilities/routes or bus transit demand.

Source Document: Ventura County Initial Study Assessment Guidelines (July 27,

2010). Railroads No rail lines or rail crossings are located in the project area. Therefore, there are no impacts to railroad facilities or operations: Source Document: General Plan Public Services and Facilities Appendix (May 8, 2007); Ventura County Initial Study Assessment Guidelines (July 27, 2010). e. Airports (Airports) The proposed project site is not located within an airport sphere of influence. Therefore, the project will have no adverse impact. Source Document: General Plan Public Services and Facilities Appendix, Figure 4.2.4 (May 8, 2007); Ventura County Initial Study Assessment Guidelines (July 27, 2010). Harbors (Harbors) The proposed project site is not adjacent to any harbor and will therefore not affect the operations of a harbor in any way, or increase the demands on harbor facilities. Therefore, the project will have no adverse impacts to harbor facilities. Source Document: Ventura County Initial Study Assessment Guidelines of July 2010 **Pipelines** 

The County Planning GIS mapping system indicates that the proposed project is not located over or near any existing pipeline. Therefore, the proposed project will have no adverse impact to minor or major pipelines.

Source Document: CA Dept of Conservation Division of Mines & Geology, February 2008 located on the Planning GIS mapping system (accessed March 15, 2011); Ventura County Initial Study Assessment Guidelines

28. Water Supply:		•		<del>- :</del>	<del></del>	<u> </u>
a. Quality (EH)	1, 174	x	Ţ	l·x l.	T:	T:

The public water system which will serve domestic water to this project is regulated by the State Department of Health Services. The quality of domestic water must be in compliance with applicable State drinking water standards. Design and construction of the proposed project must conform with applicable State and Building Code requirements pertaining to water systems. The project will not adversely impact the quality of water supplied by the public water system.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Environmental Health Division (dated March 29, 2011)

b. Quantity (PWA) x x

Impacts related to water supplies are deemed Less than Significant because water service will be obtained by the Yerba Buena Water Company. The Yerba Buena Water Company is considered to have the ability to provide a permanent supply of domestic water.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Watershed Protection District, Groundwater Section (dated July 13, 2010)

c. Fire Flow (Fire)

Adequate water for fire suppression is anticipated to be available and will be required to meet VCFPD Current Ordinance. All new structures shall have fire sprinklers per current ordinance. Impacts associated with potential deficiencies in fire flow will be less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Fire Protection District (dated Jan. 19, 2011)

29. Waste Treatment/Disposal:
a. Individual Sewage Disposal System (EH) X X

An on-site individual sewage disposal system (septic system) will be utilized for sewage disposal. The soils report provided for review adequately demonstrates that septic systems are feasible on the subject project. Compliance with applicable regulations in the County Building Code and County Sewer Policy with respect to the design and installation of septic systems will reduce potential impacts attributable to direct human contact with sewage from on-site sewage disposal to a level considered less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Environmental Health Division (dated March 29, 2011)

b. Sewage Collection/Treatment Facilities (EH)	Х				X			7:
The proposed project does not include o	onne	ection	to a pu	blic s	ewer	The	e proje	ct will

not have any impacts to a sewage collection facility.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Environmental Health Division (dated March 29, 2011)

c. Solid Waste Management (PWA)

project to be "Less Than Significant."

The Integrated Waste Management Division (IWMD) has reviewed the application materials received on June 21, 2010 for SD 10-0020, and has determined the degree of effect to permitted solid waste disposal facilities in Ventura County from this

Pursuant to the IWMD's factors determining the significance of project impacts to solid waste facilities within Ventura County, any discretionary development project generating solid waste will impact the County's remaining solid waste disposal capacity. Additionally, as required by California Public Resources Code (PRC) 41701, Ventura County's Countywide Siting Element (CSE), adopted in June of 2001 and updated annually, confirms Ventura County has at least 15 years of disposal capacity available for waste generated by in-County projects. Therefore, because the County currently exceeds the minimum disposal capacity required by state PRC, no individual project should have a significant impact upon remaining Ventura County solid waste disposal capacity.

Source Document: Memo from Integrated Waste Management Division (dated October 6, 2010)

d. Solid Waste Facilities (EH)

The proposed project does not include a solid waste facility. The project will not create any adverse impacts relating to solid waste facilities.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; and Memo from Environmental Health Division (dated March 29, 2011)

30. Utilities

X

X

### Electric

The project site is served by existing underground electrical facilities which will not have to be increased in number or size. New electrical utilities will be required, but they will be serviced underground. Grading and trenching will allow for the undegrounding of the new electrical facilities. Impacts from grading were evaluated in items 1 (Air Quality), 4 (Biology), 7 (Paleontological Resources), 8 (Cultural Resources), 17 (Hydraulic Hazards), and 21 (Noise and Vibration) and were found to be less than significant. Therefore, impacts from electric utilities will be less than significant.

### Gas

The proposed project will not utilize natural gas. Therefore, no impacts to natural gas services/facilities will result from the proposed project.

Communication Facilities (cellular, telephone, cable)

New cable and telephone service/facilities will be installed as an element of the proposed project. These facilities will be placed underground. Impacts from grading and trenching, which will allow for the undegrounding of cable and phone facilities, were addressed above. Therefore, impacts from communication services/facilities will be less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines (July 27, 2010); Project Application for Discretionary Entitlement (June 4, 2010); and email from applicant (March 15, 2011).

# 31. Flood Control/Drainage: a. WPD Facilities/Watercourses (WPD)

The submitted Tentative Parcel Map No. 5845 dated June 3, 2010 and letter from Randy Toedter, P.E. of R.W. Toedter Engineering, LLC dated June 15, 2010 show and state that the entire site drains southerly toward Ellice Street, with roughly one third of the site draining to the west and two thirds draining to the east. The letter goes on to state that the proposed drainage pattern is the same as the existing and that downstream drainage structures will not be affected. A review of the tentative parcel map shows existing drainage facilities at the easterly edge of the site that continue southerly through Tract No. 4483. The review of the project interior drainage will be done by the Public Works Development and Inspection Section. The nearest jurisdictional red line channel of the Watershed Protection District is Little Sycamore Canyon, located approximately 1,200 feet westerly of the westerly line of the tentative parcel map site. Applicant is advised that any activity in, on, over, under or across any jurisdictional red line channel will require a permit from the Watershed Protection District. In addition, the applicant is advised they can not impair, divert, impede or alter the characteristics of the flow of water running in the jurisdictional red line channel, nor increase the amount of discharge to the channel. The Watershed Protection District concludes that project impacts will be less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines, July 2010; Memo from Ventura County Watershed Protection District, Planning and Regulatory Division (July 21, 2010)

b. Other Facilities/Watercourses (PWA)

The proposed project will be subject to the requirements of the Grading Code and Uniform Building Code. The project structures are of ordinary type and construction and will be required to detain onsite the difference between peak runoff for the existing condition and condition with the proposed project. In this regard, the impact to drainage facilities is considered to be less than significant.

Source Documents: Ventura County Initial Study Assessment Guidelines, July 2010; Memo from Public Works Agency, Development and Inspection Services Division (July 12, 2010)

00 1	7			
32. Law Enforcement/Emergency Svs. (Sheriff):	l x l	1	TV T	
	1	1 1		1 . 1

Pursuant to the Initial Study Assessment Guidelines, the proposed project is not included within a project category that would have an impact on project-specific or cumulative law enforcement or emergency services. Therefore, project will have no adverse impacts.

Source Document: Ventura County Initial Study Assessment Guidelines of July 2010.

3. Fire Protection (Fire):			•		···
a. Distance/Response Time	Tx.	1	TXT	<del></del>	7
b. Personnel/Equipment/Facilities	'X	<del></del>	<del>-   ;    </del>		-

The proposed project will have no effect on Fire Protection. Distance from full-time, paid fire station is adequate and project would not create a need for a new fire station or additional equipment.

Source Documents: Ventura County Initial Study Assessment Guidelines of July 2010; Memo from Fire Protection District (dated Jan. 19, 2011)

34. Education:	• • • • • • • • • • • • • • • • • • • •		
a. Schools		-X.	TxT

The Oxnard Union High School District and the Ocean View Elementary School District serve the project area and a complete project description was sent to both districts for review. No significant impacts from the proposed project were identified by the school districts. In addition, the school districts will collect fees ("developer fees") as authorized by SB 50 (1998) prior to the issuance of any residential building permits on the subject lots. Such fees authorized by SB 50 are deemed to be full and complete school facilities mitigation. Therefore, no adverse project-specific or cumulative impacts to schools will result from the proposed project.

Source Documents: Ventura County General Plan and Ventura County Initial Study Assessment Guidelines of July 2010; Planning GIS High School and Elementary School data layers (accessed October 20, 2010); Request for Project Review memo from Planning Division to Oxnard Union High School District and Ocean View Elementary School District (July 21, 2010); and email from Superintendent of Ocean View School District (August 10, 2010).

		A CONTRACTOR OF THE PARTY OF TH	
<ul> <li>b. Libraries (Lib. Agency)</li> </ul>	. X	X	<del></del>

The proposed project was sent to the Director of Library Services, Ventura County, for review and comment. The Director determined the VC Library has no services in the area of the project. Residents would most likely use the Malibu branch of the Los Angeles County Library with which VC Library has reciprocal borrowing. Therefore, there is no impact on VC Library Services.

Source Documents: Ventura County General Plan and Ventura County Initial Study Assessment Guidelines of July 2010; email from the Director of Library Services, Ventura County (Aug. 9, 2010). 35. Recreation (GSA):

The Parks Manager of the Ventura County Parks Department reviewed the project for potential impacts to local and regional parks to regional trails. Quimby fees (in lieu of land dedication for local park acquisition and/or development for the future residents of the subdivision) will be required on the new parcels prior to the issuance of the Building Permit. Therefore, the Parks manager concluded that there will be no significant project-specific or cumulative impacts.

Source Documents: Ventura County General Plan and Ventura County Initial Study Assessment Guidelines of July 2010; emails from Parks Manager, Ventura County Parks Department (August 6-& 9, 2010 and September 29, 2010).

#### Degree of Effect:

N = No Impact

LS = Less Than Significant

PS-M = Potentially Significant Impact Unless Mitigation Incorporated.

PS = Potentially Significant Impact.

#### Agencies:

Airports - Department Of Airports

EH - Environmental Health Division

Harbors - Harbor Department

PWA - Public Works Agency

Ag. Dept. - Agricultural Department

Fire - Fire Protection District

Lib. Agency - Library Services Agency

Sheriff - Sheriff's Department

APCD - Air Pollution Control District

GSA - General Services Agency .

Ping. - Planning Division

WPD - Watershed Protection District

Section C. - Mandatory Findings of Significance

	Based on the information contained within Sections B and C:	Yes/ Maybe	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

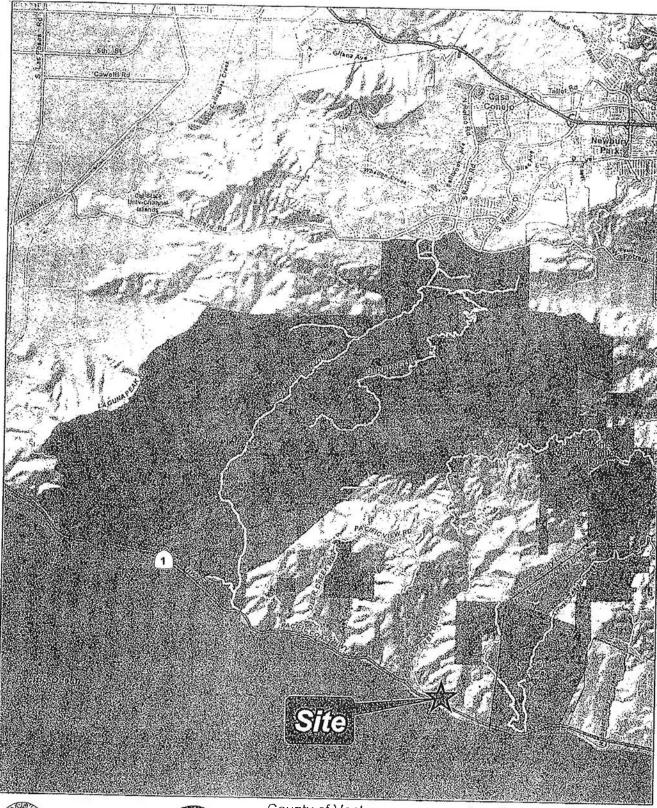
# Section D. - Determination of Environmental Document On the basis of this initial evaluation:

****	The second of this initial evaluation,
[X]	I find the proposed project could not have a significant effect on the environment, and a Negative Declaration should be prepared.
[]	I find that although the proposed project 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 C of the Initial Study will be applied to the project. A Mitigated Negative Declaration should be prepared.
[]	I find the proposed project, individually and/or cumulatively, MAY have a significant effect on the environment and an Environmental Impact Report is required.*
	I find that the proposed project 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 project 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 project, nothing further is required.
177700	

Signature of Person Responsible for Administering the Project

5-16-2011 Date

\*EIR Issues of Focus:





Ventura County Resource Management Agency Information Systems Department Map created on 04/14/2011

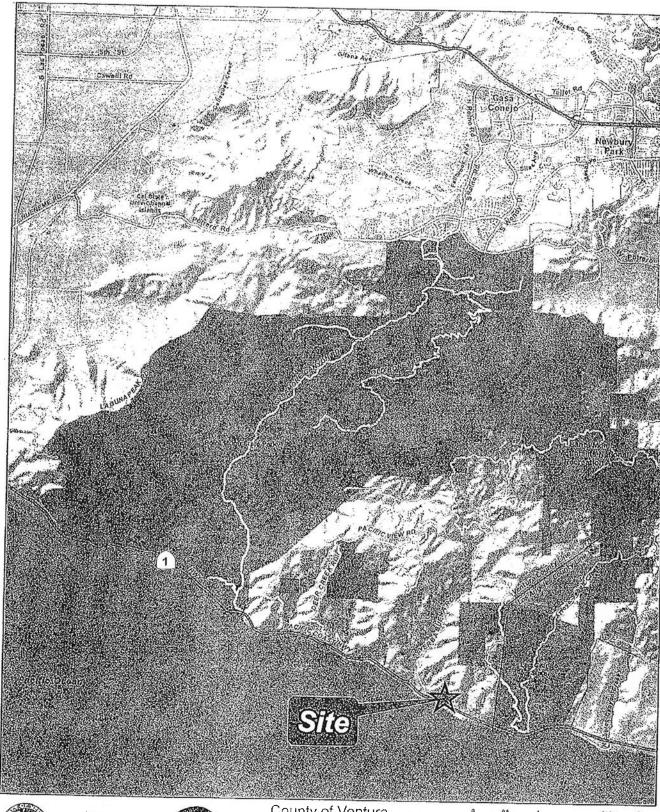


County of Ventura
Planning Director Hearing
SD10-0020 & LU10-0074
Attachment 1—Location Map



DECLARMET THE MED WAS CREDICED by the Ventura County Resource Management Agency, Happing Services - 615, which is designed and operated vicely for the convenience of the County and misses public agencies. The County does not want the accuracy of this map and no decision knowling a risk of economic loss or physical missry should be made in reliance therein.







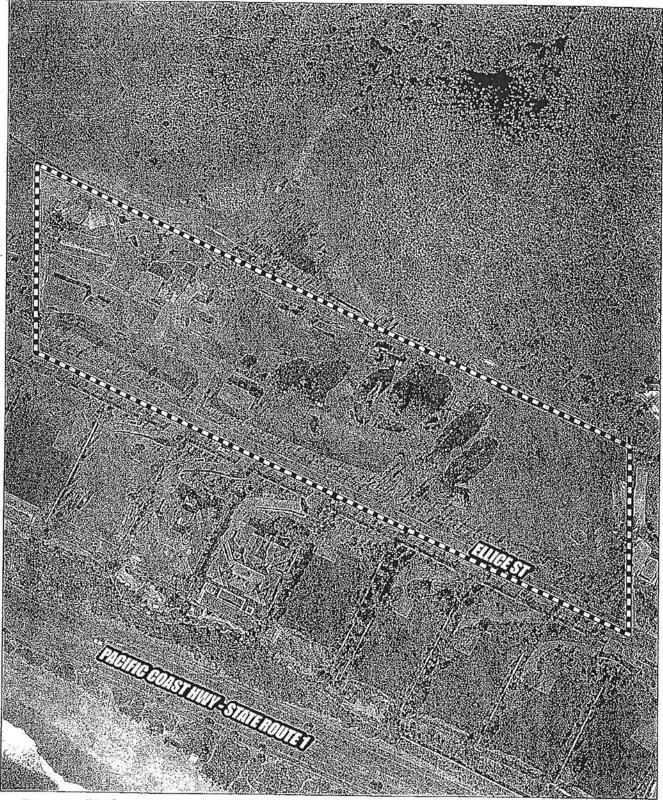
Verkura County Resource Management Agency Information Systems Department Map created on 04/14/2011



County of Ventura
Planning Director Hearing
SD10-0020 & LU10-0074
Attachment 1—Location Map









Ventura County
Resource Management Agency
Information Systems Department
Map created on 04/13/2011
This agent imagery is under the
capycights of Pictometry
Source Pictometry, January 2011

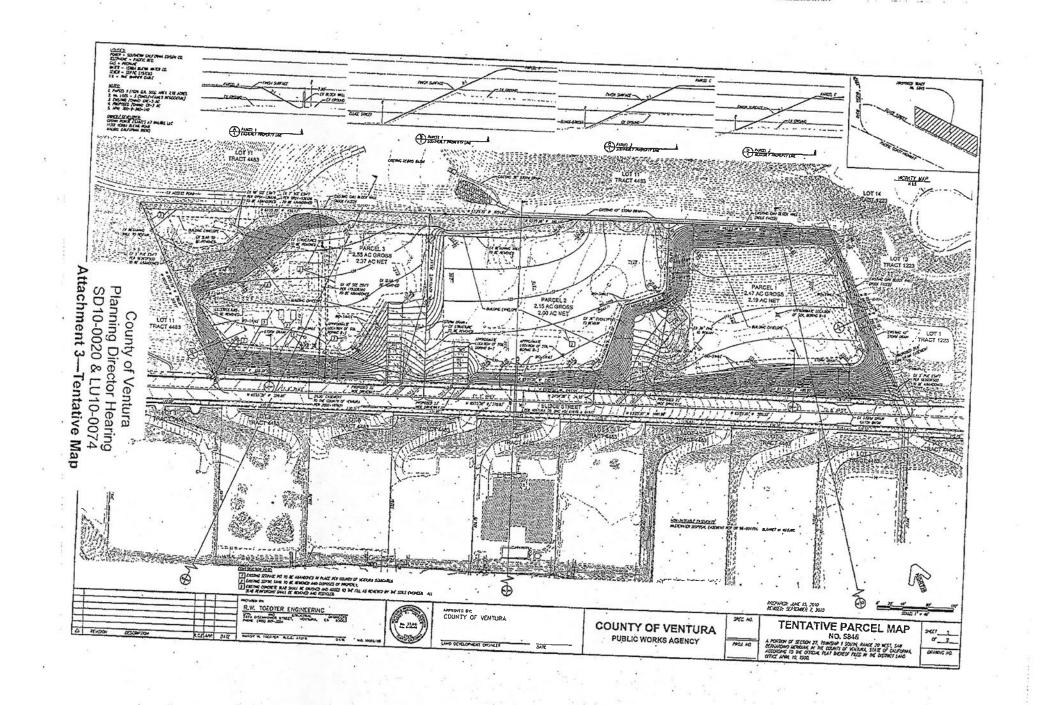


County of Ventura
Planning Director Hearing
SD10-0020 & LU10-0074
Attachment 2—Aerial Site Photo



Joscialina: this may was created by the Ventura County Resource Inapported regency, Happing Services - GIS, which is designed and operated sofely for Upping Services - Gibe County and classes softic agencies. The County and present the accuracy of this map and no decklain smoking a zitor parametric accuracy of this may should be made in reliable there-economic loss or physical may should be made in reliable there-economic loss or physical may should be made in reliable there-economic loss or physical may should be made in reliable there-economic loss or physical for the county of the coun





Comments and Responses to Comments on the Negative Declaration for Case Nos. SD10-0020, LU10-0074, and ZN10-0002



#### STATE OF CALIFORNIA

# GOVERNOR'S OFFICE of PLANNING AND RESEARCH

### STATE CLEARINGHOUSE AND PLANNING UNIT



June 20, 2011

Chuck Anthony Ventura County Planning Division 800 South Victoria Avenue, L#1740 Ventura, CA 93009

Subject: Crown Pointe Estates Subdivision and Zone Change

SCH#: 2011051058

Dear Chuck Anthony:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 17, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment-package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely

Scott Morgan

Director, State Clearinghouse

IN Mugan

Enclosures -

cc: Resources Agency

### **Document Details Report** State Clearinghouse Data Base

SCH# 2011051058

Project Title Crown Pointe Estates Subdivision and Zone Change

Lead Agency Ventura County

> Negative Declaration Neg Type

The subject property was previously developed as the Camp Joan Mier recreational center/children's Description

camp (medically supervised). Special Use permit 838 was granted by the Board of Supervisors on Jan. 6, 1959, construction of the camp structures began in 1964, and records indicate that the use permit (later modified to a Conditional Use Permit) expired on Sept 21, 1999. Currently there are four

remaining camp-related buildings.

**Lead Agency Contact** 

Chuck Anthony Name

Ventura County Planning Division Agency

805 654 3683 Phone

email

800 South Victoria Avenue, L#1740 Address

Ventura City

Zip 93009 State CA

Fax

**Project Location** 

County Ventura

City Malibu

Region

Lat/Long 34° 3' 11.7" N / 118° 57' 27.3" W

Cross Streets Ellice Street & Tonga Street

700-0-260-140 Parcel No.

Section 27 Base Township 18 Range 20W

Proximity to:

Highways PCH 1

Airports

Railways

Waterways Pacific Ocean

Schools

GP land use designation (LU) is Rural. Coastal Area Plan LU designation is Residential Rural 1 Land Use

DU/2AC.

Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Project Issues

Zone; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative

Effects

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Game, Region 5;

Department of Parks and Recreation; Department of Water Resources; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board,

Region 4; Department of Toxic Substances Control; Native American Heritage Commission

Date Received 05/19/2011

Start of Review 05/19/2011

End of Review 06/17/2011

Note: Blanks in data fields result from insufficient information provided by lead agency.

# Ventura County Planning Division's Response to Letter Comments from the State Clearinghouse and Planning Unit (SCH) (June 20, 2011)

### **SCH-1 Comment**

The SCH acknowledges receipt of the Draft Negative Declaration and that the Ventura County Planning Division has complied with the SCH review requirements for draft environmental documents, pursuant to CEQA.

Response to SCH-1 No response is required.

### DEPARTMENT OF TRANSPORTATION

DISTRICT 7, REGIONAL PLANNING IGR/CEQA BRANCH 100 MAIN STREET, MS # 16 LOS ANGELES, CA 90012-3606 PHONE: (213) 897-9140

FAX: (213) 897-1337

Flex your power! Be energy efficient!

May 25, 2011

IGR/CEQA No. 110546AL-ND Crown Pointe Estates Subdivision and Zone Change Vic. VEN-01 / PM 0.771 SCH #: 2011051058

Mr. Chuck Anthony Ventura County Planning Division 800 S. Victoria Ave., L#1740 Ventura, CA 93009

Dear Mr. Anthony:

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above referenced project. The proposed project is a residential subdivision, demolition of four buildings, grading for new building sites, installation of storm drain and septic systems.

Currently, no specific project has been identified for future development. Please include the Department in the environmental review process when a specific project is proposed.

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water. Additionally, the discharge of storm water run-off is not permitted onto State highway facilities.

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from the Department. It is recommended that large size truck trips be limited to off-peak commute periods.

If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 100546AL.

Sincerely,

DIANNA WATSON IGR/CEQA Branch Chief

Scott Morgan, State Clearinghouse cc:

# County of Ventura Planning Division's Responses to Comments from California Department of Transportation (Caltrans)

The Ventura County Planning Division summarizes California Department of Transportation comments (May 25, 2011) and provides responses below:

### Caltrans-1 Comment

"Projects should be designed to discharge clean runoff water."

### Response to Caltrans-1

The Ventura County Watershed Protection District has imposed the following condition to the project, which addresses Caltrans' clean runoff water comment:

### Surface Water Quality

Prior to issuance of Grading Permit or Zoning Clearance for Construction, the applicant/owner shall submit a Notice of Intent (NOI) to the California State Water Resources Control Board, Storm Water Permit Unit, in accordance with the NPDES Construction General Permit (No. CAS000002): Waste Discharge Requirements for Discharges of Storm Water Runoff Associated Construction with Activities. applicant/owner shall also provide the Ventura County Watershed Protection District Water Quality Section with a copy of the submitted NOI prior to issuance of Grading Permit or Zoning Clearance for Construction. The applicant/owner shall comply with the requirements of this General Permit including preparation of a Stormwater Pollution Prevention Plan (SWPPP),

### Caltrans-2 Comment

"Additionally, the discharge of stormwater runoff is not permitted onto State highway facilities."

### Response to Caltrans-2

Planning Staff initiated contact with Lee Rennacker, Senior Transportation Engineer of the Caltrans Ventura Satellite Office, in order to address the comment from Dianna Watson of the District 7 Los Angeles office. Please see Mr. Rennacker's email comment dated July 7, 2011 in the Comments section of this environmental document.

### Caltrans-3 Comment

"Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from the Department."

### Response to Caltrans-3

A Planning Division condition of approval will be imposed on the applicant/permittee that includes the following text: "The Permittee is responsible for being aware of and complying with the PD [Planned Development permit] conditions and all applicable federal, state and local laws and regulations." The Planning Division provided the Caltrans comment letter (with the transportation permit requirement) to the applicant, Crown Pointe Estates LLC, on June 29, 2011. The applicant has been notified of his responsibility to satisfy Caltrans' requirement.

### Caltrans-4 Comment

"It is recommended that large size truck trips be limited to off-peak commute periods."

### Response to Caltrans-4

The Ventura County Planning Division has no legal nexus to limit commute periods for transport or construction-related vehicles to off-peak periods. Nevertheless, as mentioned above in Response to Caltrans-3, the applicant has been notified of his responsibility to satisfy Caltrans' transportation permit requirement. If it has the legal nexus to do so, Caltrans may impose their recommendation on the applicant when the applicant obtains the transportation permit.

## Email Comment dated May 20, 2011

Mr. Anthony,

Re: SD10-0020 & LU10-0074 Crown Point Estates, LLC

When there is a conflict between the Coastal Area Plan /1 DU-2AC and the Ventura County Zoning /CRE-5ac minimum of a parcel, which is considered predominant?

Thank you,

Pamela Campbell

#### County of Ventura Planning Division's Responses to Email Comments from Pamela Campbell

The Ventura County Planning Division provides Pamela Campbell's email comments (May 20, 2011) and provides responses below:

#### C-1 Comment

"When there is a conflict between the Coastal Area Plan /1 DU-2AC and the Ventura County Zoning /CRE-5ac minimum of a parcel, which is considered predominant?"

Response to C-1

On May 23, 2011, Planning Division Planner Chuck Anthony responded by email directly to Ms. Campbell:

"Dear Ms. Campbell,

In this case, there is no conflict. The predominant designation is the General Plan land use designation is Rural which has a two acre minimum parcel size. The existing Coastal Area Plan designation of 1 DU/2AC and the existing Coastal Zoning Ordinance designation of CRE 5 ac are both compatible with the GP Rural.

Thanks,

Chuck"

### Email Comment dated May 23, 2011

#### Chuck,

When was the CRE 5 AC minimum established? The conflict lies in the allowed density for this parcel's development.

Why are there two zonings, that require a zone change? Which of these zonings would the CCC consider predominate, if any?

What are the existing entitlements for this 7.18 acre parcel at this point in time? Thank you for your patience.

Pam

## County of Ventura Planning Division's Responses to Email Comments from Pamela Campbell (May 23, 2011)

#### C-1 Comment

"When was the CRE 5 AC minimum established?

#### Response to C-1

On May 26, 2011, Planning Division Planner Chuck Anthony responded by email directly to Ms. Campbell:

"Dear Ms. Campbell,

In response to your first question (When was the CRE 5 AC minimum established?), Planning Division research indicates that it was established through Ordinance amendment no. 3883, approved May 10, 1989."

#### C-2 Comment

"Why are there two zonings, that require a zone change? Which of these zonings would the CCC consider predominate, if any?"

#### Response to C-2

On May 26, 2011, Planning Division Planner Chuck Anthony responded by email directly to Ms. Campbell:

"In response to your next two questions (Why are there two zonings that require a zone change? Which of these zones would the CCC consider predominate, if any?), in May 1989 the California Coastal Commission approved the Land Use Plan (i.e., Coastal Area Plan) land use designation change of the subject property from "Open Space" to "Rural" (the Rural designation requires a 2 acre minimum parcel size). At the same time, CCC also approved a change in the Local Implementation Plan (i.e. the Coastal Zoning Ordinance) from "COS(M)" (Coastal Open Space Zone, 10 acre minimum parcel size, Santa Monica Mountains Overlay Zone) to "CRE-5Ac(M)" (Coastal Rural Exclusive Zone, 5 acres minimum parcel size, SMM Overlay Zone). The applicant requests a change only to the Coastal Zoning designation from CRE 5 acre minimum parcel size to CRE 2 acre minimum parcel size. The existing Rural Residential (2 acres minimum parcel size) would not change. The Rural Residential designation predominates."

#### C-3 Comment

"What are the existing entitlements for this 7.18 acre parcel at this point in time?"

#### Response to C-3

On May 26, 2011, Planning Division Planner Chuck Anthony responded by email directly to Ms. Campbell:

"In response to your next question (What are the existing entitlements for this 7.18 acre parcel at this point in time?), several Zoning Clearances (ministerial permits) have been issued allowing for such uses as demolition of structures, use of power, etc. There are no current, effective discretionary permits (such as Conditional Use Permits, Planned Development Permits, etc.) on the subject property."

#### Email Comment dated May 24, 2011

Chuck,

As we are seeking clarification on these issues, we do not have a negative or positive position at this time regarding

this proposed zone/density change. We will be submitting a letter in response to the ND by the June deadline, but again need more clarification on these zoning issues.

We expect that our aforementioned written comments will be included in the ND Comments section.

Please respond to my additional questions of yesterday, 5/23 at 10:43 AM, and in addition, if the developer was desirous of developing the parcel adhearing to the Coastal Zoning Ordinance-CRE 5AC, would there still be a need for a zone change?

Thank you for your continued patience, Pam

### County of Ventura Planning Division's Responses to Email Comments from Pamela Campbell

The Ventura County Planning Division provides Pamela Campbell's email comments (May 24, 2011) and provides responses below:

#### C-1 Comment

Ms. Campbell states that she doesn't take a position on the zone change, and that comments will continue to be provided. No response is required.

Ms. Campbell, states, "Please respond to my additional questions of yesterday, 5/23 at 10:43 AM..."

#### Response to C-1

The Planning Division's responses are provided in responses C-1 through C-3 to Ms. Campbell's May 23 email (above).

#### C-2 Comment

"...[I]f the developer was desirous of developing the parcel adhearing [sic] to the Coastal Zoning Ordinance-CRE 5AC, would there still be a need for a zone change?"

#### Response to C-2

On May 26, 2011, Planning Division Planner Chuck Anthony responded by email directly to Ms. Campbell:

"In response to your last question (If the developer was desirous of developing the parcel adhering to the Coastal Zoning Ordinance-CRE 5AC, would there still be a need for a zone change?), the only way for Crown Pointe Estates at Malibu LLC to subdivide into 2 acre lots is by through their requested zone change to CRE 2 acre minimum parcel size. If Crown Pointe decided not to amend the zoning designation, they could not subdivide the current 7.18 acre parcel to smaller developable parcel."

## Email Comment dated May 26, 2011

Chuck,

Thank you for the time and effort you spent on this issue. I greatly appreciate it! Pam

# County of Ventura Planning Division's Responses to Email Comments from Pamela Campbell (May 26, 2011)

The Ventura County Planning Division provides Pamela Campbell's email comments (May 26, 2011) and provides responses below:

## C-1 Comment

Ms. Campbell acknowledges assistance from the Planning Division and the says thank you.

### Response to C-1

No response is required.

#### Email Comment dated June 2, 2011

Dear Mr. Anthony,

Please be advised that conflicting information has been sent to our area regarding the deadline for written comments regarding this proposed zone/density change for the former Camp Joan Mier property, owned by Crown Point Estates.

The orange flyer that was mailed states that written comments are to be received "no later than 5:00 PM on June 9, 2011"; and the Negative Declaration states that the deadline for written comments is June 19th, 2011. What is the correct response date deadline? I believe it is extremely important that our community be re-noticed asap.

This conflicting information for the impacted residents is creating confusion, and will negatively impact the written responses received. Please advise.

Thank you, Gary and Pamela Campbell 11408 Tongareva Street Malibu, Ca. 90265

## County of Ventura Planning Division's Responses to Email Comments from the Campbells (June 2, 2011)

#### C-1 Comment

Ms. Campbell identifies an error in the noticing that indicates a shorter public review period (from May 20 to June 9, 2011) than is required by the Negative Declaration document. Ms. Campbell adds that this will lead to confusion, and that the Negative Declaration should be re-noticed.

#### Response to C-1

On June 3, 2011, manager Dan Klemann responded directly to Mrs. Campbell with the following email:

"Good Morning, Mr. and Mrs. Campbell:

We are going to send out a revised public notice to the surrounding property owners and publish a revised notice in the newspaper, informing everyone that we are going to extend the public comment period on the Negative Declaration from June 19, 2011, to June 29, 2011. I am also going to contact Sup. Parks' staff to inform them of the new notices and the extended public comment period, just in case anyone contacts them about this. In the meantime, if you could please spread the word to any of your neighbors who are inquiring about this project, I would greatly appreciate it.

If you have any questions about this, feel free to contact me using the information provided below.

Best.

Dan Klemann, M.A., Manager, Residential Permits Section County of Ventura, Resource Management Agency, Planning Division 800 S. Victoria Avenue, L#1740 Ventura, CA 93009 (805) 654-3588 phone (805) 654-2509 fax daniel.klemann@ventura.org"

The public was re-noticed (postcards mailed, legal notice placed in newspaper, etc.) about a revised public review period that was extended to June 29, 2011 in order to allow for adequate public comment.

#### Email Comment dated June 3, 2011

Hello Chuck, we are property owners on Ellice St and received notice of the plan to divide property on the former Camp Joan Mier site into 3 lots. I've reviewed the County's initial study and find it very informative and whole heartedly support the low density plan. Further, the developer has done an extraordinary job enhancing the environment here at County line and creating a fabulous community of environmentally sensitive improvements which virtually all those in the community love. I look forward to the developer's improvement of this site which needs the attention of a sensitive developer like Crowne Pointe Estates. Best Regards, Ken and Shellie Harrison Sent via BlackBerry by AT&T

## County of Ventura Planning Division's Response to Email Comments from the Harrisons (June 3, 2011)

#### H-1 Comment

The Harrisons state that they support the building density of the proposed project, praise the "environmentally sensitive improvements" of the proposed project, and support Crown Pointe's proposed improvements

#### Response to H-1

No response it required.

## Email Comment dated June 3, 2011

Mr. Klemann,

Thank you for your notice of extension.

Also, is this project/zone change appealable to the California Coastal

Commission? The language in the document appears to be contradictory.

Please clarify.

Thank you again,

Gary and Pam Campbell

## County of Ventura Planning Division's Responses to Email Comments from the Campbells (June 3, 2011)

#### C-1 Comment

The Campbells comment that they received notice that the public review was extended, as discussed in Responses to Campbell's Email Comments (June 2, 2011) above.

#### Response to C-1

No response is required.

#### C-2 Comment

The Campbells ask whether the project and zone change are appealable to the California Coastal Commission.

#### Response to C-2

On June 6, 2011, manager Dan Klemann responded directly to the Campbells in the following email:

"Dear Mr. and Mrs. Campbell:

The Parcel Map for the project is appealable to the Coastal Commission and, if the Board of Supervisors approves the Zone Change, it is automatically sent on to the Coastal Commission for the Coastal Commission's consideration.

However it is unclear from the Ventura County Coastal Zoning Ordinance and the Coastal Act whether the Zone Change is appealable to the Coastal Commission if the Board of Supervisors *denies* the Zone Change. We are researching this. I will let you know what we discover as soon as we have this information.

Best.

Dan Klemann, M.A., Manager, Residential Permits Section
County of Ventura, Resource Management Agency, Planning Division
800 S. Victoria Avenue, L#1740
Ventura, CA 93009
(805) 654-3588 phone
(805) 654-2509 fax
daniel.klemann@ventura.org"

Later the same day, manager Klemann responds the Campbells with an additional email:

"Good Afternoon, Mr. and Mrs. Campbell:

As a follow up to my email to you this morning, we received confirmation from the Coastal Commission staff that if the Board of Supervisors denies the Zone Change request, it is not appealable to the Coastal Commission.

If you have any other questions about this project while Chuck is out, feel free to contact me using the information provided below.

Best.

Dan Klemann, M.A., Manager, Residential Permits Section County of Ventura, Resource Management Agency, Planning Division 800 S. Victoria Avenue, L#1740 Ventura, CA 93009 (805) 654-3588 phone (805) 654-2509 fax daniel.klemann@ventura.org"

## Email Comment dated June 4, 2011

Dear Mr. Klemann,

Please respond to my e-mail of June 3, 2011 regarding clarification as to if this project/zone and density change for the former Camp Zone Mier property is Coastal Commission appealable. The orange flyer states that it is and the DMD is ambiguous. Thank you, Gary and Pamela Campbell

## County of Ventura Planning Division's Responses to Email Comments from the Campbells (June 4, 2011)

## C-1 Comment

The Campbells ask whether the project and zone change are appealable to the California Coastal Commission.

### Response to C-1

See Planning Division's Response to Campbell's June 3 Email Comments.

### Email Comment dated June 6, 2011

Dear Mr. Anthony:

I am a homeowner at 11486 Tongareva St. in Malibu, California. I will not be able to make it to the hearing on June 30th so I would like to give you my opinion on this project.

I am in total support of the Crown Point Estates project. Everyone involved in this project has gone out of their way to keep everyone informed of what the plans are and they have followed through on doing so. It has made this little area so much more beautiful. (Removing dangerous poles, cleaning up Neptunes Net, planting beautiful gardens, etc). When this project is completed, it will truly be a beautiful. Eventually this property would have been developed and we are so fortunate to have these guys come in and do only the best. This will only help the existing properties in our area.

As far as the people who are unhappy it just doesn't make sense. I can't think of one reason why they would be unhappy. Basically, some people are never happy no matter what the situation may be.

Feel free to contact me any time if you would have any questions regarding my support.

Thank you for your time.

Taryn Cain - Homeowner 661/373-5720

## County of Ventura Planning Division's Responses to Email Comments from Taryn Cain (June 6, 2011)

<u>C-1 Comment</u> Taryn Cain writes in her support of the project.

Response to C-1 No Response is necessary.

#### Email Comment dated June 15, 2011

Dear Mr. Anthony:

Thank you for the opportunity to review the above referenced ND. In the project description the ND states that greater than 0.5 acres of brush/vegetation removal will occur for new building sites. The Department recommends the following measures be incorporated to minimize potential impacts to biological resources when applicable. Based on the information available in the ND it was unclear of the extent of vegetation removal or the timing of the removal.

The Department recommends a mitigation measure be added to include biological clearance and sensitive species surveys within native habitats prior to grading. As you know, plants and animals that are listed as endangered, threatened, or rare are protected under the California Endangered Species Act. Also, species of special concern and CNPS list species may be at risk and warrant conservation measures as well, under the California Environmental Quality Act. Because sensitive species haven't been found to date on the proposed project area doesn't exempt the project proponent from exercising due diligence to insure that grading doesn't inadvertently impact sensitive species. The Department recommends sensitive species surveys, based on the extent of native habitat within the project footprint area, be conducted where appropriate. If sensitive plants or wildlife are observed the Department recommends that Department staff coordinate with County and Project staff to determine a plan of action to minimize impacts to the specific sensitive species.

Impacts to migratory wildlife affected by the project should be fully evaluated including proposals to remove/disturb native and ornamental landscaping and other nesting habitat for native birds. Impact evaluation may also include such elements as migratory butterfly roost sites and neo-tropical bird and waterfowl stop-over and staging sites. All migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory nongame birds as listed under the MBTA.

Proposed project activities (including disturbances to vegetation) should take place outside of the breeding bird season (February 1- September 1) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). If project activities cannot avoid the breeding bird season, nest surveys should be conducted and active nests should be avoided and provided with a minimum buffer as determined by a biological monitor (the Department recommends a minimum 500-foot buffer for all active raptor nests).

Please contact Dan Blankenship, Staff Environmental Scientist, if you have any questions or for further coordination.

Daniel S. Blankenship Staff Environmental Scientist CA Department of Fish and Game P.O. Box 221480 Newhall, CA 91322-1480 phone/fax (661) 259-3750 cell (661)644-8469 dsblankenship@dfg.ca.gov

#### Email Comment dated June 15, 2011

Hi Christina [Danko],

Thanks for clarifying the project description. Sounds good to include a standard condition for nesting birds.

Thanks again,

Daniel S. Blankenship Staff Environmental Scientist CA Department of Fish and Game P.O. Box 221480 Newhall, CA 91322-1480 phone/fax (661) 259-3750 cell (661)644-8469 dsblankenship@dfg.ca.gov

### County of Ventura Planning Division's Responses to Email Comments from Daniel S. Blankenship of the California Department of Fish & Game (CDFG)

The Ventura County Planning Division summarizes Daniel S. Blankenship's email comments (June 15, 2011) and provides responses below:

#### CDFG-1 Comment

A mitigation measure should be imposed requiring biological clearance and sensitive species surveys based on native habitat within the project footprint area. If sensitive species are found, the County should coordinate with the CDFG to develop a "plan of action."

#### Response to CDFG-1

On June 15, 2011, Planning Division Staff Biologist Christina Danko responded by email directly to Mr. Blankenship:

"Chuck Anthony forwarded me your comments on this project. I would like to clarify the project description, because it may help to address your concerns. In your email, you state that the project description includes more than 0.5 acres of brush/vegetation removal. I can understand why you would be concerned that the removal of more than 0.5 acres of vegetation in the Santa Monica Mountains area could impact sensitive species. However, this property was previously developed and only contains patches of ornamental trees and vegetation (see attached aerial photo from 2002).

A detention basin was recently constructed for the subdivision that was approved immediately south of this proposed project. This detention basin was permitted by the County as a condition of the subdivision to the south. See the attached 2010 aerial photo. Finally, the fuel modification zone that was maintained for the previous development on the property will accommodate the proposed three residences. Therefore, no further <u>native</u> vegetation will be removed for the proposed project."

#### CDFG-2 Comment

Impacts to migratory native birds and butterfly roost sites should be evaluated. Project activities should occur outside of nesting season or, if during nesting season, then adequate buffers should be required.

#### Response to CDFG-2

On June 15, 2011, Planning Division Staff Biologist Christina Danko responded by email directly to Mr. Blankenship:

"The ornamental trees on the site that will be removed could support nesting birds. However, we will impose a standard condition on the permit that will state

that removal of the trees shall occur outside of the nesting season or preconstruction surveys shall be conducted to locate and avoid any nesting birds. In addition, no butterfly roosts were observed on the site."

The Ventura County Planning Division summarizes Daniel S. Blankenship's 2<sup>nd</sup> email comment (June 15, 2011) and provides a response:

#### CDFG-1 Comment

"Thanks for clarifying the project description. Sounds good to include a standard condition for nesting birds."

Response to CDFG-1 No response required

#### Email Comment dated June 23, 2011

Dear Mr. Anthony,

I have been living on Tongareva Street for 30+ years.

I think the Crown Pointe developers have made our community 1000% better. It was a mess before with dirt roads and broken down buildings. Nobody kept anything up and nothing good was happening in this area at all.

Crown Pointe Estates is doing a great job and I don't have any complaints about anything.

One house for two acres is fine with me. One big house on seven acres would look out of proportion to the rest of the houses in this area.

I fully support LU10-0074 and zone change ZN10-0002.

Sincerely yours, Fred and Billie Ruff 11434 Tongareva Street Malibu,CA 90265

# County of Ventura Planning Division's Responses to Email Comments from Fred and Billie Ruff (June 23, 2011)

R-1 Comment
The Ruffs write in support of the project.

Response to R-1 No Response is necessary.

## Email Comment and Written Attachment dated June 24, 2011

Dear Mr. Anthony,

We would like the attached written comment to be included in the Public Hearing documentation for this project.

Please confirm receipt of our letter.

Thank You!

Yvonne Tang and James Escareno

June 2011 Re: LU10-0074 and ZN10-0002 - Crown Pointe Estates at Malibu

Dear Mr. Anthony:

We have lived at County Line since 1985 on Tongareva Street, which is located east of the Crown Pointe Estates (CPE) development. Historically, we have always sought low density residential development that protects and enhances the area's scenic and natural resources, while preserving the safety and security of our community.

## This project has exceeded our expectations in all categories.

Low Density Residences: From taking tours of the development and viewing marketing materials, CPE consists of high quality green homes, which blend seamlessly into landscaping of native plants with lots partitioned off with walls of rocks quarried onsite. Our front windows look down upon lots 1-6 and most people who visit us mistake it for a "park".

Preservation of Scenic and Natural Resources: For neighborhood walkers, CPE has created a beautiful native streetscape for a safe, scenic walking trail. For surfers and swimmers, special filtration systems for storm runoff have been installed to preserve the ocean waters. For nature lovers, CPE planted a botanical garden with native species and dedicated land to a Monarch butterfly way station. And last but very important, CPE has substantially upgraded and maintained the Yerba Buena Water Company in order to provide reliable service for the entire community.

Safety and Security: Fire safety has improved with the relocation of the new fire station, removal of power poles on Tonga Street and PCH, and the completion of Ellice Street for secondary ingress and egress. In addition, a much needed spring cleaning of County Line's world famous Neptune's Net has resulted in nicer dining areas, new landscaping, and organized parking for motorcycles and cars thus reducing traffic accidents and chaos on busy weekends.

Our area has been neglected for decades and finally we have a development company willing to risk its reputation and finances to make the Malibu entrance to Ventura County a classy community on par with Malibu Colony and Broad Beach. This is a dream come true! We need this project to proceed without delay for the continued enhancement of our neighborhood as well as its overall benefit to Ventura County.

Please count us among the many neighbors who are in full agreement with the Initial Study / Negative Declaration and support CPE's request for continued low density rezoning to a three residence (2 acre) subdivision.

Yours truly,

Yvonne Tang and James Escareno 11433 Tongareva Street Malibu, CA 90265 (310) 457-6115

### County of Ventura Planning Division's Responses to Email Comment and Written Attachment from Yvonne Tang and James Escareno (June 24, 2011)

#### TE-1 Comment

Ms. Tang and Mr. Escareno comment on their support of the proposed projects' "Low Density Residences," "Preservation of Scenic and Natural Resources," and "Safety and Security." They also state their "full agreement with the Initial Study/Negative Declaration."

Response to TE-1
No response is required.

#### SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK 5750 RAMIREZ CANYON ROAD MALIBU, CALIFORNIA 90265 PHONE (310) 589-3200 FAX (310) 589-3207



June 28, 2011

Ms. Kim L. Prillhart, Director Ventura County Planning Department 800 South Victoria Avenue Ventura, California 93003

Proposed 3-lot Subdivision, Ellice Street SD10-0020, LU10-0074, ZN10-0002

Dear Ms. Prillhart:

The Santa Monica Mountains Conservancy (Conservancy) urges the applicant to dedicate a trail easement providing access to the historically-used trail above the subject property. The subject property is located between a public road (Ellice Street) and a vast trail network in the Santa Monica Mountains National Recreation Area providing an ideal trail connection to world-renowned County Line Beach. The historical trail will connect to the future Coastal Slope Trail (CST) less than a mile uphill from the subject property. Ellice Street is an ideal coastal trailhead location for the regionally-significant CST.

Given the property's historical recreational use and the nature of the requested entitlements, the Conservancy believes there is ample nexus for the County to require a trail easement as a condition of approval. The shortest and most logical location for the trail easement would begin on Ellice Street approximately 800 feet from its terminus at Yerba Buena Road, and run perpendicular to Ellice Street until reaching the existing trail. The Conservancy would not oppose an alternate routing west along the rear of the property to Yerba Buena Road.

Following Ventura County ordinance, such an easement would be dedicated to a width of 25 feet, allowing for a feasible trail and some limited native vegetation in the corridor. To be effective, the trail easement should be required to be recorded in favor of the Mountains Recreation and Conservation Authority prior to issuance of a grading or building permit by the County.

Ms. Kim L. Prillhart, Planning Director Proposed 3-lot Subdivision, Ellice Street June 28, 2011 Page 2

If you have any questions about this recommendation, I can be reached at (310) 589-3200, ext. 128.

Sincerely,

PAUL EDELMAN
Deputy Director

Natural Resources and Planning

cc: Chuck Anthony, Case Planner

## County of Ventura Planning Division's Responses to Comments from Santa Monica Mountains Conservancy (Conservancy)

The Ventura County Planning Division summarizes the Santa Monica Mountains Conservancy (Conservancy) comments (June 28, 2011) and provides responses below:

#### Conservancy-1 Comment

The SMMC "urges the applicant to dedicate a trail easement providing access to the historically-used trail above the subject property... The historical trail will connect to the future Coastal Slope Trail (CST) less than a mile uphill from the subject property."

#### Response to Conservancy-1

The Planning Division reviewed and analyzed all the applicable Recreation and Access policies of the most recent edition (9-16-2008) of the Ventura County Coastal Area Plan. As discussed in the Planning Director Staff Report, the proposed project is consistent with applicable Recreation policy numbers 8 and 12. The proposed project will not prevent the continued use of the existing historically-used trail or the existing CST, both located north of the subject property. In addition, the proposed project will not prevent the possible future alignment of the CST located north and outside of the subject property. There are no General Plan or Coastal Area Plan policies, or Coastal Zoning Ordinance sections, that require the applicant to dedicate an access easement to the CST or existing historically-used trail. There is no County policy or ordinance standard that prevents the applicant from coordinating with the Conservancy in dedicating a trail easement for access to the historically-used trail.

June 29, 2011

To: Mr. Chuck Anthony, Case Planner From: Gary and Pamela Campbell

Re: Tentative Parcel Map No. 5845 (Case No. SD10-0020), Planned Development Permit (Case No.LU10-0074), and Zone Change (Case No. ZN10-0002)

16 Pages Inc. Cover

June 29, 2011

To: Mr. Chuck Anthony, Case Planner III
County of Ventura Resource Management Agency
800 South Victoria Avenue
Ventura, Calif. 93009

Re: Tentative Parcel Map No. 5845 (Case No. SD10-0020), Planned Development Permit (Case No. LU10-0074), and Zone Change (Case No. ZN10-0002)

Dear Mr. Anthony:

Thank you for the notification regarding the aforementioned proposed zone/density change applied for by the developer Crown Point Estates, Malibu.

We are aware that the present Coastal Zoning Ordinance of CRE-5Ac was approved by the California Coastal Commission in 1989, to preserve the rural environment of our County Line community, in the event the camp closed.

Our Homeowner's Association at the time, the Tongareva Homeowner's Association, was instrumental in bringing this CRE-5Ac rural zoning to fruition, via meeting with Ventura County officials.

Camp Joan Mier, a disabled children's camp ultimately did close and was purchased by this developer, Crown Point Estates, Malibu in 2004.

This proposed zone change, for the former Camp Joan Mier property, will increase the development density three-fold, allowing three houses rather than one, destroying the rural environment which was not the intent of the CRE-5Ac Ventura County and Coastal Commission approved zoning.

Obviously this proposed zone/density change is for further financial gain to be realized by the Crown Point developers at the expense of the existing community here at County Line, Malibu.

(Remarkably, Crown Point's web site, Marisol Malibu, delineates these lots on the former CJM property as lots 14, 15 and 16, as if this Tentative Tract Map, PDP and Zone Change have already been approved.)

We are opposed to any changes in the current zoning and land use and strongly insist that an Environmental Impact Report rather than a Draft Negative Declaration is the appropriate document to examine thoroughly the overall cumulative impacts and long term effects of any further subdivision of Crown Point's 80-acre parcel.

#### Water Resources/Fire Flow

The Yerba Buena Water Company that services our area is owned by the Crown Point Estates land developers. (Marisol, Malibu) These developers conveniently supply "water availability letters" and "will serve permits" to their own land to satisfy county requirements, clearly a profound conflict of interest.

Although it is understood that the seasonal disabled children's camp, Camp Joan Mier had water supplied to them by the YBWC, the issue here is not only water supply but particularly the unreliability of fire flow that endangers our entire community of approximately 1,000 residents.

Our Ventura County Line neighborhood lies in a wild land urban interface ember area. The South Coast Ventura County area is probably one of the most likely areas to burn in Southern California, a fact that, remarkably, the CPE developers, owners of the Yerba Buena Water Company, self-servingly deny.

Immediately east of our neighborhood, approximately 1.4 miles, is Leo Carrillo State Beach campground, with 131 camp sites and fire pits, exasperating our extreme fire risk, placing us in the trajectory of a wind driven Santa Ana fire, allowing only mere minutes to escape.

We have experienced numerous fires here at County Line in our 24 years of residency and have repeatedly experienced our Tongareva Street water tank run low, due to pumps breaking and lack of water being re-supplied from the developer's wells a mile away in Yerba Buena Canyon. The Yerba Buena Water Company's infrastructure is aged, and pipes break and pumps fail on a regular basis.

The YBWC has been historically owned and operated by land developers almost since its inception in 1947.

In 1992, The Public Utilities Commission prepared a detailed, comprehensive Environmental Impact Report, in response to YBWC's desire to expand their service area.

At that time, 19 years ago, the PUC determined that the Yerba Buena Water Company was out of compliance with the Commission's General Orders 103, "Rules Governing Water Service Including Minimum Standards for Design and Construction." The EIR continues, "YBWC is deficient in meeting fire flow needs, and essentially has only one reliable well that produces a sufficient amount of water to meet the needs of the community. Accordingly the Commission staffs are recommending that the Commission require that the YBWC develop a new source of water supply capable of producing a minimum of 1,502 gallons per minute, or construct a water storage tank with a minimum capacity of 287,000 gallons."

Ultimately, in 1993, Administrative Law Judge Glen Walker, acquiescing to the developer's lobbying, allowed the YBWC to use their pumping capacity to "satisfy" the fire-flow requirements, thus leaving our community at great fire risk due to the lack of and unreliability of fire flow.

Although the Crown Point developers have added one small alluvial well, (#7), since their purchase of the YBWC in 2005, their cumulative three well pumping capacity falls very short of 1,502 gpm.

(However, Crown Point's Marisol web site boasts of having added three wells, a false statement. (See attached e-mail from the PUC)

Additionally, the water supplying our storage tank here on Tongareva Street must be pumped and delivered more than a mile from Yerba Buena Canyon, an aging piping/pump system that, as previously stated, has been historically fraught with breaks, interruptions and problems, and these malfunctions leave our community with only the 210,000 gallon storage tank on Tongareva Street as the only water supply for all 244 meters.

(The decrepit 47,000 gallon water storage tank on Yerba Buena Road a mile away, was already in existence in 1947.

Disconcertingly, 210,000 gallons does not even satisfy the Ventura County Fire Department minimum fire flow of 2,000 GPM for 2 hours at 20psi.

Crown Point Estates/Yerba Buena Water Company's cumulative pumping capacity of wells 5, 6&7 of approximately 800 gpm falls short, almost by 50% of the 1,502 gpm recommended production in the 1992 EIR.

Our Tongareva Street neighborhood homes are located in the highest elevation of our community. We are the first to face wildfires, and the first to lose water pressure. During Crown Point's recent grading and filling of water trucks on Ellice Street below our neighborhood, our water pressure dropped to dangerously low levels, some residences had no water pressure at all.

Clearly, the best solution to this dangerous fire flow deficiency is mandating the construction of another water storage tank of 257,000 gallons, to be constructed on the developer's 57 acre parcel, adjacent to our land-side neighborhood.

On 3/21/05, the applicant Ron Coleman, of Crown Point Estates, Malibu, LLC, promised our neighborhood, (in an interview), a new water storage tank, hoping to garner support for Crown Point's proposed vacation of Ellice Street, a zone change, and a General Plan Amendment. (Tract 5457)

Needless to say, this needed additional water storage tank never materialized and the Crown Point developers denied making this commitment last fall, 2010, in correspondence regarding their proposed water rate increase before the PUC. (The notes taken of the interview with Ron Coleman in 2005 are attached.)

This additional water tank must be required, and construction brought to fruition as a prerequisite for any additional permit requests made by this developer and his water company. (See Page #1 of 1992 EIR attached)

#### Grading & Land Form Alterations

The proposed subdivision and zone change of the Coastal Commission approved CRE 5-Ac parcel into three parcels requires extensive grading that we believe is in violation of the Coastal Act.

The proposed grading involves 6,900 cubic yards of cut and 26,900 cubic yards of fill. An additional 20,000 cubic yards of fill would be imported from the adjacent property, creating significant land-form alterations in the Coastal Zone, contrary to statements in the DMD.

The enormity of this grading scheme and consequent land form alterations comprise another potential violation of the Coastal Act.

## Visual Impacts/Scenic Views

We have been told by Pritchett real estate agents that the developer intends to elevate the former CJM property 20-30+ feet, to allow for the three proposed building pads that together with the construction of homes will tower over Ellice Street, if in fact this information is correct.

Contrary to the DMD, we believe that due to this massive amount of proposed grading and fill, there will be significant obstruction of scenic views from Ellice Street, and potentially Pacific Coast Highway, the beach and ocean, negatively impacting public scenic views, comprising another potential violation of the Coastal Act.

## **Regarding Ellice Street**

Ellice Street is a public street, used by our County Line community as secondary and for many County Line residents primary access.

However, Crown Point's claims on their Marisol Malibu web site that Ellice Street is a "newly constructed, wide safe, landscaped parkway which serves only Marisol's properties." This is a false statement, implying that Ellice Street is private, which it is not. Ellice Street was dedicated and fully accepted by Ventura County in 2002, a permit condition for the development of Tract 4483, now owned by Crown Point Estates. The Crown Point developers attempted to vacate/privatize Ellice Street in 2006 and were given Ventura County Supervisor "conceptual approval".

This conceptual approval was appealed by a Tongareva Street resident and two California Coastal Commissioners.

The California Coastal Commission heard this matter on April 9, 2008 and resoundingly denied the vacation 10-1.

Remarkably, Ellice Street continues to remain under the control of the developer, almost 10 years after being dedicated and accepted and still has not been "finaled" due to developer delays and manipulation with Ventura County's complicity. (See e-mails attached)

## Archaeology/Cultural Resources

The Ventura County line area is archaeologically designated as CA-VEN-1, as the ancient Chumash village named Alqilkowi thrived here.

DNA analysis performed by State Archaeologist, Herb Dallas in recent years on the beach bluff adjacent to the Camp Joan Mier site, established occupation dates at VEN-1 back to 8010-8400 B.P. (Before Present)

Data from VEN-1 is consistent with the date and infers that a wave of migration from the north occurred slightly earlier, at least 8,500 B.P., showing that the cultural connection is more likely from the north than the desert. The inhabitants of VEN-1 were clearly involved in a remarkable maritime economy.

It is believed that VEN-1 was the first of the Chumash settlements on the Santa Monica Mountain coastline, arriving originally by sea from the villages located to the west. There is no doubt that this former Camp Joan Mier land has been disturbed, however, ironically there could be preservation of this site and artifacts underneath the almost 50 year-old buildings slated to be demolished.

In addition, Crown Point's predecessor illegally graded and excavated a shell mound at what is now the eastern end of the Neptune's Net Parking lot in 1997, Violation Case No. 91-194. This excavated shell mound material was dumped on Camp Joan Mier's

property.

In 1952, Archaeologist William Wallace, leading a team from USC, excavated 15 burials on the bluff across PCH from Neptune's Net, photographing and studying the remains. These remains were located at a depth of 18 to 27 inches. Many human burials still exist throughout County Line and many are believed to exist under Neptune's Net's structure and parking lot, extending above and along Yerba Buena under an existing building.

The village of Alqilkowi existed here for thousands of years. The inhabitants are believed to have migrated back and forth, as resources allowed, from CA-LAN 52, or the village at Leo Carrillo, (Arroyo Sequit), knows as Lisiqshi.

The aforementioned Wallace/Dallas sites are in the immediate area of this proposed grading and excavation.

We adamantly disagree with the DMD, that a Phase I Archaeological is suitable for this remarkable and valuable site.

Anything less than a comprehensive Phase II analysis of this vuluable site would comprise a potential violation of the Coastal Act.

#### Noteworthy

An interesting proposal for a Public Trail Access, PTA, has been sponsored by a neighbor. This trail access would connect from Ellice Street, due north to the Yellow Hill trail that culminates at Leo Carrillo.

This trail access, enjoyed by my family and neighbors for many years has been lost since Crown Point's possession of this access land approximately seven years ago.

However, conditioning of this access would have to include the following: Public trail and designated parking area, if required) to be 700 feet minimum distance from all existing residential dwellings not owned by Grown Point Estates.

Trail must be opened to the public and traversable upon completion of the Planned Development Permit LU10-0074.

In order to adequately address all the aforementioned issues, we strongly assert that the Draft Mitigated Declaration is the supremely inappropriate document, as it fails to comprehensively address all of the Coastal Act issues and concerns raised in this letter.

Lastly, we strongly urge that a detailed Environmental Impact Report be required to analyze all of the cumulative impacts of the final build-out of Crown Point's parcels; Tract 4483, Tract 5457, the Open Space zoned 57 acres, the current Tentative Parcel Map 5845/ Planned Development Permit and Zone Change request, prior to any further considerations.

In closing, we urge Ventura County to deny this proposed project.

Sincerely yours

Gary Campbell

Pamela Campbell

Cc/Linda Parks, Supervisor 2<sup>nd</sup> District, Ventura County
Peter Douglas, Executive Director, California Coastal Commission
Dayna Bochco, California Coastal Commission

Mr. Miller, Thank you for your prompt response.

----Original Message-----From: Miller, Michael <michael.miller@cpuc.ca.gov> To: lakegri49 <lakegri49@aol.com> Cc: Liu, Peter T. K. <peter.liu@cpuc.ca.gov> Sent: Mon, Feb 14, 2011 2:27 pm Subject: FW: YBWC Wells

Ms. Campbell,

According to our records, Yerba Buena Water Company has three wells. There were two wells in 2005 when the company was acquired by Crown Point Estates. Another well was added in 2006.

3104570927

Mikę

#### Michael C. Miller, P.E.

Utilities Engineer, Water and Sewer Advisory Branch Division of Water and Audits California Public Utilities Commission Phone: (415) 355-5584

From: Llu, Peter T. K.

Sent: Monday, February 14, 2011 10:43 AM

To: Miller, Michael Subject: FW: YBWC Wells

Please check it and respond.

From: lakegri49@aol.com [mailto:lakegri49@aol.com]

Sent: Sunday, February 13, 2011 6:17 PM

To: Liu, Peter T. K. Subject: YBWC Wells

Peter,

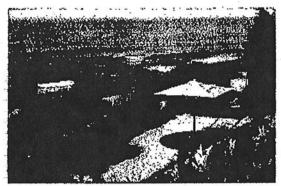
I was only aware of well #7 being added by Crown Point/Marisol-they claim they have added three-please advise.

Thank you, Pamela Campbell

http://marisolmalibu.blogspot.com/2011/01/marisol-arrives.html#more

"Progress" has been slow here but evident -- it has interfered with and threatened the natural resources of this paradise. Power poles infringed on the scenic views, the ground water resource developed by Rindge to support the area's inhabitants needed proper management, irresponsible development did not consider the impact of storm water discharge, and the density of the development impaired the sevenity of rural living. The bluff top had been scraped by our predecessor developer leaving a scar on which virtually no plant life existed.

3104570927



A great day at MariSol simply involves watching the surfers ride the waves below or a short welk to County Line Beach for a world class suit session

Acknowledging our responsibility as steward of this treasure and honoring Rindge's dream to preserve his earthly paradise, we took extraordinary steps to preserve, restore and enhance the natural resources of this Malibu land. As a goal to create a sustainable development, in our first year, we harvested the seeds from 17 indigenous species of plants and carefully grew more than 20,000 plants to re-vegetate the site; we dedicated more than an acre of land to a one-of-a-kind botanical and butterfly garden, a one-acre sanctuary registered as an official Monarch Butterfly Waystation in which more than 130 native California plant species flourish; over the last 5 years we have created a park on the bluff top property containing more than 2,000 native and other constal friendly trees, including specimen coastal oaks and toyons transplanted from a similar coastal site, and planted thousands of native and other compatible plants; we sought and received entitlements for low density residential development on which only 17 Malibu real estate sites are possible on 80 acres; we obtained approval for no street lights on our access road to preserve the quality of the night sky; we completed the removal of 20 power poles on PCH and the adjacent street to enhance significantly this scenic section of PCH; we acquired the water company which serves us and all properties in the area west of the Los Angeles/Ventura County line, have added 3 production wells and other facilities to preserve and enhance the underground water system that the Rindge family originally developed; we have added a 1/2 mile coastal friendly garden and private sand beaches on the bluff top facing the beach; we have added a storm drainage system throughout the project which contains filtering systems to improve the cleanliness of the runoff before it enters the ocean waters; we have enhanced the project with nearly 2 miles of fieldstone walls, with a majority of rock which was quarried from the site; and we have supported and funded entirely a State Parks project at nearby Leo Carrillo Beach providing ten cabins for low cost rental to beach visitors.

# Notes taken by Yvonne Tang at meeting on 3/21/05 with Ron Coleman Updated on 6/6/05 by Ron Culeman via email (see attached memos)

# Crown Pointe Estates at Malibu LLC, Rimroc Investments, LLC Ron Coleman (CEO), (818) 591-2782; Richard Morris (Managing Member), (818) 716-2620



Exoperty Development Intent:

To sell lots and build houses on 13 lots from Tonga to Yerba Buena

 Proposed homes will range from 7000-10,000 sq feet with 4000 below ground (basement garage, theatre, wine storage, laundry, mechanical equip., etc.)

- To privitize Elice and install gates and guardhouses beginning in front of Johnson home and at intersection of Yerba Buena
- To place trees and rod iron columns on both sides of Elice Street
- Setbacks will be from 10-15 feet
- To remodel ranch house and use as security and storage during construction
- To sell lots with RimRoc retained to build the homes for buyers.
- To develop Camp Joan Meir and hills above at a later date (years away) Development of 57-acre parcel probably limited to one single-family estate residence due to slope gradient requirements. Most likely location for siting of home would be up behind the Camp Joan Meir manager's home, western end of campsite.

The Purchase of the Yerba Buena Water Company: (3.17.05)

- Hired a hydrologist and engineer to determine efficiency and safety of system (Fugro West, Inc. and Water Resource Engineering Associates in Ventura)
- Possible installation of water pressure pump to increase pressure
- New well will be dug to increase water supply and a new water storage tank provided

## The Purchase of Camp Joan Mier:

- Would like to rezone and divide into one-acre lots for seven home sites
- Fire station will be move to two acre site where white duplex on PCH is located

## The future of Neptune's Net:

- Owned by Michelle Lee so it will remain (with improvement assistance by Rimroc)
- Will be separated from housing area by rock retaining walls and slope.
- May enlarge parking lot
- Michelle intends to replace portable potties with restrooms on septic system
- Realty Office is proposed to be demolished and will become outside dining area
- · Interior has been (will be) remodeled and upgraded
- Will encourage strict enforcement of codes (customer capacity, motorcycle noise, etc.)

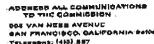
#### Timeline:

- Will initially build homes on lots 7,8,9 to be owned by company investors (Lot #9 to be model home.)
- Construction of first three homes will begin within the year (2006)
- Concept drawings are in progress
- Public hearings in Ventura County will occur in approximately 60 days regarding 5-lot subdivision, general plan, zone change and privatizing Effice
- Power poles (50 total) on Tonga, Yerba Buena, Ellice, and Tongareva will be moved below ground

Note: Company also owns 57 acres around hills to edge of Tongareva / Ellice. It is currently zoned for one home; but slope density-would allow 2-3 homes most would be 5 homes) if rezoned. Lots #10-13 are currently zoned commercial / residential.







# Public Utilities Commission

Sept 1902

PUBLIC NOTICE

# PUBLICATION OF A NEGATIVE DECLARATION ( EIR)

#### PUBLIC UTILITIES COMMISSION

Description of the Proposed Action: The Yerba Buena Water Company (YBWC), a privately owned utility, has submitted an application (No. 90-04-010) to the California Public Utilities Commission (the Commission) for a Certificate of Public Convenience and Necessity that would authorize an increase in the Company's certificated area. The YBWC provides water to 262 customers in the coastal community of Solromar in extreme southeastern Ventura County. The community is bounded by the Ventura - Los Angeles County line on the east, the Pacific Ocean on the south and west, and the Santa Monica Mountains on the north.

In its current application before the Commission, the YBWC has requested the expansion of its service area to include an area of vacant land which a local investment firm is applying to the County to have subdivided into eight, and possibly nine, residential lots; a commercial area located at the corner of Yerba Buena Road and the Pacific Coast Highway; an undeveloped, rurally-zoned area northwest of the commercial area; and Camp Joan Mier, a camp for physically challenged children. The YBWC has withdrawn its earlier plans to extend water service to other undeveloped property in this community. The commercial area and camp have been receiving water from YBWC on a "temporary" basis for a number of years, and neither has another source of water.

The YBWC water system is out of compliance with the Commission's General Order (G.O.) 103, Rules Governing Water Service Including Minimum Standards for Design and Construction, and Commission staff are recommending that the YBWC system be brought into compliance with G.O. 103 before the application for expansion can be approved. Specifically, the YBWC system is deficient in meeting fire flow needs, and essentially has only reliable well that produces a sufficient amount of water to meet the needs of the community. Accordingly, Commission staff are recommending that the Commission require that the YBWC be required to install another well as a backup source of supply, and either develop a new source of water supply capable of producing a minimum of 1,502 gallons per minute, or construct a water storage tank with a minimum capacity of 287,000 gallons.

Document Available for Review: A Negative Declaration and Initial Environmental Study have been prepared for the proposed project in compliance with the provisions of the California Environmental Quality Act. The documents are now available for public review.

TO SERVICE OF THE PROPERTY OF

Page I of b

From: Raymond Gutlerrez < Raymond Gutlerrez@ventura.org>

To: lakegri49 <lakegri49@sol.com>

Cc: Darnon Wing <Darnon.Wing@ventura.org>; Jeff Pratt <Jeff.Pratt@ventura.org>; Linda Parks <Linda.Parks@ventura.org>; Phil Nelson</br>

Subject: Re: Fwd: ELLICE STREET, MALIBU

Date: Mon, Jun 13, 2011 12:16 pm

Ms. Campbell,

My answers are shown below:

Q1: Will-sidewalks be required on the north side of Ellice Street?

Answer: Probably not. It is also dependent on the parcel size adjacent to

Answer. Probably not. It is also dependent on the parcel size adjacent to the road and larger parcels do not require the installation of sidewalk. This pertains to a rural look for the County unincorporated. Sidewalk on the south side of the street goes with the smaller parcels of land.

Q2: Ellice Street will not be finaled in 2011, could this situation go on indefinitely for years? Answer: Indefinitely no. I would estimate 1 to 3 more years.

Q3: Can the public park on Ellice Street?

Answer. Yes, but the developer can prevent parking or restrict parking when it is not safe or in the way of construction operations. We had a situation a few years ago where the public was parking on the street on weekends and at night. Vandalism and loitering was on the rise to the developers landscaping. One truck company began parking and staging its cargo units until the developer was able to close the street and take control back. We have tried it both ways with complete public access and no public access. Limited access works and allows for site security and safety while the project is under construction.

Who is liable for Ellice Street until it is finaled? The developer?

Answer. The developer is liable for the Ellice Street within the Tract boundaries until it is finaled. This approach is typical for 99% of all subdivisions built in California. Developer posts auto/liability insurance and improvement bonds for most new roads built like this too.

Sincerely,

Raymond Cutierrez, Jr., P.E., CFM, Manager Development and Inspection Services Division Engineering Services Department Ventura County Public Works Agency 805-654-2059

>>> < lakegri49@aol.com> 6/11/2011 8:14 PM >>>

Dear Mr. Gutlerrez,

Please respond to my e-mail of last June 6, 2011, regarding 'Ellice Street here at Ventura County Line, Malilbu. I need your responses so I may respond to Crown Point's latest application on a timely basis.

Thank you, Pamela Campbell

Dear Mr. Gutierrez.

The developer has just applied to subdivide the former Camp Joan Mier property on the north side of Eilice Street. Tentative Parcel Map No. 5845 (Case No. SD10-0020), Planned Development permit (Case No. LU10-

0074), and Zone Change (Case No.ZN10-0002). If the developer is successful in subdividing the 7.18 acres, the former Camp Joan Mier, will sidewalks be required on the north side of Ellice Street?

I assume that Ellice Street will not be finaled in 2011, afterall. Cound this situation go on indefinately for years?

Ellice Street provides crucial secondary, and for many primary access to our landside neighborhood, and any type of closure to facilitate the private interest, even temporary, is an unacceptable safety risk given the wildfire threat our community faces. Ellice Street is a public street, not a newly constructed roadway only serving the developer's lots/ homes as his web site states. The developer regularly hosts open houses and private events, and allows parking on Ellice Street.

Can the public park on Ellice Street?

Who is liable for Ellice Street until it is finaled? The developer?

Thank you for your patience with my questions.

Pamela Campbell

— Original Message——
From: Raymond Gutierrez < Raymond Gutierrez@ventura.org>
To: lakegri49 < lakegri49@aol.com>
Co: Damon Wing < Damon Wing@ventura.org>; Phil Nelson < Phil Nelson@ventura.org>
Sent Mon, Jun 6, 2011 9:44 am

Subject: Re: Fwd: ELLICE STREET, MALIBU

Dear Ms. Campbell,

I reviewed my comments to you back on 12-16-2010. Those comments are still valid. With subdivisions, the project on the whole is finaled at one time. What that means is that the County does not close out one improvement such as a road, storm drain, sewer, waterline, signal, survey monumentation, as-built plans, etc. until those improvements are all 100% done and pass our inspections. When everything is done, the developer calls for a final inspection with the County and once that is completed and all the improvements are in a good, safe, and somewhat new condition, we final the tract and begin to release the bonds and where applicable the County or the HOA takes over the improvements. In this case, the developer is choosing not to final all the improvements right now. One reason is that they are building custom luxury homes and the developer may propose changes to the driveway locations, or may need to make pavement cuts into the street for a utility change, or modify the way the lot drains - such as moving a yard drain. When a new home is under construction there is a flurry of activity with heavy equipment and construction staging and the developer will likely damage sidewalk, curb and gutter, and the road. The developer knows that the County would not final any damaged improvements I mentioned so they wait to all their construction is done before requesting a final. If they finaled the tract now and damaged the road or improvements after it is finaled, the County would require them to correct it for a predetermined maintenance period. But the level of those repairs would be greater and more expensive to the developer than if they just waited and kept control of the project and improvements. Another reason why the developer won't final the tract is that they would have to get new permits to make repairs or changes. Some of those permits may be extensive and require a discretionary process and take the developer 6 months to a year to get when they could extend and keep those permits open or go through a minor mod to an existing land use permit instead of an entirely new land use permit. The Coastal Zone has many restrictions on development so the developer values their permit approvals and will not close them out until they are certain that the project is 100% complete.

Our Public Works inspector visits the site whenever there is significant improvement work going on. This year we are not experiencing any difficulty with the construction or the crews. I communicate with the developer regularly and I know they are working hard to keep their project looking good and meet their goals for it. They have told me to communicate with them if something is wrong from our end or the public's. Other than the project is taking longer than everyone expected, but that is mostly due to the economy and how all real estate values have dropped significantly, but this developer is one of the few who has weathered the economic downtum and has a

Page 3 of 6

very viable project.

Please let me know if you have any more questions.

Ray Gutierrez 805-654-2069 raymond.gutierrez@ventura.org

>>> <lakegri49@aoi.com> 6/4/2011 4:50 PM >>>

Dear Mr. Gutierrez,

Please advise as to status of Ellica Street and the developer's, (Crown Point Estates), performance regarding finalizing the

Tract improvements. This has been going on for almost 10 years. Are all the street improvements 100%

Tract improvements. This has been going on for almost 10 years. Are all the street improvements 100% completed? What is taking so long for this public street to be accepted into the public road system? Please advise.

Thank you,

Pameria Campbell

----Original Message --From: Raymond Gutierrez < Raymond Gutierrez@ventura.org>
To: lakegri49 < lakegri49@aol.com>
Cc: David Fleisch < David Fleisch@ventura.org>; Jim MacDonald < Jim MacDonald@ventura.org>
Sent; Tue, Jan 18, 2011 4:26 pm
Subject: Re: ELLICE STREET, MALIBU

Dear Ms. Campbell,

I will answer some of your questions that fall within my area of approval and knowledge. Questions pertaining to pending and active building permits should be directed to Jim MacDonald, the County's Bldg Official. I've included Jim in this email. Some of the road determinations were made by Butch Britt who has retired and David Fleisch is now the Director of Transportation. Since some of the Transportation items have not been finalized, certain ones could be revised subject to David's approval.

My answers are shown below.

Thank you,

Raymond Gutierrez, Jr., P.E., CFM, Manager Development & Inspection Services Division Venture County Public Works Agency 805-654-2059

>>> <lakeari49@aol.com> 12/16/2010 3:09 PM >>> Dear Mr. Gutierrez,

It is my understanding that the grading is completed on Tracts 4483 and 5457; (the 13 building lots.)

Answer: Both grading permits for these tracts are still open. It is the developer's preference to keep the grading permits open and active. It gives the developer flexibility to make subtle changes through a change order to finalize the new construction for the homes that will be built. For example, if a graded lot ends up with a pool, the spoils from the pool can be placed or spread over that lot in a grading change order. If that were to occur after the grading permit was closed, and that grading exceeded 50 CY, it may result in a discretionary grading permit and require a public hearing, CEQA review, and special conditions when the current open permit project already has those provisions in place for making these small changes.

Are there any pending or active building permits for these tracts?

Page 4 of 6

TO: 18056542509

Answer: Jim MacDonald should be able to provide you with that answer. He is included in this email.

What are the final improvements to Ellice Street that remain incomplete?

Answer: There are very few improvements that remain. The street paving is done, the sidewalks and driveways are done, the drainage improvements are done. The developer will probably slurry seal the street when it is ready to be finaled. The street is open to public traffic right now and the developer will be responsible for repairs up to the street improvements being final accepted by the County. The County accepted the ROW but we have not accepted the improvements.

Can a private entity such as the HOA you mentioned maintain a public street?

Answer: Yes. This is not the first or the last with an HOA maintaining streets that have a public easement over them.

Isn't this the county's responsibility?

Answer: There are limitations on how often the County will perform certain types of maintenance. If the County sees a high degree of maintenance within a street's design or the developer wants to set a higher standard for the road, the HOA seems logical to handle those requirements. My last discussions with Butch Britt on this matter were to have the HOA responsible for the road's maintenance, but I will reserve that the final decision of this road's maintenance will be for the new Director of Transportation since the Tract's road improvements have not been finaled as of yet.

Can Ellice be public without sidewalks on both sides? (I understand from your e-mail of 4/20/09 that the sidewalks on the north side was eliminated by change order.)

Answer: Yes. This was looked at in detail and it was felt that a safe and continuous sidewalk travel way could be placed on one side of the street that was ADA compilant that would connect Tongs to Yerba Buena. Also the parcels on the north side were larger in acreage and would not require sidewalks. Should the developer subdivide those lots further, sidewalks on the north side may be required at that time.

When was this change order made?

To save some time, may I just give you an approximate time frame - over two to three years ago and we worked with the Transportation Department on that change order.

I greatly appreciate your patience regarding my questions.

Thank you, Pamela Campbell

Dear Ms. Campbell,

In the Coastal Zone areas, no grading can occur from November 15 through April 15th. This is a requirement of the Coastal Zoning Ordinance. You may be observing the slowdown as a result of that limitation on this project. It is a common occurrence with Coastal Zone developments.

Rey Gutierrez

>>> <<u>lakeqri49@aol.com</u>> 12/10/2010 4;22 FM >>> Dear Mr. Gutlerrez,

Are there any pending or active building permits for Tract 4483? We see little to no activity, only a few gardners, and on some days no activity appears to be going on whatsoever. Only two houses have been built on this tract, one owned by one of the developers.

What are the final improvements left to be completed? It has now been ten years since Ellice was dedicated and accepted.

How long will this be allowed to continue?

Thank you, Pamela Campbell

——Original Message—
From: Raymond Gutlerrez < Raymond Gutlerrez@ventura.org>
To: lakegrl49 < lakegrl49@aol.com>
Sent: Fri, Dec 10, 2010 3:55 pm
Subject: Re: ELLICE STREET, MALIBU

Dear Ms Campbell,

The developer still has control of Ellice Street. What that means is that Ellice Street has not been finalized in accordance with the approved street plans. The developer could choose to temporarily close the street or limit the street to access, including parking, at any time while they install more improvements or to protect the workers who are working on the grounds. Based on what you are seeing take place is that the developer is okay for now to open the street to local public traffic. If weekend vandalism rises or dangerous conditions to the workers such as speeding cars or it appears to the developer that the overall street improvements are getting too much wear and tear, then the road and onstreet parking will probably be controlled with traffic control and a possible closure.

When the developer finally finishes all the improvements, they will request a "final walk" and the County Public Works Agency will see that all of the street improvements and drainage improvements are complete, not broken or damaged, and in a normal to new condition. The County Public Works Agency will collect as-built plans, release bonds, verify all survey monuments have been placed, and reconcile all billing accounts relative to the Public Works Agency. Once the County concurs that the road improvements are 100% done and the Subdivision Tract is finaled then the road will be opened to the public. The future maintenance of the road will fall on the new Home Owners Association (and not the County) that was formed for the Tract's maintenance.

I haven't been asked by the developer to final any of the Tract improvements yet, but I would predict that they will be finaled in 2011.

This is normal process for all new subdivisions throughout the State of California.

Thanks for your email. Email me at any time with questions.

Sincerely,

Raymond Gutierrez, Jr., P.E., CFM, Manager Development and Inspection Services Division Engineering Services Department Ventura County Public Works Agency 654-2059 raymond.gutierrez@ventura.org

>>> <lakegrk9@aol.com> 12/10/2010 3:27 PM >>> Dear Mr. Gutierrez.

Those of us who fought so long and hard to keep Ellice Street a public street, were very relieved to see the "street closed" and "no parking" signs removed last week! I assume that parking is now allowed and that all the aspects of Ellice being a public right-of-way have come to fruition.

Please advise as to the official status of this long-awaited development.

Thank you,

# Ventura County Planning Division's Responses to Letter Comments from Gary & Pamela Campbell (June 29, 2011)

#### C-1 Comment

On page 2, the Campbells summarize the zoning history of the subject parcel, their opposition to the applicant's zone change request, and their insistence on an Environmental Impact Report rather than a Negative Declaration.

#### Response to C-1

The applicant requests a zone change from Coastal Rural Exclusive (CRE) 5-acre minimum parcel size to CRE 2-acre minimum parcel size in order to accommodate the proposed subdivision and creation of three residential lots. Section 8173-4 of the Ventura County Coastal Zoning Ordinance (the Local Coastal Program) states that the purpose of the CRE zone "is to provide for residential areas with semirural atmosphere, but exclude agricultural uses to a great extent and concentrate on residential uses." In addition, Article 5 of the Ordinance requires the minimum lot area to be 20,000 square feet. The applicant's zone change request would allow for three, two-acre residential lots to be created. Thus, the applicant's request is consistent with the Coastal Zoning Ordinance.

Potential environmental impacts were analyzed by applicable Ventura County agencies (including the Planning Division). In addition, potential environmental issues were raised during the public review process from concerned citizens, public agencies, and organizations. All applicable impacts and issues were evaluated and found to be less than significant. A Negative Declaration is the appropriate environmental document.

#### C-2 Comment

In the Water Resources/Fire Flow section of pages 3-4, the Campbells assert that problems exist related to water pressure, fire flow, and fire hazard. The Campbells assert that the Yerba Buena Water Company (YBWC) supply system is insufficient and failing. The Campbells state that an adequate water storage tank must be required "as a prerequisite for any additional permit requests made by the developer." Also, the Campbells include a Public Utilities Commission (PUC) Public Notice document (p. 11) dated September 1992 in which it is stated that the "YBWC system is deficient in meeting fire flow needs." In the attached PUC document, the PUC recommends that the YBWC install another well and either develop a new source of water supply or construct a water storage tank. (The Campbells concede that in 1993, despite the PUC's recommendation, a judge allowed the YBWC to use their existing capacity to satisfy the fire-flow requirements.) The Campbells include a document (identified as meeting notes, p. 10, dated 3/21/05) in which it is alleged that Mr. Ronald Coleman agreed to "increase water supply and a new water storage tank [would be] provided." The Campbells include an email document (p. 8) that identifies the number of wells

utilized by the YBWC. In addition, another document (p. 9) appears to advertise the Marisol development (subdivision tract no. 4483) and "added 3 production wells" is underlined.

#### Response to C-2

The Negative Declaration document (Exhibit 4 of the June 30, 2011, Planning Director hearing) states there will be a less than significant impact on water quantity as the "Yerba Buena Water Company is considered to have the ability to provide a permanent supply of domestic water." Also, the Fire Protection District states "Impacts associated with potential deficiencies in fire flow will be less than significant" (Exhibit 4). In addition, in an email (dated June 29, 2011), the Fire Protection District states:

"Our position that the project site has sufficient water to support the fire flow requirements has not changed. The developer was required to submit a water report to the County under the entitlement conditions. This report shows that the water purveyor can meet the requirements set forth in the County's Water Works Manual. The report was reviewed and deemed acceptable by both Public Works and the Fire District."

Furthermore, the proposed project was found to be consistent with the water resources and fire hazards policies of the Ventura County General Plan and Coastal Area Plan (Staff Report for the June 30, 2011 Planning Director hearing).

#### C-3 Comment

In the Grading & Land Form Alterations section of pages 4-5, the Campbells assert that the proposed grading for the project will potentially violate the Coastal Act.

#### Response to C-3

The Staff Report for the June 30, 2011 Planning Director hearing concluded that the proposed project complies with Coastal Zoning Ordinance standards related to grading and physical land features.

#### C-4 Comment

In the Visual Impacts/Scenic Views section of page 5, the Campbells assert that the proposed project will result in negative impacts scenic resources/views.

#### Response to C-4

The Negative Declaration document (Exhibit 4 of the June 30, 2011, Planning Director hearing Staff Report) concluded that impacts to scenic resources, or to public views of scenic resources, will be less than significant.

#### C-5 Comment

In the section identified as Regarding Ellice Street on page 5, the Campbells identify Ellice Street as a public street, but that it is "under the control of the

developer [Crown Pointe Estates]..." The Campbells include email exchanges during 2010-2011 between themselves and Raymond Gutierrez, Jr., Manager of the Development and Inspection Services Division of the Ventura County Public Works Agency (pages 12-16). Mr. Gutierrez explains that the open grading permits associated with subdivision tract nos. 5457 and 4483 allow for the developer to temporarily close Ellice Street, limit street access, and restrict parking until the improvements are completed and the permits are finaled.

Response to C-5

The Campbells comment on impacts to Ellice Street resulting from grading activities of subdivision tract nos. 5457 and 4483. Tract nos. 5457 and 4483 are not a part of the proposed project currently requested by Crown Pointe Estates. No response is required.

#### C-6 Comment

In the Archaeology/Cultural Resources section of pages 5-6, the Campbells assert that the subject property and vicinity contains Native American sites rich with archeological resources. (The Campbells do not cite the source of their information.) "Anything less than a comprehensive Phase II analysis of this valuable site would comprise a potential violation of the Coastal Act."

Response to C-6

The Negative Declaration document (Exhibit 4 of the June 30, 2011, Planning Director hearing Staff Report) concluded that impacts to cultural resources (archeological and historical) will be less than significant. This analysis was based on a Phase I archeological survey and report that was conducted and provided by a qualified archeological consultant. In addition, a standard condition has been imposed on the proposed project (Exhibit 6 of the June 30, 2011, Planning Director hearing, Condition No. 18) to ensure the protection of archeological artifacts in the unlikely event that such resources would be encountered during ground disturbance or construction activities. A Phase II analysis is not considered necessary.

#### C-7 Comment

In the Noteworthy section of page 6, the Campbells mention a public trail access request made by a member of the public. The Campbells claim that the trail access would be from Ellice Street to the Yellow Hill trail to the north. The Campbells identify conditions that should be placed on the trail access request before they would support such a request.

#### Response to C-7

In regard to trail access, please see Response to SMMNRA-2 in Planning Division's Responses to National Park Service/Santa Monica Mountains National Recreation Area (June 29, 2011). The County has no legal authority to require Crown Pointe Estates to dedicate trails or land, or easements thereto.

#### C-8 Comment

On page 7, the Campbells assert that the Draft Negative Declaration is an inappropriate environmental document and that an Environmental Impact Report be required to analyze cumulative impacts.

#### Response to C-8

Cumulative impacts of the environmental issues were analyzed in the Negative Declaration document and found to be less than significant (Exhibit 4 of the June 30, 2011, Planning Director hearing Staff Report). In addition, please see Response to C-1 above.

## Email Comment dated June 29, 2011

To: Mr. Chuck Anthony, Case Planner III

County of Ventura Resource Management Agency

800 South Victoria Avenue

Ventura, Calif. 93009

Re: Tentative Parcel Map No. 5845 (Case No. SD10-0020), Planned Development Permit (Case No. LU10-0074), and Zone Change (Case No. ZN10-0002)

cc: Dayna Bochco, Peter Douglas, South Central Coast Staff, California Coastal Commission

Dear Mr. Anthony,

I am a resident of Tongareva street, and I am writing to oppose the Planned Development Permit and the Zone Change, as cited above, for numerous reasons, including:

- -Overcrowding.
- -Lack of sufficient water and low water pressure due to higher population density that this Development and Zone change would create in an already endangered fire area.
- -Change in environment due to higher population density.
- -Impact on Grading and Land Form Alterations
- -Visual Impacts and Scenic Views
- -Impact on the Protection of Cultural Resources

Further, it has come to my attention that there has been a proposal for a Public Trail to be created in the area. I am strongly opposed to such a trail because it would bring crime, cars, parking problems, trash, noise and other disturbances to the neighborhood. Most people who bought homes in the area of County Line, including myself, purposely moved here to avoid these issues of overcrowding, which both the Development and Zone Change, and a Public Trail, would inevitably bring.

Best regards,

Carole Lieberman, M.D.

11446 Tongareva Street

Malibu, CA 90265

# Ventura County Planning Division's Responses to Email Comments from Carole Lieberman, M.D. (June 29, 2011)

#### L-1 Comment

Dr. Lieberman identifies "Overcrowding" as a reason she opposes the proposed project. No specific details are provided to explain her definition of overcrowding.

#### Response to L-1

Although the issue of "Overcrowding" is not defined, the concepts of high density and growth inducement are often associated with "overcrowding." Crown Pointe Estates requests a change in the Coastal Zoning Ordinance designation from Coastal Rural Exclusive (CRE) 5 acre minimum parcel size to CRE 2 acre minimum parcel size. However, the applicant does not request a change in the existing Coastal Area Plan designations of Rural Residential or General Plan designation of Rural. Both the Rural Residential and Rural designations allow a 2 acre minimum parcel size. The Ventura County General Plan Goals, Policies, and Programs document defines the Rural land use designation as a low density/intensity designation. As mentioned, Crown Pointe Estates does not request a change of the Rural Residential or Rural status. If the proposed zone change is approved, the subject property's low density/intensity Coastal Area Plan and General Plan designations will not change.

#### L-2 Comment

Dr. Lieberman asserts a "Lack of sufficient water and low water pressure due to higher population density that this Development and Zone change would create in an already endangered fire area."

#### Response to L-2

Dr. Lieberman provides no evidence to support her assertion. The Negative Declaration document (Exhibit 4 of the June 30, 2011, Planning Director hearing) states there will be a less than significant impact on water quantity as the "Yerba Buena Water Company is considered to have the ability to provide a permanent supply of domestic water." In addition, the Fire Protection District states "Impacts associated with potential deficiencies in fire flow will be less than significant" (Exhibit 4). Furthermore, in an email (dated June 29, 2011), the Fire Protection District states:

"Our position that the project site has sufficient water to support the fire flow requirements has not changed. The developer was required to submit a water report to the County under the entitlement conditions. This report shows that the water purveyor can meet the requirements set forth in the County's Water Works Manual. The report was reviewed and deemed acceptable by both Public Works and the Fire District."

#### L-3 Comment

Dr. Lieberman identifies a "Change in environment due to higher population density" as a reason she opposes the proposed project.

#### Response to L-3

Please see Response to L-1 above. In addition, the Negative Declaration document (Exhibit 4 of the June 30, 2011, Planning Director hearing) concluded that environmental impacts associated with the increase from one parcel to three parcels will be less than significant.

#### L-4 Comment

Dr. Lieberman identifies an "Impact on Grading and Land Form Alterations" as a reason she opposes the proposed project.

#### Response to L-4

The Staff Report for the June 30, 2011 Planning Director hearing concluded that the proposed project complies with Coastal Zoning Ordinance standards related to grading and physical land features.

#### L-5 Comment

Dr. Lieberman identifies "Visual Impacts and Scenic Views" as a reason she opposes the proposed project.

#### Response to L-5

The Negative Declaration document (Exhibit 4 of the June 30, 2011, Planning Director hearing) concluded that impacts to scenic resources, or to public views of scenic resources, will be less than significant.

#### L-6 Comment

Dr. Lieberman identifies "Impact on the Protection of Cultural Resources" as a reason she opposes the proposed project.

#### Response to L-6

The Negative Declaration document (Exhibit 4 of the June 30, 2011, Planning Director hearing) concluded that impacts to cultural resources (archeological and historical) will be less than significant. In addition, a standard condition has been imposed on the proposed project (Exhibit 6 of the June 30, 2011, Planning Director hearing, Condition No. 18) to ensure the protection of archeological artifacts in the unlikely event that such resources would be encountered during ground disturbance or construction activities.

#### L-7 Comment

Dr. Lieberman is opposed to a "public trail" in the area. Dr. Lieberman refers to public trail access and/or trailhead to the Coastal Slope Trail that has been proposed by members of the public, the Santa Monica Mountains Conservancy, and the Santa Monica Mountains National Recreation Area. (The applicant,

Crown Pointe Estates does not propose trail access and/or trailhead on the subject property.).

#### Response to L-7

Please see Ventura County Planning Division responses to the Santa Monica Mountains Conservancy comment letter (June 28, 2011) and Ventura County Planning Division responses to the Santa Monica Mountains National Recreation Area comment letter (June 29, 2011).



# United States Department of the Interior

#### NATIONAL PARK SERVICE

Santa Monica Mountains National Recreation Area 401 West Hillcrest Drive Thousand Oaks, California 91360-4207

In reply refer to: L76/ SAMO 108-31

June 29, 2011

Mr. Chuck Anthony, Permit Planner Ventura County Resource Management Agency Planning Division 800 S. Victoria Ave., L #1740 Ventura, CA 93009

Dear Mr. Anthony:

The National Park Service has reviewed the Notice of Adoption of a Negative Declaration for SD10-0020, LU10-0074, and ZN10-0002 for a proposed three-lot subdivision located on Ellice Street, north of Pacific Coast Highway and east of Yerba Buena Road. The project is located within the Santa Monica Mountains National Recreation Area.

The National Park Service (NPS) appreciates the opportunity to participate in the public review process for the proposed project. We provide comments on the effects of private and public land development in the Santa Monica Mountains at the invitation of state and local units of government with authority to prevent or minimize adverse uses. We assume a neutral position and do not support or oppose land development. We offer the following comments.

#### Zone Change

The proposed project includes a requested zone change from Coastal Rural Exclusive (CRE) 5-acre minimum lot size to CRE 2-acre minimum lot size. The CRE-5 zoning was to accommodate private youth camps (Coastal Area Plan of the Ventura County General Plan (11-20-01 edition), Pg. 123). Additionally, the NPS's Land Protection Plan, a plan that prescribes a vision for land acquisition and other means of protecting and preserving the national parkland integrity of the Santa Monica Mountains, designates the project site as a "Compatible Private Recreation Area." The designation was in recognition of the site's valued use for recreation by Camp Joan Mier. As noted in the Initial Study, the site was previously Camp Joan Mier, a private recreational camp for adults and children with disabilities. The camp operated under a County-issued CUP until 1999 and operated 45 years from 1960 to 2005. We find the site, with its existing camp facilities and its parkland setting adjacent to the ocean and the greater parkland areas of the national recreation area, would be appropriate for continuation of a camp facility use rather than densifying potential residential use. Therefore, the NPS recommends maintaining the current zoning and continuing to administratively support a private or public recreational land use of this site.

National Park Service Ventura Co. RMA, SD10-0020, LU10-0074, and ZN10-0002, ND Ellice Rd. 3-lot Subdivision

Page 2 June 29, 2011

#### Recreational Trail Access

The project's Initial Study concluded the proposed action would have no project-generated or cumulative impact on recreation. The Initial Study also found Quimby fees would be required of future development applicants instead of land dedication for local park acquisition. We do not concur with these findings. We recommend the County consider its Coastal Area Plan's policies for Recreation and Access (Pg. 105 of the 11-20-01 edition) as corroborated by the long-term past recreational use of the site, including access to trails. The County should also consider the existing and proposed recreational trail network in the vicinity. The site is directly across from the coast, along which runs the state-legislated California Coastal Trail (CCT). The CCT is intended to run as much as possible along the entire California coastline. In areas where the coast is not accessible owing to inundation, cliffs, or rocky shoreline, the trail may run inland. In the Santa Monica Mountains National Recreation Area, the alternate route for the CCT is the Coastal Slope Trail.

The Coastal Slope Trail is a long-envisioned regional trail conceptualized to provide not only an inland route for the CCT, but also to provide continuous views toward the Pacific Ocean coastline along the Santa Monica Mountains. The trail has also been envisioned as one of the main trunks of the Santa Monica Mountains trail system. The most current proposed alignment of the Coastal Slope Trail is intended to cross in the vicinity directly north of the subject property.

The Coastal Slope Trail is referenced in trail planning documents dating back to at least the mid-1970s. At that time, the Trails Coordinating Committee of the Santa Monica Mountains State Parks Advisory Committee began preparing what resulted in the 1979 draft document, Conceptual Trail Network for the Santa Monica Mountains. Thereafter, the Coastal Slope Trail has been included in virtually all coastal-oriented planning documents with a trail planning component, including but not limited to, the following documents.

- 1982 Santa Monica Mountains National Recreation Area General Plan
- 1986 Los Angeles County Master Trails Plan
- 1997 Santa Monica Mountains Area Recreation Trails (SMMART) Report
- 2004 Draft City of Malibu General Plan Amendment—Revised Trail Maps for Trails Master Plan
- 2005 Santa Monica Mountains National Recreation Area Interagency Trail Management Plan Draft Trail Maps

The County's Coastal Area Plan includes a policy that development should not preclude or preempt the option of establishing inland recreational trails along identified routes and specifically mentions the Coastal Slope Trail (Policy #8, Pg. 106, 11-20-01 edition). Furthermore, Policy #6 on Page 106 of the Coastal Area Plan specifically calls out the support of a "... 'Major Feeder Trail' connecting the Backbone Trail to the Pacific Coast between Yerba Buena and Deer Creek Roads as shown in the Santa Monica Mountains Comprehensive Plan." The proposed project site is east of Yerba Buena Road, but land acquisition since the Comprehensive Plan's adoption in 1979 indicates a trail connection may be preferable on the

Page 3 National Park Service Ventura Co. RMA, SD10-0020, LU10-0074, and ZN10-0002, ND Ellice Rd. 3-lot Subdivision June 29, 2011

east side owing to potential connection with the NPS's "Yellow Hill" property and the existing trail connection into Leo Carrillo State Park. Leo Carrillo State Park has trail connections with NPS lands contiguous with Circle X Ranch. While trail plans place a specifically located line on planning maps, a proposed trail generally may ultimately be aligned within a half-mile of the proposed centerline based on opportunities to secure a public trail right-of-way and geographical constraints. This would be the case with the Coastal Slope Trail in the vicinity of the proposed project and an inland connector.

Based on this recreation trail setting, we encourage the County to work with the landowner to secure a site for a public trailhead and for a trail right-of-way that could ultimately be used for the Coastal Slope Trail or to connect to a future Coastal Slope Trail to the north of the project site.

Thank you for the opportunity to comment. If you have questions, please call Melanie Beck, Outdoor Recreation Planner, at (805) 370-2346.

Sincerely,

Woody Smeck

Superintendent

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy Craig Sap, Acting Superintendent, Angeles District, State Department of Parks and Recreation

Honorable Linda Parks, Ventura County Second Supervisorial District

County of Ventura Planning Division's Responses to
Letter Comments from the United States National Park Service,
Santa Monica Mountains National Recreation Area (SMMNRA) (June 29, 2011)

The Ventura County Planning Division summarizes United States National Park Service, Santa Monica Mountains National Recreation Area (SMMNRA) comments (June 29, 2011) and provides responses below:

#### SMMNRA-1 Comment

On page 1 the SMMNRA opposes the applicant's request for a zone change: "...the NPS [National Park Service] recommends maintaining the current zoning and continuing to administratively support a private or public recreational land use of this site."

#### Response to SMMNRA-1

The applicant requests a zone change from Coastal Rural Exclusive (CRE) 5-acre minimum parcel size to CRE 2-acre minimum parcel size in order to accommodate the proposed subdivision and creation of three residential lots. Section 8173-4 of the Ventura County Coastal Zoning Ordinance (the Local Coastal Program) states that the purpose of the CRE zone "is to provide for residential areas with semirural atmosphere, but exclude agricultural uses to a great extent and concentrate on residential uses." In addition, Article 5 of the Ordinance requires the minimum lot area to be 20,000 square feet. The applicant's zone change request would allow for three, two-acre residential lots to be created. Thus, the applicant's request is consistent with the Coastal Zoning Ordinance.

#### SMMNRA-2 Comment

On pages 2-3, the SMMNRA encourages "the County to work with the landowner to secure a site for a public trailhead and for a trail right-of-way that could ultimately be used for the Coastal Slope Trail or to connect to a future Coastal Slope Trail to the north of the project site." The SMMNRA does not concur with the County's Negative Declaration findings that there will be no significant impacts to recreation.

#### Response to SMMNRA-2

The Planning Division reviewed and analyzed all the applicable Recreation and Access policies of the most recent edition (9-16-2008) of the Coastal Area Plan. As discussed in the Planning Director Staff Report, the proposed project is consistent with applicable Recreation policy numbers 8 and 12. The proposed project will not prevent the continued use of the existing Coastal Slope Trail or the possible future alignment of the Coastal Slope Trail as the trail, if established, would be north and outside of the subject property. Recreational and trail impacts are less than significant. The County has no legal authority to require Crown Pointe Estates to dedicate trails or land, or easements thereto. There is no

County policy or ordinance standard that prevents the applicant from coordinating with the SMMNRA in identifying or establishing a public trailhead or right of way.

Also, please see Email Comment Dated July 15, 2011 from Melanie Beck (of the National Park Service/Santa Monica Mountains National Recreation Area) to Craig A. Petersen (of Crown Pointe Estates). In this email, the NPS/SMMNRA states that establishment of a trail on the subject property or a connection of the existing trail (north of the subject property) to NPS/SMMNRA land is not feasible. The NPS/SMMNRA expresses interest in working with Crown Pointe Estates in identifying easements to the east of the subject property that may lead to a future ocean-to-inland trail to NPS/MMNRA land.

Mr. Chuck Anthony, Case Planner III County of Ventura Resource Management Agency 800 South Victoria Avenue Ventura, Calif. 93009

Re: Tentative Parcel Map No. 5845 (Case No. SD10-0020), Planned Development Permit (Case No. LU10-0074), and Zone Change (Case No. ZN10-0002)

Zone Change and Sub-divisions

We are strongly opposed to the zoning change and subsequent subdivisions of the project site currently zoned as CRE-5A. County Line is a place of recreation, from the beach to the mountains. Any increased density zone change looses more and more of the rural and natural environment the existing community and visitors really want and enjoy from this area. Please reject this zone change.

Water Supply

We are also very concerned with water supply in the area in case of the inevitable fire. The community has already seen a large increase in density with the 13 large homes lot, with 2 completed homes the developers created on Ellice Street, yet the developer owned Yerba Buena Water Company (YBWC) has not increased the water storage capacity in the area. We currently rely on a single, older water storage tank that looks rather small in comparison to other communities with similar densities. The requested zone change by the developers would further exacerbate this potential water supply problem in case of a fire.

**Public Trail Access** 

Santa Monica Mountains National Recreational Area (SMMNRA) borders the Crown Pointe Estates properties in this area. There is a trail which starts at the project site up for rezoning and subdividing. This trail comes complete with a clearly stated SMMNRA trail welcome sign that stands several hundred yards above the CPE property up for rezoning. Currently, the only public access to this trail is by way of Yellow Hill Mtwy which starts at Leo Carrillo 5 trail miles away. This means once you get to this SMMNRA welcome sign above CPE property, the only public exit route is 5 miles back the way you came (by way of Yellow Hill Mtwy) making this a grueling 10 mile trek. Before CPE owned this land, I and other neighbors would access this trail by freely crossing the property up for rezoning, which at the time was the Camp Joan Meir facility.

If rezoning is permitted, we request the County work with the developer in an effort to dedicate a Public Trail Access to the SMMNRA as a mitigation of rezoning for a denser community. We feel a Public Trail dedication through this project site and adjacent 57 acre property owned by the developers would be a significant addition to the SMMNRA trail system. A Trailhead on Yerba Bucha or Ellice Street would provide a connecting 5 mile trail from County Line beach to Leo Carrillo beach, allowing a currently low use SMMNRA area to join the list of other excellent neighboring hiking areas like Pt. Mugu, Sycamore Canyon, Leo Carrillo, Nicholas Flats, Zuma Ridge, and on down the coast. This Public Trail Access would not only benefit the local community, but those visiting from outside as well.

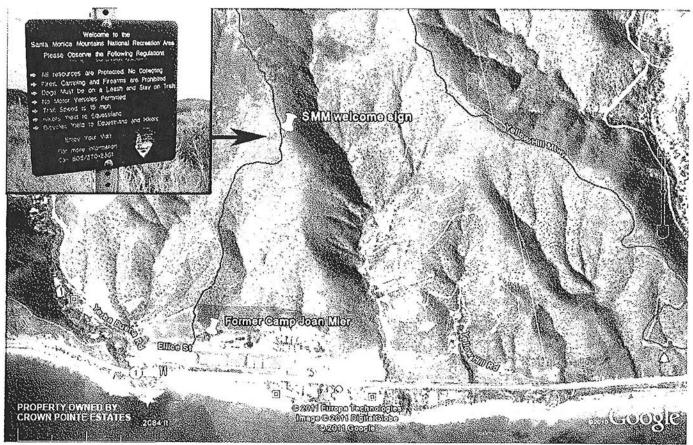
If trail access is granted, we request the trail and any designated parking area (if required) be a minimum of 700ft from existing residential dwellings not owned by the developer (in accordance with Coastal Ordinance 817-4.2.9)

In conclusion, we do not desire this zone change within our community. However, if the developer is granted the zone change, then it's only fair they give back some ruralness by way of Public Trail Access to the SMMNRA trail system that borders the developers properties in the area. Reference map enclosed.

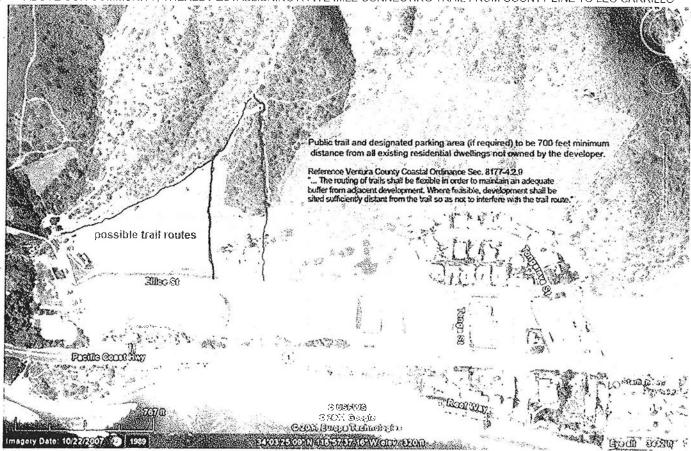
Thank you very much for your consideration on this matter.

Best regards,

John & Lisa Zabaldo 11823 Ellice St. Malibu 310-430-0035



PUBLIC TRAIL ACCESS REQUESTED TO ACCESS THE SANTA MONICA MOUNTIANS NATIONAL RECREATION AREA DIRECTLY ABOVE OUR COMMUNITY, THEREBY ESTABLISHING A FIVE MILE CONNECTING TRAIL FROM COUNTY LINE TO LEO CARRILLO



# County of Ventura Planning Division's Responses to Letter Comments from John & Lisa Zabaldo (June 29, 2011)

#### **Z-1 Comments**

In the Zone Change and Sub-divisions section of page 1, the Zabaldos state their opposition to the applicant's zone change request. "Any increased density zone change looses [sic] more and more of the rural and natural environment..."

#### Response to Z-1

The applicant requests a zone change from Coastal Rural Exclusive (CRE) 5-acre minimum parcel size to CRE 2-acre minimum parcel size in order to accommodate the proposed subdivision and creation of three residential lots. Section 8173-4 of the Ventura County Coastal Zoning Ordinance (the Local Coastal Program) states that the purpose of the CRE zone "is to provide for residential areas with semirural atmosphere, but exclude agricultural uses to a great extent and concentrate on residential uses." In addition, Article 5 of the Ordinance requires the minimum lot area to be 20,000 square feet. The applicant's zone change request would allow for three, two-acre residential lots to be created. Thus, the applicant's request is consistent with the Coastal Zoning Ordinance.

The applicant does not request a change in the existing Coastal Area Plan designations of Rural Residential or General Plan designation of Rural. Both the Rural Residential and Rural designations allow a 2 acre minimum parcel size. The Ventura County General Plan Goals, Policies, and Programs document defines the Rural land use designation as a low density/intensity designation. As mentioned, Crown Pointe Estates does not request a change of the Rural Residential or Rural status. If the proposed zone change is approved, the subject property's low density/intensity Coastal Area Plan and General Plan designations will not change.

#### **Z-2 Comment**

In the Water Supply section of page 1, the Zabaldos assert that there is a potential water supply problem with the Yerba Buena Water Company (YBWC) system in the event of a fire. The YBWC system serves the residences in the vicinity of the subject site.

#### Response to Z-2

The Negative Declaration document (Exhibit 4 of the June 30, 2011, Planning Director hearing) states there will be a less than significant impact on water quantity as the "Yerba Buena Water Company is considered to have the ability to provide a permanent supply of domestic water." Also, the Fire Protection District states "Impacts associated with potential deficiencies in fire flow will be less than significant" (Exhibit 4). In addition, in an email (dated June 29, 2011), the Fire Protection District states:

"Our position that the project site has sufficient water to support the fire flow requirements has not changed. The developer was required to submit a water report to the County under the entitlement conditions. This report shows that the water purveyor can meet the requirements set forth in the County's Water Works Manual. The report was reviewed and deemed acceptable by both Public Works and the Fire District."

Furthermore, the proposed project was found to be consistent with the water resources and fire hazards policies of the Ventura County General Plan and Coastal Area Plan (Staff Report for the June 30, 2011 Planning Director hearing).

#### **Z-3 Comments**

In the Public Trail Access section of page 1, the Zabaldos assert that a hiking trail "starts at the project site" and that the Zabaldos previously accessed the trail through the subject property when the site was occupied by Camp Joan Mier. The Zabaldos request that Crown Pointe Estates dedicate a public trail access in the form of a trail and parking area (if necessary) to begin at Yerba Buena Road or Ellice Street. On page 2, aerial images are included. A Santa Monica Mountains National Recreation Area welcome sign is allegedly located well north of the subject property. Page 2 includes possible trail route and parking locations.

#### Responses to Z-3

The Planning Division reviewed and analyzed all the applicable Recreation and Access policies of the most recent edition (9-16-2008) of the Ventura County Coastal Area Plan. As discussed in the Planning Director Staff Report, the proposed project is consistent with applicable Recreation policy numbers 8 and 12. The proposed project will not prevent the continued use of the existing historically-used trail or the existing Coastal Slope Trial (CST) both located north of the subject property. In addition, the proposed project will not prevent the possible future alignment of the CST located north and outside of the subject property. There are no General Plan or Coastal Area Plan policies, or Coastal Zoning Ordinance sections, that require the applicant to dedicate trail access to the CST or the existing historically-used trail located outside the subject property. There is no County policy or ordinance standard that prevents the applicant from coordinating with the public in dedicating public trail access to these trails.

Mr. Chuck Anthony, Case Planner (II County of Ventura Resource Management Agency 800 South Victoria Avenue Ventura, California 93009 9 Pages Incl Cover

Eloise Hall 11462 Tongareva St Malibu, CA 90265

My name is Eloise Hall,

Before the birth of my youngest son my husband purchased the home and land that went with it. Hed the way for a fire department in our area, Fire Station 56. Enough said about me and my family. We occupied our home in the late sixties.

Mrs. Pamela Campbell has been very vigilant through the years in keeping records of what was happening that would destroy the beauty of this area and prevent others, I mean the public from their right to enjoy the ocean, Santa Monica Mountains, etc, etc, etc.

I will keep this informative manuscript she has provided. Thank God for the California Coastal Commission.

Sincerely,

Eloise Hall

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P.3/8

June 29, 2011

To: Mr. Chuck Anthony, Case Planner III
County of Ventura Resource Management Agency
800 South Victoria Avenue
Ventura, Calif. 93009

Re: Tentative Parcel Map No. 5845 (Case No. SD10-0020), Planned Development Permit (Case No. LU10-0074), and Zone Change (Case No. ZN10-0002)

Dear Mr. Henry:

Thank you for the notification regarding the aforementioned proposed zone/density change applied for by the developer Crown Point Estates, Malibu.

We are aware that the present Coastal Zoning Ordinance of CRE-5Ac was approved by the California Coastal Commission in 1989, to preserve the rural environment of our County Line community, in the event the camp closed.

Our Homeowner's Association at the time, the Tongareva Homeowner's Association, was instrumental in bringing this CRE-5Ac rural zoning to fruition, via meeting with Ventura County officials.

Camp Joan Mier, a disabled children's camp ultimately did close and was purchased by this developer, Crown Point Estates, Malibu in 2004.

This proposed zone change, for the former Camp Joan Mier property, will increase the development density three-fold, allowing three houses rather than one, destroying the rural environment which was not the intent of the CRE-SAc Ventura County and Coastal Commission approved zoning.

Obviously this proposed zone/density change is for further financial gain to be realized by the Crown Point developers at the expense of the existing community here at County Line, Malibu.

(Remarkably, Crown Point's web site, Marisol Malibu, delineates these lots on the former CJM property as lots 14, 15 and 16, as if this Tentative Tract Map, PDP and Zone Change have already been approved.)

We are opposed to any changes in the current zoning and land use and strongly insist that an Environment Impact Report rather than a Draft Negative Declaration is the appropriate document to examine thoroughly the overall cumulative impacts and long term effects of any further subdivision of Crown Point's 80-acre parcel.

Water Resources/Fire Flow

The Yerba Buena Water Company that services our area is owned by the Crown Point Estates land developers. (Marisol, Malibu) These developers conveniently supply "water availability letters" and "will serve permits" to their own land to satisfy county requirements, clearly a profound conflict of interest.

Although it is understood that the seasonal disabled children's camp, Camp Joan Mier had water supplied to them by the YBWC, the issue here is not only water supply but particularly the unreliability of fire flow that endangers our entire community of approximately 1,000 residents.

Our Ventura County Line neighborhood lies in a wild land urban interface ember area. The South Coast Ventura County area is probably one of the most likely areas to burn in Southern California, a fact that, remarkably, the CPE developers, owners of the Yerba Buena Water Company, self-servingly deny.

Immediately east of our neighborhood, approximately 1.4 miles, is Leo Carrillo State Beach campground, with 131 camp sites and fire pits, exasperating our extreme fire risk, placing us in the trajectory of a wind driven Santa Ana fire, allowing only mere minutes to escape.

We have experienced numerous fires here at County Line in our 24 years of residency and have repeatedly experienced our Tongareva Street water tank run low, due to pumps breaking and lack of water being re-supplied from the developer's wells a mile away in Yerba Buena Canyon. The Yerba Buena Water Company's infrastructure is aged, and pipes break and pumps fail on a regular basis.

The YBWC has been historically owned and operated by land developers almost since its inception in 1947.

In 1992, The Public Utilities Commission prepared a detailed, comprehensive Environmental Impact Report, in response to YBWC's desire to expand their service area.

At that time, 19 years ago, the PUC determined that the Yerba Buena Water Company was out of compliance with the Commission's General Orders 103, "Rules Governing Water Service Including Minimum Standards for Design and Construction." The EIR continues, "YBWC is deficient in meeting fire flow needs, and essentially has only one reliable well that produces a sufficient amount of water to meet the needs of the community. Accordingly the Commission staffs are recommending that the Commission require that the YBWC develop a new source of water supply capable of producing a minimum of 1,502 gallons per minute, or construct a water storage tank with a minimum capacity of 287,000 gallons."

Ultimately, in 1993, Administrative Law Judge Glen Walker, acquiescing to the developer's lobbying, allowed the YBWC to use their pumping capacity to "satisfy" the fire-flow requirements, thus leaving our community at great fire risk due to the lack of and unreliability of fire flow.

Although the Crown Point developers have added one small altuvial well, (#7), since their purchase of the YBWC in 2005, their cumulative three well pumping capacity falls very short of 1.502 gpm.

(However, Crown Point's Marisol web site boasts of having added three wells, a false statement. (See attached e-mail from the PUC)

TO: 13237**59**9999

P.5/8

Additionally, the water supplying our storage tank here on Tongareva Street must be pumped and delivered more than a mile from Yerba Buena Canyon, an aging piping/pump system that has been historically fraught with breaks, interruptions and problems. These interruptions leave our community with only the 210,000 gallon storage tank on Tongareva Street as the only water supply for all 244 meters.

(The decrepit 47,000 gallon water storage tank on Yerba Buena Road a mile away, was

already in existence in 1947.

Disconcertingly, 210,000 gallons does not even satisfy the Ventura County Fire Department minimum fire flow of 2,000 GPM for 2 hours at 20psi.

Crown Point Estates/Yerba Buena Water Company's cumulative pumping capacity of wells 5, 6&7 of approximately 800 gpm falls short, almost by 50% of the 1,502 gpm recommended production in the 1992 EIR.

Our Tongareva Street neighborhood homes are located in the highest elevation of our community. We are the first to face wildfires, and the first to lose water pressure. During Crown Point's recent grading and filling of water trucks on Ellice Street below our neighborhood, our water pressure dropped to dangerously low levels, some residences had no water pressure at all.

Clearly, the best solution to this dangerous fire flow deficiency is the construction of another water storage tank of 257,000 gallons, to be constructed on the developer's 57

acre parcel, adjacent to our land-side neighborhood.

On 3/21/05, the applicant Ron Coleman, of Crown Point Estates, Malibu, LLC, promised our neighborhood, (in an interview), a new water storage tank, hoping to garner support for Crown Point's proposed vacation of Ellice Street, a zone change, and a General Plan Amendment. (Tentative Tract 5457) The notes were distributed to our neighborhood by the individual who performed the interview.

Needless to say, this much needed additional water storage tank never came to pass and this 2005 commitment was even denied by the Crown Point developers last fall, 2010, in correspondence regarding their proposed water rate increase before the PUC. (The notes taken of the interview with Ron Coleman in 2005 are attached.)

This additional water tank must be required, and construction brought to fruition as a prerequisite for any additional permit requests made by this developer and his water company.

## **Grading & Land Form Alterations**

The proposed subdivision and zone change of the Coastal Commission approved CRE 5-Ac parcel into three parcels requires extensive grading that we believe is in violation of the Coastal Act.

The proposed grading involves 6,900 cubic yards of cut and 26,900 cubic yards of fill. An additional 20,000 cubic yards of fill would be imported from the adjacent property, creating significant land-form alterations in the Coastal Zone, contrary to statements in the DMD.

The enormity of this grading scheme and consequent land form alterations comprises another potential violation of the Coastal Act.

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P.6/8

#### Visual Impacts/Scenic Views

We have been told by Pritchett real estate agents that the developer intends to elevate the former CJM property 20-30+ feet, to allow for the three proposed building pads that together with the construction of homes will tower over Ellice Street, if in fact this information is correct.

Contrary to the DMD, we believe that due to this massive amount of proposed grading and fill, there will be significant obstruction of scenic views from Ellice Street, and potentially Pacific Coast Highway, the beach and ocean, negatively impacting public views, comprising another potential violation of the Coastal Act.

#### Regarding Ellice Street

Ellice Street is a public street, used by our County Line community as secondary and for many County Line residents primary access.

However, Crown Point's claims on their Marisol Malibu web site that Ellice Street is a "newly constructed, wide safe, landscaped parkway which serves only Marisol's properties." This is a false statement, implying that Ellice Street is private, which it is not. Ellice Street was dedicated and fully accepted by Ventura County in 2002, a permit condition for the development of Tract 4483, now owned by Crown Point Estates. The Crown Point developers attempted to vacate/privatize Ellice Street in 2006 and were

The Crown Point developers attempted to vacate/privatize Effice Street in 2000 and were given Ventura County Supervisor "conceptual approval".

This conceptual approval was appealed by a Tongareva Street resident and two California Coastal Commissioners.

The California Coastal Commission heard this matter on April 9, 2008 and resoundingly denied the vacation 10-1.

Remarkably, Ellice Street continues to remain under the control of the developer, almost 10 years after being dedicated and accepted and still has not been "finaled" due to developer delays and manipulation with Ventura County's complicity.

#### Archaeology/Cultural Resources

The Ventura County line area is archaeologically designated as CA-VEN-1. An ancient Chumash village named Alqilkowi thrived here. DNA analysis performed by State Archaeologist, Herb Dallas in recent years on the beach bluff adjacent to the Camp Joan Mier site, established occupation dates at VEN-1 back to 8010-8400 B.P. (Before Present)

Data from VEN-1 is consistent with the date and infers that a wave of migration from the north occurred slightly earlier, at least 8,500 B.P., showing that the cultural connection is more likely from the north than the desert. The inhabitants of VEN-1 were clearly involved in a remarkable maritime economy.

It is believed that VEN-1 was the first of the Chumash settlements on the Santa Monica Mountain coastline, arriving originally by sea from the villages located to the west. We adamantly disagree with the DMD that a Phase I Archaeological is suitable for this remarkable and valuable site.

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P.7/8

There is no doubt that this former Camp Joan Mier land has been disturbed, however, ironically there could be preservation of this site and artifacts underneath the almost 50 year-old buildings slated to be demolished.

In addition, Crown Point's predecessor illegally graded and excavated a shell mound at what is now the eastern end of the Neptune's Net Parking lot in 1997, Violation Case No. 91-194. This excavated shell mound material was dumped on Camp Joan Mier's property.

In 1952, Archaeologist William Wallace, leading a team from USC, excavated 15 burials on the bluff across PCH from Neptune's Net, photographing and studying the remains. These remains were located at a depth of 18 to 27 inches. Many human burials still exist throughout County Line and many are believed to exist under Neptune's Net's structure and parking lot, extending above and along Yerba Buena under an existing building.

The village of Alqilkowi existed here for thousands of years. The inhabitants are believed to have migrated back and forth, as resources allowed, from CA-LAN 52, or the village at Leo Carrillo, (Arroyo Sequit), knows as Lisigshi.

The aforementioned Wallace/Dallas sites are in the immediate area of this proposed grading and excavation.

Anything less than a comprehensive Phase II analysis of this valuable site would comprise a potential violation of the Coastal Act.

#### Noteworthy

An interesting proposal for a Public Trail Access, PTA, has been sponsored by a neighbor. This trail access would connect from Ellice Street, due north to the Yellow Hill trail that culminates at Leo Carrillo.

This trail access, enjoyed by my family and neighbors for many years has been lost since Crown Point's possession of this access land approximately seven years ago. This trail access would be helpful in mitigating the loss of the rural environment of the former Camp Joan Mier property.

However, conditioning of this access would have to include the following: Public trail and designated parking area, if required) to be 700 feet minimum distance from all existing residential dwellings not owned by Crown Point Estates.

Trail must be opened to the public and traversable upon completion of the Planned Development Permit LU10-0074.

In order to adequately address all the aforementioned issues, we strongly assert that the Draft Mitigated Declaration is a supremely inadequate document as it fails to comprehensively address all of the Coastal Act issues and concerns raised in this letter.

Lastly, we strongly urge that a detailed Environmental Impact Report be required to analyze and finalize all of the water concerns and cumulative impacts of the final buildout of all of the Crown Point's parcels; Tract 4483, Tract 5457, the Open Space zoned 57 acres, the current Tentative Parcel Map 5845/ Planned Development Permit and Zone Change request.

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P.8/8

In closing, we urge Ventura County to deny this proposed project; zone/density change until the appropriate analysis is performed.

Sincerely yours,

Gary Campbell

Pamela Campbell

Cc/Linda Parks, Supervisor 2<sup>nd</sup> District, Ventura County
Peter Douglas, Executive Director, California Coastal Commission
Dayna Bocheo, California Coastal Commission

### County of Ventura Planning Division's Responses to Letter Comments from Eloise Hall (June 29, 2011)

### H-1 Comments

On page 1, Eloise Hall identifies herself as resident of Tongareva Street since the late 1960s. Also, she comments that Pamela Campbell has been "very vigilant ...in keeping records" of activities that "would destroy the beauty" of the Pacific Ocean, the Santa Monica Mountains, etc.

### Responses to H-1

Ms. Hall's assertion that she is a neighborhood resident requires no response.

Ms. Hall provides no specific details of the activities that destroy would "destroy the beauty" of the surrounding area. However, potential environmental impacts were from the proposed project were analyzed by the Planning Division and applicable Ventura County agencies (Negative Declaration document, Exhibit 4 of the June 30, 2011, Planning Director hearing). In addition, potential environmental issues were raised during the public review process from concerned citizens, public agencies, and organizations. All applicable potential impacts and issues were evaluated and found to be less than significant.

### H-2 Comments

Eloise Hall attaches on pages 2-7 the June 29 comment letter from Gary and Pamela Campbell. For a summary of the Campbell's comments, please see C-1 through C-8 in the County of Ventura Planning Division's Responses to Letter Comments from the Gary & Pamela Campbell (June 29, 2011).

### Responses to H-2

For the Planning Division's responses to the Campbell's comments, please see County of Ventura Planning Division's Responses to Letter Comments from the Gary & Pamela Campbell (June 29, 2011).

### Email Comment dated June 29, 2011

### Chuck

Regarding Mr. Smeck's comments on the zone change, CJM's use permit expired in 1999 well before we came into ownership. On our acquisition, the property was zoned CRE 5 with the General Plan land use 2 ac per DU and what we are requesting is consistent with the GP. Recreational camps are not now permitted on sites less than 10 acres. Hence, notwithstanding Mr. Smeck's statement, it is not now appropriate or possible to permit a camp facility on the site.

Regarding the comments on the trail, it is not possible to get to whatever trail Mr. Smeck seeks, present or future, by going through the subject property. Property not subject to the application intervenes as well as private property of third party owners.

Richard Morris (818) 716 2624 (818) 903 7335 cell

### County of Ventura Planning Division's Responses to Email Comments from Richard Morris of Crown Pointe Estates (June 29, 2011)

### M-1 Comment

Mr. Morris addresses the National Park Service (NPS)/Santa Monica Mountains National Recreation Area (SMMNRA) comment letter signed by Woody Smeck, Superintendent (dated June 29, 2011). Mr. Morris rejects Superintendent Smeck's request to maintain the subject property as a site for youth camps or to establish the site for recreational use.

Mr. Morris rejects Superintendent Smeck's request of a public trailhead or trail right-of-way secured by Crown Pointe Estates.

### Response to M-1

No response is necessary to Mr. Morris's opposition of the subject property being used for youth camps or recreational use. Superintendent Smeck's comments were addressed in Response to SMMNRA-1 of the Ventura Planning Division's Responses to Letter Comments from the United States National Park Service, Santa Monica Mountains National Recreation Area (June 29, 2011).

No response is necessary to Mr. Morris's opposition to Superintendent Smeck's request of a public trailhead or trail right-of-way secured by Crown Pointe Estates. Superintendent Smeck's comments were addressed in Response to SMMNRA-2 of the Ventura Planning Division's Responses to Letter Comments from the United States National Park Service, Santa Monica Mountains National Recreation Area (June 29, 2011).

### Chuck

Pam Campbell's opposition (attached), much like Ms. Lieberman's, argues with specific findings contained in the IS but does not provide any credible supporting documentation to rebut those findings. Much of what she discusses is irrelevant to the application before County, or is based on rejected, inaccurate and/or misleading information. Let me make these comments:

<u>First page.</u> Ms. Campbell claims the application will destroy the rural environment. For more than 50 years, the property was improved by more than 30,000 square feet of buildings (2 residences, 6 dormitories, a convention hall, out buildings, garages, equipment sheds, an infirmary, and other structures) as well as several thousand square feet of paved surfaces including a large parking lot and was occupied most of the year by 100 or more campers and staff. The entitlement sought is consistent with the general plan and remains rural and will be consistent with a rural use, with a density much less than the surrounding community.

Water Resources. The IS determined that the project will have less than significant impact on the water supply with respect to quality, quantity and fire flow, relying on studies from reputable engineers and the EHD, the VC Watershed Protection Agency and the VC Fire Protection District. In fact, the projected water usage will be less than the historical water usage considering CJM's prior usage. Ms. Campbell instead relies on a 20 year old study, which Ms, Campbell admits was rejected by the Court 20 years ago, in coming up with a set of her own rules as to what she has determined is adequate and then concludes the IS is wrong in its determination. Suffice it to say, the water supply, and YBWC (the Company which delivers it), meet all the many governmental agencies requirements, including all rules and proclamations of the PUC, in determining that YBWC provides an adequate source of potable water for not only the Project but the many customers it serves, including the County Line Fire Station, State Parks and approximately 220 customers. The many agencies involved annually determine the YBWC meets all applicable requirements (it has never failed to meet any annual exam) and the VCFD has approved the fire flow requirements each time a building permit is issued and recently with respect to the new VCFS #56. There is no truth to Ms. Campbell's claim that that there is a "dangerous fire flow deficiency" or that the "water tank is decrepit". In connection with the recent YBWC rate increase which was ordered by the PUC as a result of not enough revenues to support the system, all the arguments raised here by Ms. Campbell on rejected studies and misrepresented facts were raised there, as she has done on numerous other occasions, and all her arguments were rejected. YBWC has undergone a drastic transformation in terms of improving water production, quality of service and financial independence critical to preserving

this resource for decades. Nearly all the customers (including Ms. Campbell- see attached letter) agree that CPE (as owner of YBWC) has done a tremendous job.

Grading/Visual Impacts. As the application demonstrates, the CJM site will not be raised 20-30' as Ms. Campbell claims. The elevation increase will increase approximately 10' on the east lot (to 115') and 7-8' on the two westerly lots (132' on the middle lot and 138' on the westernmost lot). Ms. Campbell's lot is at an elevation of 160' and is above the 115' lot. As the IS states, line of sight studies show that the residences to be build will be not visible from public viewing areas. Ms. Campbell misstated the fill requirement, which is a total of 26,900 cuyds including (not plus) 20,000 cuyds coming from the detention basin. The detention basin can't be seen and is necessary for storm water and the fill, spread more or less evenly across the 3 lots which can't be seen from any public viewing areas, will not significantly alter the visible land forms.

Ellice Street. CPE and Ventura County aren't manipulating the rules to cause a delay in Ellice Street to be "finalled". CPE would gladly allow the street to be adopted into the County Road System and relieve itself of maintenance responsibility and liability. There will be curb cuts and other improvements which the County must approve in connection with this application and the County does not want to accept the street until those improvements are completed. It works for the County as it is not responsible for the maintenance or liability of the street and CPE has agreed at its cost to accept that responsibility until accepted. It works for the public as the street is open for travel.

Archaeology. As Ms. Campbell agrees, the site she refers to (VEN-1) is not located on the subject site. That site was the subject of discussions, and arguments raised by Ms. Campbell in connection with Tract 5457, all of which were studied and resolved in the IS for that tract. There are no archaeological sites on the subject property as determined by Greenwood and Associates report, which has been reviewed by RMA and the conditions of development respecting archaeological findings will be followed by the developer.

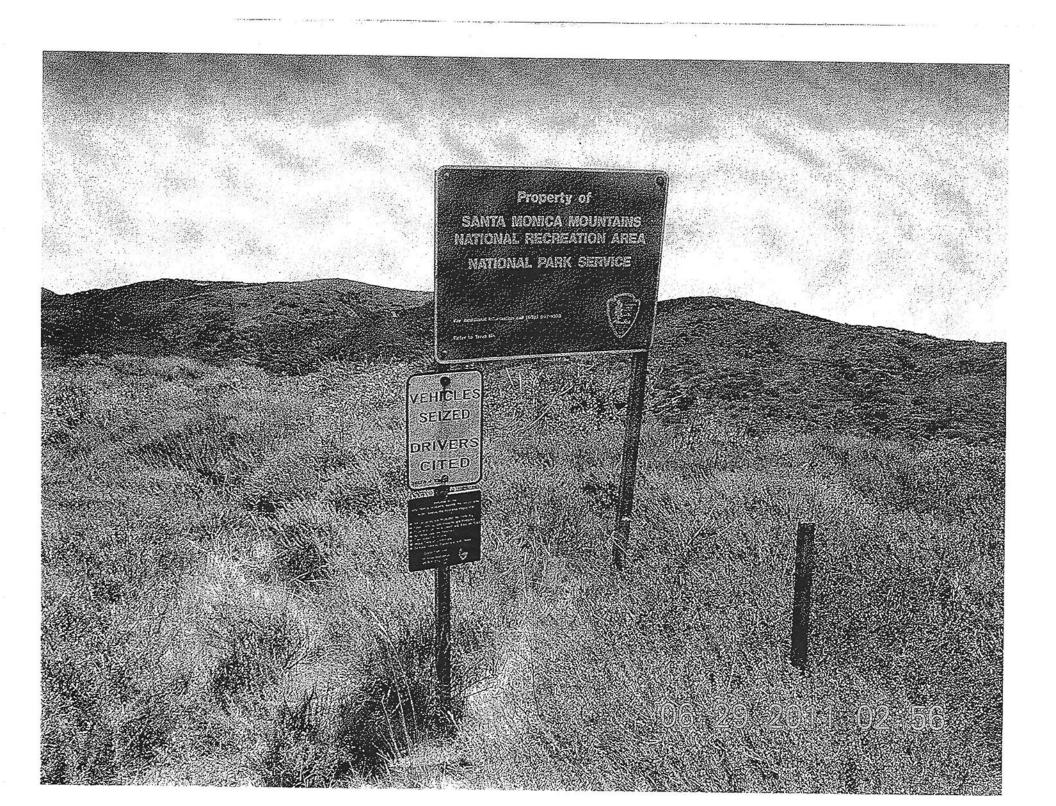
Public Trail Condition. There are no public trails on adjacent land which could be linked by an easement through CJM. The sign referred to by Mr. Zabaldo has been misrepresented to the County and to the Conservancy. There is no "SMM trail welcome sign located several hundred yards above the CPE property". Attached is a picture of the sign Mr. Zabalbo refers to. It is a sign at the line bounding the Park and a third party landowner identifying the commencement of National Park Service land. That sign takes approximately 40 minutes to hike to from the northern side of the CJM site, about 2 miles over rough terrain, across land not part of this application and trespassing on the land of two third party landowners to the north. Further, at that point you are not linked to the Yellow Hill Trail (or any other public trail) whose trailhead is in Leo Carrillo State Park. To get to that trail would require further travel through National Park Service land to the north and then down a canyon to a the far distant Yellow Hill public trail.

Thus any easement through CJM would be meaningless as it would get you to no public trail. Finally, I agree with your assessment that there is no legal basis for conditioning our project on it, especially as a trail to nowhere.

Sorry to get this response to you late in the day but I did not receive Ms. Campbell's16 page opposition until this morning and it took some time to sort through all her claims to address the relevant ones in meaningful fashion.

Regards,

Richard Morris



### County of Ventura Planning Division's Responses to Email Comments from Richard Morris of Crown Pointe Estates (June 29, 2011)

### M-1 Comment

In the introductory paragraph of page 1, Mr. Morris rejects Gary & Pamela Campbell's 16 page comment letter (June 29, 2011) as not credible. (Gary & Pamela's comment letter is included with comments in the Negative Declaration.)

### Response to M-1

No response is required.

### M-2 Comment

In the First Page section of page 1 of the email, Mr. Morris summarizes one of the reasons the Campbell's oppose the project. Mr. Morris asserts that the proposed project is consistent with the Rural zoning and land use designations.

### Response to M-2

Please see Response to C-1 in the Ventura County Planning Division's Responses to Letter Comments from Gary & Pamela Campbell (June 29, 2011).

### M-3 Comment

In the Water Resources section of pages 1-2 of the email, Mr. Morris claims that the water supply and fire flow of Yerba Buena Water Company (YBWC) is adequate for its existing customers and for the proposed project. Mr. Morris also says that the YBWC meets all regulatory requirements. He refers to specific documents and information to support his claim.

#### Response to M-3

Please see Response to C-2 in the Ventura County Planning Division's Responses to Letter Comments from Gary & Pamela Campbell (June 29, 2011).

#### M-4 Comment

In the Grading/Visual Impacts section of page 2 of his email, Mr. Morris provides elevation data to challenge the height information provided in the Campbell's comment letter. He refers to the Negative Declaration that concludes visual impacts will be less than significant.

#### Response to M-4

Please see Response to C-3 and Response to C-4 in the Ventura County Planning Division's Responses to Letter Comments from Gary & Pamela Campbell (June 29, 2011).

### M-5 Comment

In the Ellice Street section of page 2 of his email, Mr. Morris describes Crown Pointe Estates' responsibility of maintaining Ellice Street, and says that the street is open for public travel.

### Response to M-5

Please see Response to C-5 in the Ventura County Planning Division's Responses to Letter Comments from Gary & Pamela Campbell (June 29, 2011). In addition, Mr. Morris accurately states that Crown Pointe Estates is responsible for maintenance of Ellice Street at this time.

### M-6 Comment

In the Archaeology section of page 2 of his email, Mr. Morris references information contained in the Negative Declaration that no archaeological sites exist within the boundaries of the subject property.

### Response to M-6

Please see Response to C-6 in the Ventura County Planning Division's Responses to Letter Comments from Gary & Pamela Campbell (June 29, 2011).

### M-7 Comment

In the Public Trail Condition of pages 2-3 of his email, Mr. Morris claims that there is no public trail on land adjacent to the subject property and that an easement on the subject property would not connect directly to a public trail. Mr. Morris makes statements and provides a photograph (attached to his email comment) in an attempt to refute information provided by public supporters of a public access easement/dedication to connect to a trail.

### Response to M-7

In regard to trail access, please see Response to SMMNRA-2 in Planning Division's Responses to National Park Service/Santa Monica Mountains National Recreation Area (June 29, 2011). The County has no legal authority to require Crown Pointe Estates to dedicate trails or land, or easements thereto.

### Email Comment dated June 29, 2011

### Chuck

Thank you for forwarding Carole Lieberman's Opposition (attached). All of her concerns have been adequately addressed in, and disposed of by, the IS. She disagrees with certain of the findings in the report but offers no support, studies, documentation or any facts whatsoever for her opposition. Accordingly, we refer to the comprehensive findings in the IS and the supporting studies and documentation referred to therein, all of which rebut specifically her statements. Regarding her opposition to Mr. Zabaldo's request for a Public Trail which we heard about for the first time yesterday, we agree with her concerns. In addition, the easement Mr. Zabaldo requests across the site would be useless as it would lead to no public trail as well as there being no legal justification for such a condition.

Richard Morris (818) 716 2624 (818) 903 7335 cell

### Ventura County Planning Division's Responses to Email Comments from Richard Morris of Crown Pointe Estates (June 29, 2011)

### M-1 Comment

Mr. Morris refers to Dr. Carole Lieberman's email comments of June 29, 2011. (Dr. Lieberman's email comments are included with all comments in the Negative Declaration.) Mr. Morris disagrees with Dr. Lieberman's reasons for opposition to the project, and he refers to information contained in the Negative Declaration. However, he agrees with her opposition to the concept of a dedication/easement for a trail or trail access that has been proposed by members of the public and public agencies.

### Response to M-2

In regard to Dr. Lieberman's opposition of the proposed project (to which Mr. Morris refers), please see responses L-1 through L-7 in Ventura County Planning Division's Responses to Email Comments from Dr. Carole Lieberman (June 29, 2011).

In regard to trail access and trails, please see Response to SMMNRA-2 in Planning Division's Responses to National Park Service/Santa Monica Mountains National Recreation Area (June 29, 2011). The County has no legal authority to require Crown Pointe Estates to dedicate trails or land, or easements thereto.

### Email Comment dated June 30, 2011

Hello Mr. Anthony,

Thank you for the opportunity to meet with you and the developers in todays public meeting in room 311, and thanks for the offer to submit more evidence to my comments until the end of today.

Besides my initial written comments attached, I want to provide additional evidence regarding the Santa Monica Mountains National Recreational Area (SMMNRA) distance to the project site. The developers stated in todays meeting that the SMMNRA was 2 miles above their land, when in fact it is at the very least 0.65 miles above the project site. Please see attached jpg image showing the yellow path starting from the back of the project site, following a trail to the SMMNRA welcome sign. The distance calculator shows this path to the SMMNRA welcome sign to be a mere 0.65 miles away.

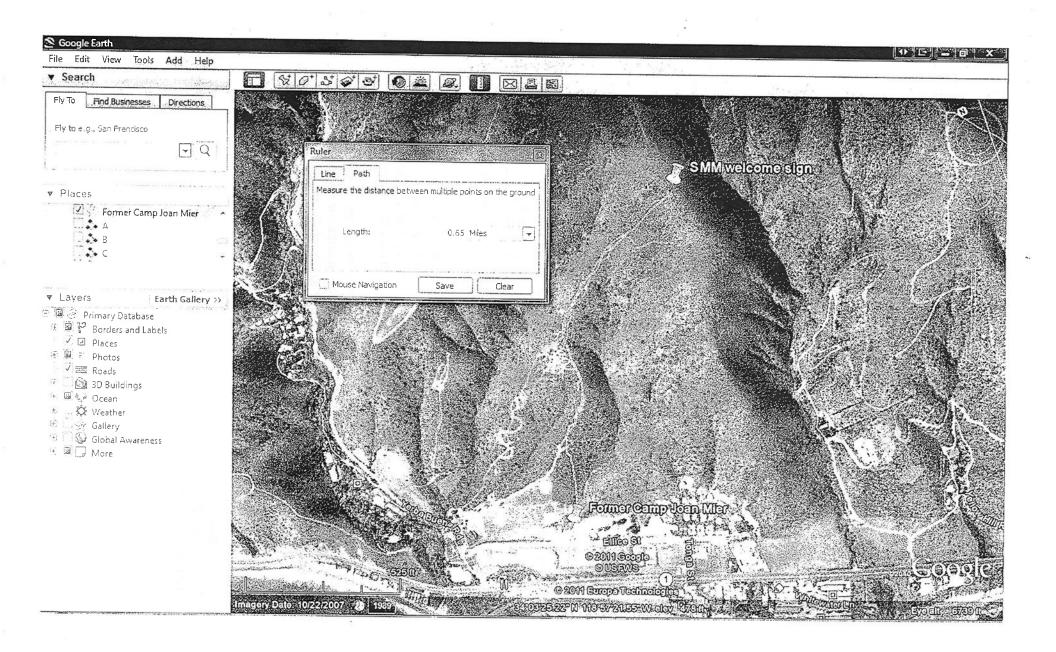
Regarding the developers comments about "A trail to nowhere" referring to the trail starting and ending on the project site. Any such trail access dedication to access the SMMNRA would need to include the adjacent developer owned 57 acres. Any other private property not owned by the developer, that is in the way of this trail access is a mystery to me, and I would be happy to review property lines which may change my position based on the proximity of any non developer owned property lines. It is my current contention a trail through the developer owned land could reach the SMMNRA .065 miles away without crossing anyone else's property.

Regarding the developers apparent attempt to diminish the importance of my public comments by stating "Mr. Zabaldo is tenant in a condo on Ellice Street" (I don't know the relevance of this comment otherwise), I would like to clarify that I am the owner and property tax payer of my condo on Ellice street.

My proposal for this trail dedication as mitigation for rezoning has nothing to do with a dislike for the developers, or a closer trail access for myself as the developer suggests, but rather an opportunity to hopefully expand upon the SMMNRA trail system in general, and provide additional access points now and for generations to come.

Thank you and have a nice day,

John Zabaldo 11823 Ellice St. Malibu Ca 90256



### County of Ventura Planning Division's Responses to Email Comments from John Zabaldo (June 30, 2011)

### **Z-1** Comments

On page 1, Mr. Zabaldo claims that the Santa Monica Mountains National Recreation Area (SMMNRA) is located 0.65 miles north of the subject property. Mr. Zabaldo includes an aerial photo (page 2) showing what is claimed to be the beginning of SMMNRA boundary. Mr. Zabaldo rejects the claim that was allegedly made during the Planning Director public hearing that the SMMNRA is located 2 miles away.

Mr. Zabaldo states that his request for public trail access to the SMMNRA would require dedication of land from the parcel adjacent and north of the subject property. Mr. Zabaldo states his willingness to identify review alternatives in achieving public trail access.

Mr. Zabaldo states that he is the owner of a condo on Ellice Street.

Mr. Zabaldo repeats his request for public trail access to the SMMNRA "for generations to come."

### Responses to Z-1

Mr. Zabaldo's dispute of the exact distance from the subject site to the boundary to the SMMNRA does not require Planning Division analysis. Planning Division's response to the identification of public trails and public trails access was provided to Mr. Zabaldo in the Responses to Letter Comments from John & Lisa Zabaldo (June 29, 2011), Responses to Z-3.

Regarding Mr. Zabaldo's ideas of achieving public trail access to the SMMNRA, please see item Responses to Z-3 in Responses to Letter Comments from John & Lisa Zabaldo (June 29, 2011) above.

Mr. Zabaldo's assertion that he owns a home on Ellice Street requires no response.

Mr. Zabaldo's reiteration of his request for public trail access to the SMMNRA "for generations to come" has been addressed above.

### Email Comment dated June 30, 2011

Hello Chuck -

Would you please confirm whether County changed the zoning for camps to not be on less than 10 acres? Did the CRE-5 use definition change since 2001? It seems the size of the camp acreage would be driven by the number of campers.

Secondly, there is an existing physical trail connection between the property and the NPS "Yellow Hill" property to the north. It is present on our aerial photos back to 1980 (see attached image). Neighbors have attested to its current use, and it would have been logical for campers in the past to have used the trail regularly, starting back in 1960.

It is important to recognize existing, but unofficial routes, as well as to plan for their future use as a public trail. Trails in the Santa Monica Mountains are typically pieced together parcel by parcel. For example, just under 180 ownerships were involved with piecing together the 65-mile Backbone Trail. Now we're working on the Coastal Slope Trail and its connections with the California Coastal Trail. It can be inexact as to which public right-of-way, and what physical terrain, will ultimately accommodate the desired public trail. Options to complete a trail (i.e. OTDs, trail easements, etc.) need to be kept open, then closed out if eventually not needed. In this project's case, the trail is there, and the arrangement of built or permitted-but-as-yet-not-built ownerships still allows for future piecing together of a public trail right-of-way from Yerba Buena Road up to Yellow Hill. It could be that the desired trail connection might require realignment of the existing unofficial trail. This is likely given the Mostert residence approval to the north. We continue to ask the County to exercise planning vision and facilitate acquisition of public trails that also provide connections between public parkland, this project being a case in point. Such action would be consistent with the Coastal Act and your Coastal Area Plan. It would be also consistent with the National Park Service, State Parks, and the Santa Monica Mountains Conservancy's management goals for the Santa Monica Mountains National Recreation Area.

Thank you. Please let me know if questions.

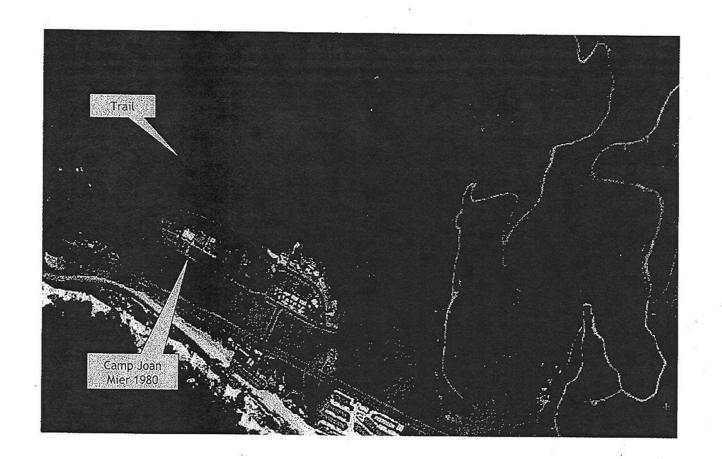
- Melanie

(See attached file: NPS\_CST\_Info\_Graphics\_1980Aerial.pdf)

Melanie Beck, Outdoor Recreation Planner

National Park Service Santa Monica Mountains National Recreation Area 401 W. Hillcrest Drive Thousand Oaks, CA 91360 (805)370-2346 voice (805)370-1850 fax melanie\_beck@nps.gov

Project No. SD10-0020, LU10-0074, ZN10-0002, Ellice Rd 3-Lot Subdivision 1980 IR Aerial Photography of Project Site and Adjacent Trail



### County of Ventura Planning Division's Responses to Email Comments from Melanie Beck of the Santa Monica Mountains National Recreation Area (June 30, 2011)

### SMMNRA-1 Comments

On page 1, Ms. Beck asks about the minimum parcel size requirements for camps and the current use definition of Coastal Rural Exclusive five acre minimum parcel size.

Also on page 1, Ms. Beck identifies the existing, "unofficial" trail north of the subject site. This trail connects to the National Park Service (NPS)/Santa Monica Mountains National Recreation Area's (SMMNRA) Yellow Hill property (an aerial photo is included on p. 3). The existence of the unofficial trail provides the opportunity for "future piecing together of a public trail right-of-way from Yerba Buena Road up to Yellow Hill." Ms. Beck states that the NPS asks the County to facilitate acquisition of public trails that also provide connections between public parkland, this project being a case in point."

### Responses to SMMNRA-1

Section 8175-5.4.1 of the Coastal Zoning provides the following standard for camps: "Minimum lot area shall be ten acres, except in the case of camps under permit prior to the adoption of this ordinance, in which case no minimum lot area is specified."

Section 8173-4 of the Coastal Zoning provides the following purpose for the Coastal Rural Exclusive Zone: The purpose of this zone is to provide for residential areas with semirural atmosphere, but exclude agricultural uses to a great extent and concentrate on residential uses.

In regard to the request for the County to facilitate acquisition of public trails/public trail access, please see Response to SMMNRA-2 in Planning Division's Responses to National Park Service/Santa Monica Mountains National Recreation Area (June 29, 2011). The County has no legal authority to require Crown Pointe Estates to dedicate trails or land, or easements thereto.

6-30-11

TO: CHUCK ANTHONY
FROM: PAMELA CAMPBELL
4 PGS INC COVER

June 30, 2011

Dear Mr. Anthony,

I am faxing the e-mail from Mr. Morris apologizing for the generator failure/s in August and October of 2008, and photographs of Ellice Street prior to 2002, and shortly afterwards.

As stated, we have had had numerous episodic events of low water pressure throughout the years, and a complete "de-watering", a (hydrologic term), that began on September 9, 2001 and continued into the afternoon of September 11, 2011. (During a Santa Ana condition)

As stated, our community is in desperate need of another water storage tank located adjacent to our neighborhood to provide back-up water in the event of these YBWC failures.

In the fall of 2009, just the Crown Point water trucks filling up on Ellice caused low water pressure at the higher elevations of Tongareva Street, as previously mentioned in my letter.

The continued false statements regarding Ellice Street's condition, prior to the grading in 2002, were disproved at the Coastal Commission meeting and I am faxing some of the photographs that were presented at that meeting on April 9, 2008.

My family walked, mountain biked and drove Ellice Street prior to the 2002 grading for years. For some time in 1988, I hauled feed to Camp Joan Mier's barnyard, driving on Ellice, (which was a dirt road at the time), in my Volvo wagon on a daily basis to help out upon the untimely and sudden death of the young camp director, Mark Gray. Mrs. Tang/Escareno knew I was doing this as I took up a collection for Mark's wife and young family, to which Mrs. Tang/Escareno contributed. I would drive right under her nose on my way to the barnyard, using Ellice Street.

These persistent false statements regarding Ellice Street's status previous to 2002 are perplexing, indeed.

If so many other residents are in support of Crown Point's subdivision of the former CJM property, as Mr. Morris claims, where is the petition of support? Is this project in conformance with your LCP?

Please bear in mind that any closure of Ellice Street, a crucial brush fire escape route used by our community for decades, to facilitate the needs of this developer, even temporary, portends a serious safety risk for our land-side Solromar community.

We, (meaning myself, my husband and other concerned neighbors), will continue to pursue this situation as stated, and in addition to the insufficient water storage/ fire flow issues, we believe this application presents several Coastal Act violations.

Thank you for the time you spent with us today.

Panula Camphell

Sincerely yours,

TO: 18056542509

From: Richard Morris <rgmorris@polarisnet.net>

- To: Dave Bonerifant <dave.silbonecpas@sbcglobal.net>; Leslie Hastings <hastings.les@verizon.net>; Yvonne Tang <tang.areno@verizon.net>; LakeCrl49@aol.com; Cindy Schwan <caschwan@earthlink.net>; Kathryn Yarneli <ketyamet@aol.com>; Fred Ruff <br/>
  fredRuff <br/>
  friandl733@aol.com>; Bob&Shirley Tarrington <hst830@aol.com>
- Cc: Bob Berry <a href="mailto:com">cc: Bob Berry <a <cpetersen@polarisnet.net>; Ron Coleman <rocinvestments2004@yahoo.com>; Pat Boyle <sbboyle@aol.com>

Subject: YBWC Electrical Problem Dato: Wed, 22 Oct 2008 3:57 pm

#### To All

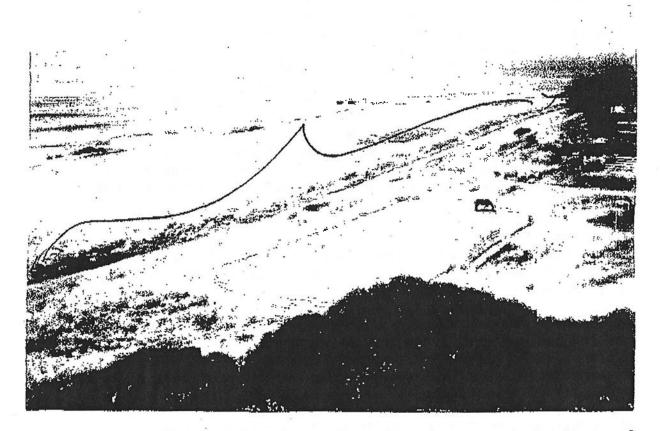
Yesterday afternoon we discovered we had no electricity to Well 5. We had a similar occurrence in early August. Both times the event caused the generator to arc which damaged it and shut it down as well. Although Wells 6 & 7 were and are producing, the main production well is Well 5, thus it is difficult for 6 & 7 to keep up with the demand.

Starting at 8 AM today we had YBWC electrical contractors, our generator serviceman and other workers on site to determine the source of the problem and repair it ASAP. The generator and associated electrical have now been repaired but Well 5's new pump, installed when we had the August problem, would not start. Tomorrow morn, like we did in August, our drilling company will have to pull the pump and probably replace it. We believe the problem was caused by an SCE power surge, like what occurred in August. SCE has thus been planning on replacing the transformers which provide the service to our wells and is planning on doing that within the week.

We apologize for the inconvenience. The 47,000 gallon tank up YB is full and the 210,000 gallon tank above you is 1/2 full and should be rising. It should fill up overnight. The problem is not in the amount of water in the ground as it is at historic highs as a result of our management of our 3 ground water sources. Nor is it a problem with our ability to produce when all wells are operational. The problem is the unusual occurrence with the electrical which is a temporary event caused by forces we do not control but are being remedied. Thank you for being patient as we will be diligent in correcting this problem.

Richard

# v Ellice St. Before Girading (2002)



& ELVICE ST. AFTER GRADING (2002)



### County of Ventura Planning Division's Responses to Letter Comments from the Pamela Campbell (June 30, 2011)

### C-1 Comments

On page 2, Ms. Campbell identifies several items of concern. Ms. Campbell claims that problems exist with the Yerba Buena Water Company (YBWC) system used by residents in the vicinity of the proposed project, and that another water storage tank is needed. Ms. Campbell includes an email allegedly from Richard Morris (partner in Crown Pointe Estates) in which he acknowledges damage to a well generator (p. 3). Also, Ms. Campbell mentions the condition of grading around Ellice Street and provides before-and-after photographs of what is claimed to be the Ellice Street area (p. 4, dated 2002). In regard to residents' support of the project, she asks, "Where is the petition of support?" Ms. Campbell also asks if the project is in conformance with Local Coastal Program and asserts there are Coastal Act violations. Furthermore, she asserts that the temporary closure of Ellice Street presents a safety risk as Ellice provides a possible escape route.

### Responses to C-1

In regard to the YBWC water system, please see above, Response to C-2 in County of Ventura Planning Division's Responses to Letter Comments from the Gary & Pamela Campbell (June 29, 2011).

Regarding the condition of grading in the vicinity of Ellice Street, it is unclear if Ms. Campbell is referring to the recent past projects of subdivision tract nos. 5457 and 4483, or to the current proposed 3-lot Tentative Parcel Map project. If she refers to tract nos. 5457 and 4483, they are not a part of the proposed project currently requested by Crown Pointe Estates, and no response is required. If her comment refers to the current proposed project, please see above, Response to C-3 in County of Ventura Planning Division's Responses to Letter Comments from the Gary & Pamela Campbell (June 29, 2011).

Regarding a "...petition of support," no such petition has been presented to the Planning Division to date. However, during the Planning Director hearing of June 30, 2011, at least two neighbors voiced their support of the proposed project. In addition, written comments of support are included in the public record.

Ventura County's Coastal Area Plan and the Coastal Zoning Ordinance together constitute the "Local Coastal Program" (LCP) for the unincorporated portions of Ventura County's coastal zone. As discussed in the Planning Director hearing Staff Report, the proposed is consistent and complies with the LCP.

In regard to the temporary closure of Ellice Street that allegedly creates safety risk, Raymond Gutierrez, Jr., Manager of the Development and Inspection Services Division of the Ventura County Public Works Agency has addressed the

temporary closure with Ms. Campbell previously (see C-5 Comment and Response to C-5 in County of Ventura Planning Division's Responses to Letter Comments from the Gary & Pamela Campbell [June 29, 2011]). The open grading permits associated with subdivision tract nos. 5457 and 4483 (not a part of the proposed project) allow for the developer to temporarily close Ellice Street, limit street access, and restrict parking until the improvements are completed and the permits are finaled. In addition, various Ventura County agencies and Caltrans have reviewed the proposed project and have identified no safety violations/risks from the temporary closure of Ellice Street.

### Email Comment and Written Attachment from Richard Morris dated June 30, 2011

Chuck and Dan

Here are the comments I intend to make today. Please get this to Kim – I'm not sure I have the correct email address.

Thanks.

Richard

## CPE HEARING 6/30/11 RE: 3-LOT SUBDIVISION CPE COMMENTS

- WE ARE IN AGREEMENT WITH FINDINGS OF IS AND CONDITIONS OF DEVELOPMENT.
- 2. THE PROPOSED LOW DENSITY SUBDIVISION CONFORMS TO THE GP LAND USE AND WE BELIEVE IS IN BEST INTERESTS OF THE COMMUNITY. THE PROJECT CONFORMS TO THE COMMUNITY CHARACTER WITH NO ADVERSE IMPACTS ON ANY OF THE APPLICABLE ENVIRONMENTAL ISSUES.
- 3. THE GREAT MAJORITY OF THE NEIGHBORING COMMUNITY IS IN SUPPORT OF THE PROJECT. TWO NEIGHBORS HAVE OBJECTED CITING WITHOUT ANY CREDIBLE SUPPORTING DOCUMENTS OR STUDIES ISSUES RE: WATER, IMPACT ON LAND FORMS AND CULTURAL RESOURCES. WE HAVE RESPONDED IN WRITING TO EACH OF THE OBJECTIONS REFERRING TO THE STUDIES AND CONCLUSIONS REACHED BY RMA STAFF WHICH REGARDING EACH OF THOSE ISSUES. IN SHORT, ENGINEERING STUDIES HAVE DEMONSTRATED THAT WATER IS ADEQUATE AND WILL BE LESS THAN HISTORICAL USE, THE LAND FORMS ARE NOT ALTERED SIGNIFICANTLY AND LINE OF SIGHT STUDIES SHOW DEMONSTRATE THAT THEY ARE NOT VISIBLE FROM PUBLIC VIEWING AREAS AND THAT THERE ARE NO CULTURAL RESOURCES ON THE SITE.
- 4. ONE OF THE NEIGHBORS HAS RECOMMENDED THAT THE PROJECT BE CONDITIONED ON A PUBLIC TRAIL THROUGH THE SUBJECT. SUCH A TRAIL IS NOT APPROPRIATE BECAUSE:
  - COUNTY STAFF HAS CONCLUDED AND WE AGREE THAT THERE IS NO LEGAL NEXUS TO AN ORDINANCE WHICH WOULD ALLOW THE

- COUNTY TO CONDITION ITS APPROVAL ON A DEDICATION OF AN EASTEMENT.
- MOST IMPORTANTLY, THERE ARE NO PUBLIC TRAILS ON ADJACENT LAND WHICH COULD BE LINKED BY THE EASEMENT REQUESTED.
   PROPERTY NOT SUBJECT TO THE APPLICATION, INCLUDING THE LANDS OR TWO THIRD PARTY LANDOWNERS, INTERVENES TO ACCESS NPS LAND 2 MILES TO THE NORTH.
- THE NEIGHBORING COMMUNITY DOES NOT BELIEVE SUCH A TRAIL IS IN THEIR INTEREST – SEE Ms. LIEBERMAN'S COMMENTS.
- FOUR IMPROVED PUBLIC TRAILS COMMENCE IN LEO CARRILLO STATE PARK LESS THAN 2 MILES FROM COUNTY LINE AND PROVIDE SAFE WALKING TRAILS FOR THE PUBLIC INTO THE BACK COUNTRY SUPPORTED BY PARK SERVICE RANGERS AND ADEQUATE PARKING AT THE TRAIL HEAD.
- 5. COMMENTS BY THE NPS THAT THE COUNTY SHOULD SUPPORT THE SITE AS APPROPRIATE FOR THE CONTINUATION AS A RECREATIONAL CAMP IS NOT CORRECT SUCH A USE IS NOT PERMITTED BE THE CURRENT ZONING.

### County of Ventura Planning Division's Responses to Email and Letter Comments from Richard Morris of Crown Pointe Estates (June 30, 2011)

M-1 Comment

Mr. Morris states Crown Pointe Estates' (CPE) agreement with the Negative Declaration and the Conditions of Approval.

Response to M-1

No response is required.

M-2 Comment

Mr. Morris asserts that the proposed project conforms to the General Plan and that there are no adverse environmental impacts.

Response to M-2

The Planning Director Staff Report concluded that the project is consistent with the applicable General Plan and Coastal Area Plan polices and complies with the applicable Coastal Zoning Ordinance standards. Environmental issues were analyzed in the attached Negative Declaration document and found to be less than significant (Exhibit 4 of the June 30, 2011, Planning Director hearing Staff Report).

M-3 Comment

Mr. Morris claims that most neighbors support the proposed project. He also identifies several environmental issues that he claims have been adequately addressed and studied.

Response to M-3

The environmental issues raised by Mr. Morris in this letter were also identified in his June 29, 2011 email comments. Planning responded to these comments in the County of Ventura Planning Division's Responses to Email Comments from Richard Morris of Crown Pointe Estates (June 29, 2011).

M-4 Comment

Mr. Morris provides reasons for CPE's opposition to a public trail on the subject property.

Response to M-4

The Planning responded to Mr. Morris's comments about the trail access/trail issue in the County of Ventura Planning Division's Responses to Email Comments from Richard Morris of Crown Pointe Estates, Response to M-7 (June 29, 2011).

### M-5 Comment

Mr. Morris claims "current zoning" prevents the subject property from being used as a recreational camp site.

### Response to M-5

Section 8175-5.4.1 of the Coastal Zoning provides the following standard for camps: "Minimum lot area shall be ten acres, except in the case of camps under permit prior to the adoption of this ordinance, in which case no minimum lot area is specified." As the Camp Joan Mier permit has expired, any new camp must comply with the 10 acre minimum standard.

# County of Ventura Planning Division's Responses to Comments from California Department of Transportation (Caltrans) Ventura Satellite Office (July 7, 2011)

Caltrans-1 Comment

Lee Rennacker, Senior Transportation Engineer of the Caltrans Ventura Satellite Office, states that stormwater runoff will not result in significant impacts and that it is no longer an issue for Caltrans. Mr. Rennacker provides data to support his statement. Also, he says that stormwater quality issues must be properly managed.

Response to Caltrans-1

Mr. Rennacker's conclusion that the lack of significance of stormwater runoff addresses Caltrans' stormwater runoff comments in the May 25, 2011 Caltrans' comment letter.

The necessity of stormwater quality management (raised by Mr. Rennacker) has been addressed previously (Response to Caltrans-1 in County of Ventura Planning Division's Responses to Comments from Caltrans [Los Angeles, District 7 office], May 25, 2011).

### Email Comment dated July 7, 2011

Mr. Chuck Anthony,

Based upon both the findings in the County of Ventura Initial Study under Flood Control/Drainage that there is no increase in storm water runoff, combined with confirmation from the engineer of record for this project that the runoff quantity does not exceed what was existing, there is no significant impact that would prevent this subdivision from proceeding as far as Caltrans is concerned (through the initial governmental review process). The stormwater runoff concern has been addressed, and is not longer an issue. However, during construction proper BMP's and diligent management of stormwater runoff needs to be properly addressed (SWPPP's, etc.).

If you have any questions, or need more information, please let me know.

Lee Rennacker Senior Transportation Engineer Office of Encroachment Permits Caltrans Ventura Satellite Office (805) 650-7179 Email Comment Dated July 15, 2011 from Melanie Beck (of the National Park Service/Santa Monica Mountains National Recreation Area) to Craig A. Petersen (of Crown Pointe Estates). (Email was submitted directly to Planner Chuck Anthony by Melanie Beck on August 8, 2011.)

From: Melanie\_Beck@nps.gov [mailto:Melanie\_Beck@nps.gov]

Sent: Friday, July 15, 2011 14:11

To: Craig A. Petersen

Cc: Eric Bruins; 'Richard Morris'; 'Ronald Coleman' Subject: Re: TPM 5845 - SD10-0020/LU10-0074

Hello Craig -

On behalf of National Park Service and MRCA, I thank you, Rich, and Ron for meeting with Eric and myself to discuss the opportunities for public trails in the vicinity of CPE's property. Given the range of existing development entitlements associated with CPE ownership and the potential for conflicts with adjacent residential development, it doesn't look feasible to locate a public trail on the CPE property associated with TMP 5845 or to connect the trail to the NPS "Yellow Hill" property to the north.

We would be most appreciative of your assistance with documenting the possible easements in favor of NPS across private land to the east of the CPE property and west of existing public parkland. The easements may facilitate a future ocean-to-inland trail connection and complete a reasonably sized "loop" trail associated with the Yellow Hill fire road.

I look forward to hearing from you in the next couple weeks before August 15.

Many, many thanks for your cooperation!

### - Melanie

Melanie Beck, Outdoor Recreation Planner National Park Service Santa Monica Mountains National Recreation Area 401 W. Hillcrest Drive Thousand Oaks, CA 91360 (805)370-2346 voice (805)370-1850 fax melanie\_beck@nps.gov Ventura County Planning Division's Responses to
Email Comment dated July 15, 2011 from Melanie Beck (of the National Park
Service/Santa Monica Mountains National Recreation Area) to Craig A. Petersen
(of Crown Pointe Estates). (Email was submitted directly to Planner Chuck
Anthony by Melanie Beck on August 8, 2011.)

### SMMNRA-1 Comments

Ms. Beck states that it will not be feasible to establish a pubic trail on the subject property or to connect the existing trail (north of the subject property) to the National Park Service (NPS)/Santa Monica Mountains National Recreation Area (SMMNRA) "Yellow Hill" property. Ms. Beck expresses appreciation for Crown Pointe Estate's (CPE) anticipated assistance with documenting possible easements across private land to the east of the CPE property on behalf of the NPS. "The easements may facilitate a future ocean-to-inland trail connection and complete a reasonably sized 'loop' trail associated with the Yellow Hill fire road."

### Responses to SMMNRA-1

NPS/SMMNRA comments are included in the public record. The comments were communicated directly to CPE. No response is required.

Conditions for Coastal PD Case No. PL19-0113

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### **MARISOL LOT 16** DRAFT CONDITIONS OF APPROVAL FOR **COASTAL PLANNED DEVELOPMENT (PD) PERMIT CASE NO. PL19-0113**

### RESOURCE MANAGEMENT AGENCY (RMA)

### **Planning Division Conditions**

#### 1. **Project Description**

This Coastal Planned Development (PD) Permit is based on and limited to compliance with the project description stated in this condition below. Exhibit 3 of the Planning Director hearing on April 1, 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:

The Project is a Coastal PD Permit for the construction of a new single-story 11,768square-foot (sq. ft) single-family dwelling. The building will be 20.75 feet in height. The Project includes the construction of a 1,040 sq. ft. outdoor swimming pool and spa, two 608 sq. ft. detached garages and a carport, exterior patio areas (total area of 3,408 square feet for covered patios), an exterior tennis and bocce ball court, and a detached 97 sq. ft. bathroom building. The Project includes the installation of 40,898 square feet of new onsite landscaping.

The Project will be constructed within an existing graded pad and will not include areas beyond what were previously graded and cleared in accordance with Coastal PD Permit Case No. LU10-0074 and Grading Permit Case No. GP12-0030. A removal and recompaction grading permit is required to prepare the footings/foundations, retaining walls, and landscaping areas, and to achieve the desired grades for the Project. Earthwork (estimated volume is 376 cubic yards) will balance on site, and no material import or export will occur. No additional grading beyond the regrading of the existing pad, and no vegetation removal is proposed with this Project. Additionally, the Project avoids impacts to Environmentally Sensitive Habitat Areas (ESHA), as no ESHA occurs on the project site.

Water to the site will be provided by the Yerba Buena Water Company, and wastewater

County of Ventura Planning Director Hearing Case No. PL19-0113 Exhibit 5 - Draft Conditions of Approval

Pursuant to Ventura County Building Code, Section 202, Definitions, bathrooms do not constitute habitable space. The building is subject to the Ventura County CZO limitations for detached accessory buildings.

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disposal will be handled by a new on-site wastewater treatment system (OWTS), which will include a 4,500-gallon septic tank and two 6-foot (in diameter) seepage pits. Access to the single-family dwelling will be provided by extending an existing paved private driveway to Ellice Street.

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

### Required Improvements for Coastal PD Permit

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

Requirement: The Permittee shall ensure that all required off-site and on-site improvements for the Project, including structures, paving, and landscaping are completed in conformance with the approved plans stamped as hearing Exhibit 3. The Permittee shall prepare and submit all final building and site plans for the County's review and approval in accordance with the approved plans.

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

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

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

### Site Maintenance

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

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

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

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

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

#### Coastal PD Permit Modification 4.

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

#### **Construction Activities**

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

# Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this Coastal PD Permit and/or commencement of construction and/or operations under this Coastal PD Permit shall constitute the Permittee's formal agreement to comply with all conditions of this Coastal PD Permit. Failure to abide by and comply with any condition of this Coastal PD Permit shall

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constitute grounds for enforcement action provided in the Ventura County Coastal Zoning Ordinance (Article 13), which shall include, but is not limited to, the following:

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

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

#### 7. **Time Limits**

#### a. Use inauguration:

- (1) The approval decision for this Coastal PD Permit becomes effective upon the expiration of the 10 day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for construction in order to initiate the land uses set forth in Condition No. 1.
- (2) This Coastal PD Permit shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for construction within one year from the date the approval decision of this Coastal PD Permit becomes effective. The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for construction if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.
- (3) Prior to the issuance of the Zoning Clearance for construction, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for construction, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this Coastal PD Permit.

# <u>Documentation Verifying Compliance with Other Agencies</u>' Requirements Related to this Coastal PD Permit

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

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

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

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

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

#### 9. Notice of Coastal PD Permit Requirements and Retention of Coastal PD Permit Conditions On Site

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

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

Documentation: The Permittee shall maintain a current set of Coastal PD Permit conditions and exhibits at the project site.

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

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

## 10. Recorded Notice of Land Use Entitlement

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

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

**Documentation:** Recorded "Notice of Land Use Entitlement" form and conditions of this Coastal PD Permit.

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

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

# 11. Financial Responsibility for Compliance Monitoring and Enforcement

- a. Cost Responsibilities: The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Coastal Zoning Ordinance (§ 8183-5) related to this Coastal PD Permit. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.
- b. Billing Process: The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to timely pay an invoice shall subject the Permittee to late fees and charges set forth in the Planning Division Fee Schedule, and shall be grounds for suspension, modification, or revocation of this Coastal PD Permit. The Permittee shall have the right to challenge any charge or penalty prior to payment.

## 12. Defense and Indemnification

a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board

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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 Coastal PD Permit. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.

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

## 13. Invalidation of Condition(s)

If any of the conditions or limitations of this Coastal PD Permit 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 Coastal PD Permit conditions or limitations. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee in an action filed in a court of competent jurisdiction, or threatened to be filed therein, the Permittee shall be required to fully comply with this Coastal PD Permit, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This Coastal PD Permit 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 Coastal PD Permit, at the discretion of the Planning Director, the

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may review the project and impose substitute feasible Planning Director 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 Coastal PD Permit may be revoked.

#### 14. Consultant Review of Information and Consultant Work

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

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

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 11 above, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

# 15. Relationship of Coastal PD Permit Conditions, Laws, and Other Entitlements

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

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

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# 16. Contact Person

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

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

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

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

Monitoring and Reporting: The Planning Division maintains the contact information provided by the Permittee in the Project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

#### 17. Change of Permittee

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

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

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

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

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Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

## 18. Archaeological Resources Discovered During Grading

Purpose: In order to mitigate potential impacts to archaeological resources discovered during ground disturbance.

**Requirement:** The Permittee shall implement the following procedures:

- a. If any archaeological or historical artifacts are uncovered during ground disturbance or construction activities, the Permittee shall:
  - (1) Cease operations and assure the preservation of the area in which the discovery was made;
  - (2) Notify the Planning Director in writing, within three days of the discovery;
  - (3) Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site 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.
- b. If any human burial remains are encountered during ground disturbance or construction activities, the Permittee shall:
  - (1) Cease operations and assure the preservation of the area in which the discovery was made;
  - (2) Immediately notify the County Coroner and the Planning Director;
  - (3) Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
  - (4) Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development on-site; and
  - (5) Implement the agreed upon recommendations.

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**Documentation:** If archaeological remains are encountered, the Permittee 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 Permittee has implemented any recommendations made by the archaeologist's report.

Timing: If any archaeological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the archaeological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Permittee shall provide the archaeological report to the Planning Division to be made part of the Project file. The Permittee 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 Permittee implements the recommendations set forth in the archaeological report, consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

## 19. 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 Permittee shall:

- a. Cease operations and assure the preservation of the area in which the discovery was made;
- b. Notify the Planning Director in writing, within three days of the discovery;
- c. 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;
- d. Obtain the Planning Director's written concurrence with the recommended disposition of the site before resuming development; and
- e. Implement the agreed upon recommendations.

**Documentation:** The Permittee shall submit the paleontologist's or geologist's reports. Additional documentation may be required to demonstrate that the Permittee has implemented the recommendations set forth in the paleontological report.

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Timing: If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the paleontological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Permittee shall provide the paleontological report to the Planning Division to be made part of the Project file. The Permittee 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 Permittee implements the recommendations set forth in the paleontological report, consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

## 20. Construction Noise

**Purpose:** In order for this Project to comply with the Ventura County General Plan Policy HAZ-9.2 and the County of Ventura Construction Noise Threshold Criteria and Control Plan (Amended 2010).

Requirement: The Permittee shall limit 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 Permittee 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 Permittee shall provide photo documentation showing posting of the required signage to the Planning Division, prior to the commencement of 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 Permittee shall maintain a "Complaint Log," noting the date, time, complainant's name, complaint, and any corrective action taken, in the event that the Permittee receives noise complaints. The Permittee must submit the "Complaint Log" to the Planning Division upon the Planning Director's request.

**Timing:** The Permittee shall install the sign prior to the issuance of a building permit and throughout all grading and construction activities. The Permittee shall maintain the signage on-site until all grading and construction activities are complete. If the Planning Director requests the Permittee to submit the "Complaint Log" to the Planning Division, the Permittee 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

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has the authority to conduct site inspections and take enforcement actions to ensure that the Permittee conducts grading and construction activities in compliance with this condition, consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

#### 21. Landscaping Plan

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

Requirement: The Permittee 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) and California Department of Water Resources Model Water Efficient Landscape Ordinance.

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

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

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

- a. Use Available Non-Potable Sources of Water. The landscaping must involve the harvesting and/or use of alternative, non-potable sources of water, including stormwater, reclaimed water, and gray water, if available to the Project site.
- b. Protection of 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).
- c. Fire Resistance. Plant material installed in the fuel modification zone must be fire resistant.

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**Documentation:** The Permittee 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 Permittee shall submit to Planning Division staff a statement from the Project landscape architect that the Permittee installed all landscaping as shown on the approved landscape plan. Prior to installation of the landscaping, the Permittee must obtain the Planning Director's approval of any changes to the landscape plans that affect the character or quantity of the plant material or irrigation system design.

**Timing:** The Permittee shall submit the landscape plan to the Planning Division for review and approval prior to issuance of a Zoning Clearance for construction. Landscaping installation and maintenance activities shall occur according to the timing requirements set forth in the Ventura County Coastal Zoning Ordinance Section 8178-8.9.

Monitoring and Reporting: Landscaping approval/installation verification, monitoring activities, and enforcement activities shall occur according to the procedures set forth Ventura County Coastal Zoning Ordinance Section 8178-8.9. 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 Permittee installs and maintains the landscaping in accordance with the approved plan consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

#### 22. Materials and Colors in the Santa Monica Mountains Overlay Zone

Purpose: In order to ensure that buildings and structures comply with the Public Resource Code § 30251 and blend in with the Project site's surroundings.

Requirement: The Permittee shall utilize building materials and colors compatible with surrounding terrain (earth tones and non-reflective paints) on exterior surfaces of all structures, including but not limited to the dwelling, water tanks, walls, and fences.

**Documentation:** A copy of the approved plans denoting the building materials and colors.

**Timing:** Prior to the issuance of Zoning Clearance for construction, the Permittee shall submit the building plans with the colors and materials noted on all structures for review and approval by the Planning Division. Prior to occupancy, the Permittee shall paint the structures according to the approved plans.

Monitoring and Reporting: The Planning Division maintains the approved plans in the Project file. Prior to occupancy, the Planning Division has the authority to inspect the site to ensure that the exterior of the structures was treated as approved. The Permittee shall maintain these materials and colors throughout the life of the Project. The Planning Division has the authority to inspect the site to confirm on-going compliance with the

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approved plans consistent with the requirements of § 8183-5 of the Ventura County Coastal Zoning Ordinance.

# 23. Coastal Grading and Brush Removal

Purpose: To ensure compliance with Ventura County Coastal Zoning Ordinance Grading and Brush Removal Standards of § 8175-5.17 et seg. of the Ventura County Coastal Zoning Ordinance.

Requirement: In addition to complying with the requirements for a Landscape Plan (Condition No. 21), and the Los Angeles Regional Water Quality Control Board National Pollution Discharge Elimination System (NPDES) (Condition Nos. 29 through 31), the Permittee shall comply with the following requirements:

- a. Minimize cut and fill operations;
- b. Design all development to minimize impacts and alterations of physical features and processes of the site (i.e., geological, soils, hydrological, water percolation and runoff);
- c. Clearing of land (grading and brush removal) during the winter rainy season (November 15 – April 15) is prohibited. Construction activities (excluding ground disturbance, grading, and brush removal) may continue into the rainy season provided that temporary vegetation seeding, mulching, or other suitable stabilization methods shall be used to protect soils subject to erosion. A licensed landscape architect shall set forth the methods of erosion control as part of the required Landscape Plan for the Project (Condition No. 21);
- d. The smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. All measures for removing sediments and stabilizing slopes shall be in place prior to or concurrent with any on-site grading activities;
- e. Sediments basins (e.g., debris basins, desilting basins, or silt traps) shall be installed on the project site prior to or concurrent with the initial grading and maintained by the Permittee through the development process to remove sediment from runoff water as required and in compliance with NPDES requirements (Condition Nos. 29 through 31). All sediment shall be retained on-site unless removed to an appropriate approved dumping location;
- f. Cut and fill slopes shall be stabilized at the completion of final grading. Planting shall comply with the planting requirements set forth in Condition No. 21 of this Coastal PD Permit (above). Such planting shall be adequate to provide 90 percent coverage within 90 days, and shall be repeated, if necessary, to provide such coverage. This requirement shall apply to all disturbed soils and detailed in the required Landscape Plan (Condition No. 21);

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g. Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soils and surface conditions as a result of development. Where feasible and appropriate, water runoff shall be retained on-site to facilitate groundwater recharge, unless to do so would require significant grading or brush removal not otherwise necessary, and the cumulative impact of such on-site retention would be greater than the cumulative impacts of such on-site retention would be greater than the cumulative impacts of not facilitating recharge, within the same drainage area. The Permittee shall demonstrate compliance with this requirement in the NPDES documentation requirements (Condition Nos. 29 through 31) for the Project:

- h. Hillside (defined as land with slopes over 20 percent) grading and brush clearance shall be regulated to maintain biological productivity of coastal waters, protect environmentally sensitive areas, and minimize the alteration of natural landforms:
- The Permittee shall have an erosion control plan prepared and submit the erosion control plan to the Public Works Agency, Engineering Services Department, Development and Inspection Services Division, for review and approval. Such plan shall be prepared by a licensed engineer qualified in soil mechanics and hydrology; and.
- Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants such as chemicals, fuels, lubricants, raw sewage, and other harmful waste shall not be discharged into or alongside coastal streams or wetlands either during or after construction as required by the NPDES (Condition Nos. 29 through 31).

**Documentation:** The Permittee shall provide all of the required documentation set forth in the "Requirement" section of this condition (above) (e.g., grading plan, drainage plan, erosion control plan, spill response plan, landscape plan, and NPDES documentation) to the applicable County agencies for review and approval.

**Timing:** The Permittee shall submit all of the required plans and documents for review and approval to the Planning Division and Public Works Agency, prior to issuance of Zoning Clearance for construction.

Monitoring and Reporting: The Planning Division, Public Works Agency, and Watershed Protection District review and maintain the project plans. The Planning Division and Public Works Agency have the authority to conduct site inspections and take enforcement actions to ensure the Permittee conducts ground disturbance, grading, and construction activities in compliance with this condition, pursuant to § 8183-5 of the Ventura County Coastal Zoning Ordinance.

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# 24. Lighting Plan

Purpose: To ensure lighting on the subject property is provided in compliance with Ventura County General Plan Policy COS-1.1 and to ensure the following objectives are met:

- a. avoids interference with reasonable use of adjoining properties;
- b. minimizes on-site and eliminates off-site glare;
- c. minimizes energy consumption;

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

- a. the lighting plan shall include a site plan indicating the location of the lighting and manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs).;
- b. the lighting plan shall provide illumination information for all exterior lighting such as parking areas, walkways/driveways, streetscapes, and open spaces proposed throughout the development;
- c. in order to minimize light and glare on the project property, all parking lot lighting, exterior structure light fixtures, and freestanding light standards must be a cut-off type, fully shielded, and downward directed, such that the lighting is projected downward onto the property and does not cast light on any adjacent property or roadway; all sport court (tennis court and bocce area) lighting is prohibited; and
- d. light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels directed at any neighboring uses. Lighting shall be kept to a minimum to maintain the normal night-time light levels in the area, but not inhibit adequate and safe working light levels.

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

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

**Timing:** The Permittee shall obtain the Planning Division's approval of the lighting plan prior to the issuance of a Zoning Clearance for construction. The Permittee shall maintain the lighting as approved in the lighting plan for the life of the Project.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved lighting plan in the Project file. The Permittee shall ensure that the lighting is installed according to the approved lighting plan prior to occupancy. The Building and Safety Inspector and Planning Division staff have the authority to ensure that the lighting

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plan is installed according to the approved lighting plan. Planning Division staff has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of 8183-5 of the Coastal Zoning Ordinance.

## **Environmental Health Division (EHD) Conditions**

# 25. Maintenance of Wastewater Treatment Systems

Purpose: To demonstrate the feasibility for the installation of an onsite wastewater treatment system (OWTS), also known as a septic system or individual sewage disposal system. To demonstrate compliance with state and local regulations related to the design and installation of an OWTS. Only domestic waste as defined in the Ventura County General Plan and the Ventura County Building Code Ordinance is allowed to be discharged into the on-site sewage disposal system.

Requirement: Permittee shall submit a soils/geotechnical report and OWTS system design satisfactory to the Ventura County Environmental Health Division, Liquid Waste Program (EHD) staff. Permittee shall also obtain the approval of EHD staff to install an OWTS on the property. During the ministerial permitting process, the proposed OWTS will be required to meet all current building code, system design, and system installation/construction standards at the time of submittal.

**Documentation:** Submit soils/geotechnical report, OWTS design, and OWTS application to the EHD for review and approval. Submit all applicable documentation, including permit application, site plan, system design, bedroom and fixture unit equivalent worksheet, etc., to EHD for review and approval.

**Timing:** Prior to the issuance of a building permit pertaining to the Project, OWTS design approval and permit to construct the OWTS shall be obtained from EHD.

Monitoring: To assure compliance with this condition, EHD staff shall review and verify all relevant documentation, including but not limited to: geotechnical report, system design calculations, building codes, and historic geological data for the area. Once the OWTS design has been evaluated to the satisfaction of EHD staff, the OWTS plans will be approved and EHD staff shall issue a permit to construct, conduct site inspections, and give final approval of the OWTS.

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

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# **PUBLIC WORKS AGENCY (PWA)**

## **Engineering Services Department Conditions**

#### 26. Grading Permit

Purpose: In order to ensure the Permittee performs all grading in compliance with Appendix J of the Ventura County Building Code.

**Requirement:** The Permittee shall submit a grading plan showing existing and proposed elevations to the Public Works Agency's Development and Inspection Services Division for review and approval. If a grading permit is required, a State licensed civil engineer must prepare and submit the grading plans to Development and Inspection Services Division for review and approval. The Permittee must post sufficient surety in order to ensure proper completion of the proposed grading.

**Documentation:** If a grading permit is required, all materials detailed on Public Works Agency Grading Permit Submittal Checklist, must be submitted to Development and Inspection Services Division for review and approval.

**Timing:** All applicable documentation, as specified above, must be submitted prior to issuance of Zoning Clearance for construction.

Monitoring and Reporting: Public Works Agency engineers will review grading plans and reports for compliance with Ventura County codes, ordinances and standards, as well as state and federal laws. Public Works Agency inspectors will monitor the proposed grading to verify that the work is done in compliance with the approved plans and reports.

# **Integrated Waste Management Division (IWMD) Conditions**

#### 27. Construction & Demolition Debris Recycling Plan (Form B)

Purpose: Ordinance 4421 requires the Permittee 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-wastemanagement-laws-ordinances. Further, the 2016 California Green Building Code Sections 4.408 and 5.408 require a minimum of 65% diversion of construction and demolition materials from landfill disposal.

Requirement: The Permittee must submit a comprehensive recycling plan (Form B – Recycling Plan) to the 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% of the recyclable C&D debris generated by the Project will be diverted from the landfill by recycling, reuse, or salvage.

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A copy of Form B is available at: http://onestop.vcpublicworks.org/integrated-wastemanagement-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-collecters. 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 and Safety Division's issuance of a building permit for the Project. the Permittee must submit a Form B – Recycling Plan to the IWMD for approval.

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

# 28. Construction & Demolition Debris Reporting Form (Form C)

Purpose: Ordinance 4421 requires the Permittee 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.

Review Ordinance 4421 at:

http://onestop.vcpublicworks.org/integrated-waste-management-laws-ordinances.

The 2016 California Green Building Code Sections 4.408 and 5.408 require a minimum of 65% diversion of construction and demolition materials from landfill disposal.

Requirement: The Permittee must submit a Form C – Reporting Form to the IWMD for approval upon issuance of their final Building and Safety Division permit. A copy of Form C – Reporting Form is available at:

http://onestop.vcpublicworks.org/integrated-waste-management-forms.

**Documentation:** The Permittee 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 at the time of Building and Safety Division's issuance of final permit.

Monitoring & Reporting: The Permittee is required to keep a copy of their approved Form C – Reporting Form until Building and Safety Division's issuance of final permit.

## **Watershed Protection District (WPD) Conditions**

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# **County Stormwater Program (CSP) Section**

# 29. Post-Construction Stormwater Management Plan (PCSMP) Agreement and Transfer

Purpose: To ensure the proposed stormwater treatment controls are constructed and maintained in accordance 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: The Permittee shall 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:** The Permittee shall submit the following items to the Watershed Protection District – County Stormwater Program Section (CSP) for review and approval:

- i. Maintenance Plan for proposed PCSMP shall be prepared in accordance with Section 7 and Appendix I of the TGM. The plan shall be signed by the appropriate County entity that will perform the operations and maintenance of the devices and shall include but is not limited to the following:
  - 1. Site plan identifying the location of each device;
  - 2. The maintenance processes and procedures necessary to provide for continued operation and optimum performance;
  - 3. Checklist for device inspection and maintenance;
  - 4. A timeline for all maintenance activities; and
  - 5. Any technical information that may be applicable to ensure the proper functionality of this device.
- ii. Completed and signed Annual Maintenance Verification Report (Template provided by CSP staff upon request).

**Timing:** The above listed item (i) shall be submitted to the CSP for review and approval prior to issuance of Zoning Clearance for Construction. The Annual Maintenance Verification Report (ii) shall be submitted to CSP annually prior to September 15th each year after sign 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.

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## 30. 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) the proposed Project will be subject to the construction requirements for surface water quality and storm water runoff in accordance with Part 4.F., "Development Construction Program" of the Permit.

**Requirement:** The construction of the Project shall meet requirements contained in Part 4.F. "Development Construction Program" of the Permit through the inclusion of effective implementation of the Construction BMPs during all ground disturbing activities.

Documentation: The Permittee shall submit to the Watershed Protection District -County Stormwater Program Section (CSP) for review and approval a completed and signed SW-2 form (Best Management Practices for Construction One Acre and Larger) which can be found at https://www.onestoppermits.vcrma.org/departments/stormwaterprogram.

**Timing:** The above listed item shall be submitted to the CSP for review and approval prior to issuance of a Zoning Clearance for Construction.

Monitoring and Reporting: CSP will review the submitted materials for consistency with the NPDES Municipal Stormwater Permit. Building Permit Inspectors will conduct inspections during construction to ensure effective installation of the required BMPs.

31. State General Construction Stormwater Permit No. CAS000002 Requirements Purpose: To ensure compliance with all water quality provisions in NPDES State General Construction Stormwater Permit No. CAS000002, Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activities.

**Requirement:** Proper filing of all compliance documents required under the General Construction Permit No. CAS000002.

**Documentation:** The Permittee shall prepare and submit the following items to the Watershed Protection District – County Stormwater Program Section (CSP) for review:

- i. Current Notice of Intent (NOI) in accordance with the State Water Resources Control Board requirements under the General Construction Stormwater Permit (No. CAS000002):
- ii. Current Stormwater Pollution Prevention Plan (SWPPP) in accordance with the State Water Resources Control Board requirements under the General Construction Permit; and
- iii. If applicable, Change of Information (COI) form and a copy of modified SWPPP at any time a transfer of ownership takes place for the entire development or portions of the common plan of development where

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construction activities are still on-going.

**Timing:** The above listed items (i and ii) shall be submitted to the CSP staff for review prior to Zoning Clearance for Construction. In addition, if applicable, the COI form and a copy of modified SWPPP (item iii) shall be submitted anytime during Project duration.

Monitoring and Reporting: CSP staff will review the submitted materials for consistency with the General Construction Permit. Up-to-date and site-specific SWPPP shall be kept on-site for periodic review by the Grading Permit Inspectors.

# OTHER VENTURA COUNTY AGENCIES

# **Ventura County Air Pollution Control District (APCD) Conditions**

## 32. Fugitive Dust During Construction Operations

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

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

**Documentation:** The Permittee shall ensure compliance with the following provisions:

- The area disturbed by clearing, grading, earth moving, or excavation operations i. shall be minimized to prevent excessive amounts of dust;
- ii. Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during grading activities:
- iii. All trucks shall cover their loads as required by California Vehicle Code §23114.
- ίV. Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means (except during and immediately after rainfall). Water shall be applied to all unpaved roads, unpaved parking areas or staging areas, and active portions of the construction site. Environmentally-safe dust control agents may be used in lieu of watering.
- Graded and/or excavated inactive areas of the construction site shall be monitored ٧. at least weekly for dust stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be hydro-seeded and watered until growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.
- Signs shall be posted onsite limiting traffic to 15 miles per hour or less. vi.

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All clearing, grading, earth moving, or excavation activities shall cease during vii. periods of high winds (i.e., wind speed sufficient to cause fugitive dust to be a nuisance or hazard to adjacent properties). During periods of high winds, all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by onsite activities and operations from being a nuisance or hazard, either offsite or onsite.

- viii. Personnel involved in grading operations. including subcontractors, should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.
- Unpaved parking areas should be covered with gravel to minimize fugitive dust. ix. Timing: Throughout the grading/construction phases of the Project.

Reporting and Monitoring: Dust control is a standard condition on all Grading Permits issued by Publics Works Agency and grading inspector shall perform periodic site inspections throughout the grading period. Monitoring and Enforcement of dust-related provisions for grading operation shall also be conducted by APCD staff and is complaintdriven.

# **Ventura County Fire Protection District (VCFPD) Conditions**

## 33. Address Numbers (Single-Family Homes)

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

Requirement: The Permittee shall install a minimum of 4 inch (4") address numbers that are a contrasting color to the background and readily visible at night. Brass or gold plated numbers shall not be used. Where structures are setback more than 150 feet (150') from the street, larger numbers will be required so that they are distinguishable from the street. In the event the structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post.

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

**Timing:** The Permittee shall install approved address numbers before final occupancy.

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

# 34. Private Driveway Widths, Single Family Dwellings (Up to Four Parcels)

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

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Requirement: The Permittee shall design all private driveways in accordance with Ventura County Fire Protection District access standards. Parking is prohibited within the required width of access driveways and Fire Department turnarounds.

**Documentation:** A stamped copy of the approved access plan.

**Timing:** The access plan shall be approved prior to issuance of building permits. All required access shall be installed before the start of combustible construction.

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

#### 35. Vertical Clearance

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum vertical clearance of 13 feet and 6 inches (13'-6") along all access roads/driveways.

**Documentation:** A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before the start of combustible construction.

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

#### 36. Turning Radius

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum 40-foot inside turning radius at all turns along the access roads/driveways.

**Documentation:** A stamped copy of the approved access plan.

**Timing:** The Permittee shall submit an access plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before the start of combustible construction.

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

#### 37. Turnarounds

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide an approved turnaround area for fire apparatus where dead-end Fire Department access roads / driveways exceed 150 feet. Required turnaround areas shall be designed such:

- a. Does not exceed a 5% cross-slope in any direction.
- b. Located within 150 feet of the end of the access road / driveway
- c. Posted as fire lanes in accordance with Ventura County Fire Protection District Standards.
- d. Kept free of obstructions at all times.
- e. [Erase this sentence if not applicable to Project: Located within a common lot or easement that is 5 feet wider than the required driveway and turnaround area widths (2 1/2 feet on each side)

**Documentation:** A stamped copy of the approved access plan.

Timing: The Permittee shall submit access plans to the Fire Prevention Bureau for approval before issuance of building permits. The plans shall indicate all access road/driveway locations and proposed turnaround location and design. All required turnarounds shall be installed before the start of combustible construction.

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

## 38. Construction Access

**Purpose:** To ensure that adequate fire department access is provided during construction in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall install all utilities located within the access road(s) and a paved all-weather access road/driveway suitable for use by a 20 ton fire apparatus. The access road(s)/driveway(s) shall be maintained with a minimum 20 foot clear width at all times.

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**Documentation:** A stamped copy of the construction access plan.

**Timing:** The Permittee shall submit plans to the Fire Prevention Bureau for approval before the issuance of building permits. All required access installed before start of construction.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct periodic on-site inspections ensure that all required fire department access is maintained during construction. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain all required fire access during construction.

## 39. Access Road Gates

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Standards.

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

**Documentation:** A stamped copy of the approved gate plans.

**Timing:** The Permittee shall submit gate plans to the Fire Prevention Bureau for approval before the installation of any access gates. The submittal shall include a copy of zoning clearance issued by the Planning Department.

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

#### 40. Fire Flow

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

**Requirement:** The Permittee shall verify that the water purveyor can provide the required volume and duration at the Project. The minimum required fire flow shall be determined as specified by the current adopted edition of the Ventura County Fire Code and the applicable Water Manual for the jurisdiction (whichever is more restrictive). Given the present plans and information, the required fire flow is approximately 500 GPM.

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

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

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

#### 41. Fire Sprinklers

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

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

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

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

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

#### 42. Hazardous Fire Area

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

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

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

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

Monitoring and Reporting: The Fire Prevention Bureau shall conduct a final inspection to ensure that the structure is constructed according to the approved hazardous fire area building code requirements. Unless a modification is approved by the Fire Prevention

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Bureau, the Permittee, and their successors in interest, shall maintain the approved construction for the life of the structure.

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

# 43. Fuel Modification Plans

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

**Requirement:** The Permittee shall prepare a Fuel Modification Plan (FMP).

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

**Timing:** The Permittee shall submit a Fuel Modification Plan (FMP) to the Fire Prevention Bureau for approval before the start of construction.

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

## 44. Fire Department Clearance

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

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

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

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

Monitoring and Reporting: A copy of the completed VCFPD Form #126 shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau will conduct a final

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on-site inspection of the Project to ensure compliance with all conditions and applicable codes/ordinances.



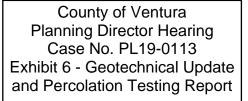
# GEOTECHNICAL UPDATE AND PERCOLATION TESTING FOR ONSITE WASTEWATER TREATMENT SYSTEM PARCEL 2, TRACT 5845, AKA MARISOL LOT 16, 11809 ELLICE STREET, MALIBU, CALIFORNIA

Prepared for:

Crown Pointe Estates at Malibu, LLC 11312 Yerba Buena Road Malibu, California 90265

Work Order: 2375-2-2-100

October 7, 2019





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Attachments: Geotechnical Map and OWTS Layout Map (Plate 1) Log of Subsurface Data (Appendix A)

Log of Subsurface Data (Appendix A) Laboratory Testing (Appendix B) Percolation Test Results (Appendix C)



Applied Earth Sciences
Geotechnical Engineers
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Work Order: 2375-2-2-100

October 7, 2019

Crown Pointe Estates at Malibu, LLC

11312 Yerba Buena Road Malibu, California 90265

Attention: Mr. Ron Coleman

Subject: Geotechnical Update and Percolation Testing for Onsite Wastewater Treatment System,

Parcel 2, Tract 5845, aka Marisol Lot 16, 11809 Ellice Street, Malibu, California

Presented herein are the results of our geotechnical update and deep percolation testing for Parcel 2, Tract 5845, aka Marisol Lot 16. The results from the percolation testing were used to design the deep seepage pit system for on-site sewage disposal proposed for the lot. Our understanding of the proposed development is based on a *Floor Plan* dated 8-27-19 at a scale of 1/8" =1', and the *Site Plan*, at a scale of 3/32" = 1', dated 9-30-19 prepared by Burdge & Associates Architects. The *Site Plan* was used as the base map for our Geotechnical Map and OWTS Layout (Plate 1).

#### PROPOSED DEVELOPMENT

Based on a review of the architectural *Site Plan*, Marisol Lot 16 will be developed by constructing a one-story single-family residence with two detached two car garages and a carport. Access to the site will be from Ellice Street to the south. Also proposed is a tennis court on the northwest portion of the site, and a swimming pool on the south side of the residence.

Sewage disposal will be accomplished utilizing a private Onsite Wastewater Treatment System (OWTS) consisting of a septic tank and seepage pits. The proposed location for the OWTS is in the driveway area on the northern side of the graded pad at the toe of the ascending slope. We conducted our on-site percolation testing in this area as shown on the attached Geotechnical Map. The system components will consist of a minimum septic tank of 4,500 gallons, and two 6-foot diameter seepage pits, 55 feet deep. A complete discussion of the testing and system requirements is presented in a later section.

#### **SCOPE OF SERVICES**

The purpose of our geotechnical evaluation was to provide updated geotechnical recommendations for design and construction of the proposed development including the on-site sewage disposal system. All aspects of our work were conducted under the direction of a state licensed geotechnical engineer and certified engineering geologist. Our scope of services included the following:

#### 1) Archival Review

Review of pertinent reference material in our files for the site.

## 2) Percolation Testing

A subcontractor supplied and operated bucket auger drill rig was utilized to drill a 24-inch diameter percolation test boring to a depth of 70 feet below the existing ground surface. Bulk samples of native soil materials (Terrace Deposits) were obtained between the encountered engineered fill and the encountered bedrock. The boring was logged from the ground surface and also down-hole logged by a geologist from our office to verify geologic contacts and geologic structure. No groundwater was encountered. Per the County of Ventura guidelines, after logging, the boring was backfilled to a depth of 60 feet below the ground surface.

The boring was then utilized for percolation testing in general accordance with the Ventura County Environmental Health Division guidelines (VCEHD 2015). A subcontractor supplied and operated water truck was used to supply water for the testing. The test boring was presoaked to simulate a system in operation for approximately 24 hours. The testing consisted of refilling the test boring and recording the drop in the water level over a minimum 4-hour period and final reading 24 hours after the start of the initial testing to determine the percolation rate.

## 3) Laboratory Testing

Hydrometer tests were performed on representative samples of the soils (Terrace Deposits) taken from the boring. The purpose of the hydrometer analyses is to evaluate the percentage of sand, silt and clay in the samples for the evaluation of absorption rates in accordance with the County of Ventura Environmental Health Department requirements. The results of the hydrometer analyses are shown on the attached Subsurface Log, B-1 in Appendix A. The results indicate that the Terrace Deposits within the area around the boring are comprised of Type II and III soils.

#### 4) Geotechnical Engineering Analysis and Update Report Preparation

The results of our archival review, site visit, percolation testing, and laboratory testing were used in engineering analyses to develop updated geotechnical recommendations for site development and proposed construction for Parcel 2, Tract 5845 (aka Marisol 16). The results of our field percolation and laboratory testing were used to design the deep seepage pit system proposed for Marisol Lot 16. The results of our findings presented herein include:

- A description of soil and groundwater conditions, as encountered during the subsurface exploration, including a Log of Subsurface Data (Appendix A);
- A Geotechnical Map (Plate 1) depicting the site, the proposed improvements and the pertinent geotechnical data, including the approximate location of the percolation test boring and layout of the proposed on-site wastewater treatment system;
- A description of the laboratory testing program, including test results (Appendix B);
- Discussion and recommendations regarding percolation test results (Appendix C) and preliminary on-site sewage disposal design requirements;
- Geotechnical recommendations for site preparation, and placement of fill and backfill; and
- Updated geotechnical recommendations, including seismic design criteria, slab and foundation design, pool design, and retaining wall design.

#### SITE CONDITIONS

#### **BACKGROUND**

Initial grading for Tract 5845 began in 2009 and continued intermittently through 2012. Removals were performed within the designated building envelope of Parcel 2 to obtain at least 10 feet of compacted fill below proposed future finish pad grades. A backdrain system with outlet was installed behind the fill

slope north of the proposed residence on the eastern side. The western part of the north slope is comprised of native Terrace Deposits. An engineered fill berm for landscaping purposes was built along the southern portion of the parcel along Ellice Street. Removals were limited to protect existing (eucalyptus, pine, and sycamore) trees within the southeast corner of Parcel 2, as shown on Plate 1. The area adjacent to the protected trees is designated as "restricted use" and is not considered suitable, from a geotechnical standpoint, for structures considered sensitive to differential settlement.

#### SITE LOCATION AND DESCRIPTION

The roughly trapezoidal site is located on the north side of Ellice Street in Malibu, California. The lot extends roughly 261 feet back from Ellice Street and is approximately 270 feet and 380 feet across the front and rear, respectively. The property is between two residential properties currently under construction.

Topographically the site is at its lowest point on the southeastern side with an elevation of approximately 118 feet and at its highest point in the northwestern portion of the site with an elevation of 150 feet. The main part of the lot (building pad area) is at an elevation of 138± with a gentle slope from northwest to southeast.

## **REGIONAL GEOLOGY**

The subject site is located on the southern flank of the western portion of the Santa Monica Mountains. The Santa Monica Mountains are an east-west trending mountain range along the southern edge of the Transverse Ranges geomorphic province. This geomorphic province is dominated by active compressional tectonics and is characterized by roughly east-west trending ranges and ridges with intervening canyons and valleys.

#### **SITE GEOLOGY**

The subject property is underlain at depth by Miocene-age sedimentary bedrock referred to as the Topanga Formation (Tt), (Dibblee, 1990). The bedrock is mantled with Quaternary-age terrace deposits (Qt) and in turn the terrace deposits are mantled with engineered compacted fill (afc). The terrace deposits are also locally exposed north of the property line. Descriptions of the encountered earth units are presented below and in the attached Log of Subsurface Data (Appendix A).

# **Topanga Formation (Tt)**

Bedrock of the Miocene-age Topanga Formation underlies the site at depth. As encountered in the exploratory boring (B-1), the bedrock was encountered at a depth of 62 feet below the existing ground surface and generally consists of olive grading to dark gray siltstone in a damp and fractured yet tight condition. The siltstone extended to the total depth explored of 70 feet. Some manganese oxide was observed coating fracture surfaces. Structurally, the bedrock is inclined towards the southeast at a steep angle (40°).

#### **Terrace Deposits (Qt)**

Native soils mantling the underlying bedrock are referred to as Quaternary-age Terrace Deposits. The Terrace Deposits were encountered at 18 feet below the existing ground surface (bgs) and extended to 62 feet below the ground surface, as measure in boring B-1. As encountered in the boring, the Terrace Deposits generally consist of reddish brown to yellowish brown silty fine to coarse sand with some gravel and cobbles in a damp and medium dense condition. The contact with the underlying bedrock materials was observed to be undulatory, but generally sloped towards the southeast.

## Previously Engineered Compacted Fill (afc)

Compacted fill placed as a part of the site grading was observed to have a thickness of 18 feet in boring B-1. It should be noted that areas to the south of the exploratory boring location may have a thicker layer of compacted fill. Previously certified (engineered) artificial fill encountered in boring B-1 consisted primarily of yellowish brown to reddish brown clayey fine to coarse sand to sandy clay in a damp to moist and dense to hard condition. These fill soils are mottled and have a horizontal contact with the underlying Terrace Deposits based on down hole observation. The maximum thickness of engineered fill on the lot is on the order of 23 feet, located at the central portion of the lot.

#### Groundwater

No groundwater or seepage was observed in the percolation test boring (B-1) to the maximum depth explored, 70 feet bgs.

#### **FAULTING AND SEISMICITY**

Active or potentially active faults are not known to be present on or adjacent to the subject property and the property is not located within an Alquist-Priolo Earthquake Fault Zone as defined by the State Geologist (CGS 2018). The nearest active faults are the Malibu Coast and Anacapa-Dume faults located approximately 2.4 and 4.6 miles south of the site, respectively and the Simi-Santa Rosa fault system located approximately 14 miles north of the property. The potential for onsite ground rupture due to faulting is considered remote during the life expectancy of the project.

The project site, however, is situated in the seismically active Transverse Ranges, and like any property in the Malibu coastal area, can be expected to experience strong ground motion from earthquakes generated on nearby offshore faults or regional faults as evidenced by the 1994 Northridge Earthquake (magnitude 6.7). This earthquake produced an estimated peak horizontal ground acceleration of about 20 percent of gravity (0.2g) (Chang, et al, 1994). It is likely that other significant earthquakes will occur in this area within the life expectancy of the proposed project and that the site will experience strong ground shaking from these events.

Based on the latest U.S. Geological Survey (USGS) interactive web application, Unified Hazard Tool <a href="https://earthquake.usgs.gov/hazards/interactive/">https://earthquake.usgs.gov/hazards/interactive/</a> probabilistic seismic hazard analyses (PSHA) predict the Design Basis Earthquake (475-year return period) peak horizontal ground acceleration will be on the order of 0.46g for the Site Class D soil conditions. The mean magnitude from this PSHA is 6.5 (Mw) with a mean distance of 16.6 km from the property. Currently accepted design values for seismic induced ground shaking are addressed in the California Building Code (CBC) and are presented in a subsequent section.

#### **ON-SITE SEWAGE DISPOSAL SYSTEM**

#### **SEEPAGE PIT TESTING PROGRAM**

The evaluation of on-site percolation and the system design was performed per the requirements presented in the Ventura County Environmental Health Division's *Onsite Wastewater Treatment System Technical Manual* (OWTS Technical Manual - VCEHD 2015).

As discussed previously, the recommended system will consist of a septic tank and seepage pit(s). The septic tank is a chambered tank where the sanitary sewer effluent from the structure is initially collected for biological decomposition. The effluent from the septic tank is passed for final effluent disposal in the seepage pit.

One boring (B-1) was excavated to a depth of 70 feet in the approximate location depicted on the attached Plate 1 and backfilled to 60 feet. The boring was logged from the surface by a geologist from

our office and downhole logged to a depth of 67 feet. A fill thickness of 18 feet was identified during the logging.

The percolation testing was performed within the building pad area per the OWTS Technical Manual. The pit was filled to just below the compacted fill contact with clean water and the water level maintained for 1 hour (presoaked) to simulate a system in operation. The next day (~24 hours later) the boring was refilled (to the fill contact) and the drop in the water level within the hole was measured at selected time intervals to determine the percolation rate. A final measurement of the water level in the test hole was taken 24 hours after the start of the falling head test. The depth to the top of water was measured at 53.5 bgs at 24 hours. The log of the percolation test boring is presented in Appendix A and the results of the percolation test are presented in Appendix C.

#### **HYDROMETER ANALYSES**

Hydrometer tests were performed on representative samples of the native soils excavated from Boring B-1. The purpose of the hydrometer analyses was to evaluate the grain size distribution of a given sample. The results of the hydrometer analyses are shown on the attached Log of Subsurface Data and in Appendix C. The results indicate that soils within Boring B-1 below the existing compacted fill cap depth of 18 feet are generally comprised of Type II and III soils (Table K-4-UPC).

#### **SEPTIC SYSTEM DESIGN**

The septic system design is based upon the number of fixture units or equivalent bedrooms supported by the septic system. Based on floor plans provided by the project architect, Burdge & Associates, the fixture unit count is 146 fixture units and the system will support 11 bedrooms or bedroom equivalent rooms. Based on the fixture count, the minimum septic tank capacity should be 4,400 gallons.

#### **EFFLUENT DISPOSAL**

Based on the results of the deep percolation testing, the site is considered suitable for the installation of deep seepage pits. Absorption rates obtained during the testing exceeded the minimum rate of 0.83 gal/ft²/day as required by the OWTS Technical Manual. The design and construction of all system components should meet or exceed the OWTS Technical Manual.

The seepage pit design is based on providing a minimum daily absorption area equal to the required septic tank capacity. Based on the seepage pit performance test, the allowable absorption rate is 2.96 gal/ft²/day. Therefore, the minimum absorption area for the design of the seepage pit is 1,486.5 square feet. This absorption area will be provided by two (2) seepage pits that are 6 feet in diameter by 60 feet deep (42 feet of effective depth). A total absorption area of 1,640 square feet is provided.

Effective sidewall area for a 6' diameter pit is  $18.85 \times 42 = 791.7 \text{ sq.}$  ft.  $(18.85 = 6 \times \pi)$ . Seepage pit requirement for a total of 4,400-gallon system capacity: 1 - 6' Dia. x 60' pit; cap depth at 18'. The excavation of the seepage pit should be monitored by a representative of this office to confirm design depths and cap depth.

Once perforated pipe and gravel (placed from 60 feet to 18 feet below pad grade) have been placed into the seepage pit(s), the pits should be provided with a cap consisting of a 12-inch-thick blanket of bentonite pellets or concrete slurry placed over building paper overlying gravel backfill. The remaining part of the excavation may be backfilled with previously excavated materials and compacted to a minimum of 90% of the maximum dry density (ASTM D1557).

The proposed seepage pit and 100% expansion pit locations are shown on Plate 1. Each seepage pit should be constructed in accordance with the OWTS Technical Manual. The seepage pits should be spaced a minimum of 12 feet side to side. Based on the previously excavated boring and the maximum

depth reached, historically high groundwater is not expected to be encountered within 10 feet of the designed bottom of the seepage pits.

#### **CONCLUSIONS AND RECOMMENDATIONS**

The subject site is suitable for the proposed development from a geotechnical standpoint provided the recommendations contained herein are followed. When a grading plan is prepared, the plan should be reviewed and modifications or additional recommendations may be provided as necessary. Minor regrading and processing is anticipated.

#### **GENERAL**

## **RESTRICTED USE AREAS**

Removals were limited to protect existing (eucalyptus, pine and sycamore) trees within the southeast corner of Parcel 2 (Gorian 2012d). Areas adjacent to protected trees are to be designated as "restricted use" areas and are not considered suitable, from a geotechnical standpoint, for structures considered settlement sensitive. The approximate limits of limited removal areas are shown on the attached Plate 1. This information must be passed on to future homeowners.

#### **SOIL EXPANSIVENESS**

Results of expansion tests previous performed indicate that the onsite soils may be classified in the medium expansion range (51-90). Confirming soil expansion tests should be performed at the completion of regrading.

#### **SOIL CORROSIVITY**

A soil sample obtained during rough grading was submitted for initial corrosion testing by an independent corrosion engineer, Atlantic Consultants (2012). They found the corrosion class of the soil was found to be negligible for sulfate and chloride exposure. Additionally, the soil was found to be very corrosive to steel, cast/ductile iron, mortar coated steel, and copper piping. The corrosion report by Atlantic Consultants containing their test results and recommendations is presented in Appendix B of this report. A corrosion engineer should be consulted regarding structural elements in contact with site soils.

#### **SEISMIC DESIGN PARAMETERS**

The site may experience strong ground shaking from seismic events generated on regionally active faults. Structures within the site may be designed using a simplified code-based approach and ground motion procedures for seismic design using the procedures in the California Building Code (CBC). Seismic ground motion values based on ASCE/SEI 7-10 are adjusted to obtain the maximum considered earthquake (MCE) spectral acceleration values for the site based on its site class of D. The seismic design parameters for the site's coordinates (latitude 34.0532° North and longitude 118.9586° West) were obtained from the USGS web based spectral acceleration response maps and calculator: <a href="http://earthquake.usgs.gov/designmaps/us/application.php">http://earthquake.usgs.gov/designmaps/us/application.php</a>>.

#### Seismic Parameters based on ASCE/SEI 7-10

SEISMIC PARAMETER	VALUE PER ASCE/SEI 7-10
MCE <sub>R</sub> ground motion (for 0.2 second period), S <sub>s</sub>	2.26g
MCE <sub>R</sub> ground motion (for 1.0 second period), S <sub>1</sub>	0.78g
Site Class Definition	D
Site amplification factor at 0.2 second, F <sub>a</sub>	1.0
Site amplification factor at 1.0 second, F <sub>v</sub>	1.5
Site-modified spectral acceleration value, $S_{MS} = F_a S_s$	2.26g
Site-modified spectral acceleration value, $S_{M1} = F_v S_1$	1.16g
Numeric seismic design value at 0.2 second, $S_{DS} = 2/3S_{MS}$	1.51g
Numeric seismic design value at 1.0 second, $S_{D1} = 2/3S_{M1}$	0.78g
Site Modified peak ground acceleration, PGA <sub>M</sub>	0.92g

The purpose of the building code earthquake provisions is primarily to safeguard against major structural failures and loss of life, not to limit damage nor maintain function. Therefore, values provided in the building code should be considered minimum design values and should be used with the understanding site acceleration could be higher than addressed by code-based parameters. Cracking of walls and possible structural damage should be anticipated in a significant seismic event.

## SITE PREPARATION AND GRADING

#### General

The proposed construction may require minor re-grading (less than six inches) to achieve desired grades. If required, guidelines for removals and recompaction are as described below. As mentioned in the background section a fill backdrain and outlet was installed behind the fill slope at the rear of the parcel. The outlet should be located and free drainage re-established and/or the outlet connected to a new drainage system.

## Stripping

Construction areas should be stripped of vegetation, trash, and debris, if present prior to starting earthwork.

## **In-Place Soil Processing**

After removal of vegetation and debris in the areas of construction the building pad surface should be processed. Processing consists of scarifying to a depth of 8 inches, conditioning to slightly above optimum moisture content and compacting to at least 90 percent of the maximum dry density as determined by ASTM D1557.

## **FOUNDATION DESIGN**

#### General

Foundations for all new construction should be founded in engineered compacted fill materials. All building foundations should maintain slope setback distances for foundations.

#### **Conventional Foundations**

Conventional foundations may be designed for a maximum allowable bearing capacity of 2,000 pounds per square foot (psf). Footings should have a minimum width of 12 inches and a minimum depth of 24

inches. Footing embedment should be measured below the lowest adjacent grade interior or exterior. All footings should be reinforced with a minimum of two #4 bars in the top and bottom (4 bars total) or per the structural engineer's recommendations. The allowable bearing capacity may be increased by one-third for short-term loads associated with wind and seismic forces. The resultant of the combined vertical and lateral loads should act within the center one-third of the footing width.

The above recommendations for foundation design are based on the County of Ventura Building Code that should be considered the minimum standard. However, we have recommended an increased interior and exterior footing embedment. The footing embedment provided above is considered the minimum acceptable embedment for the soil expansion range and size and type of construction. Generally, the foundation depth is increased with an increased potential for soil expansion (greater soil expansion index value). Therefore, a footing embedment that is deeper than the recommended minimum may provide additional reduction in the potential for foundation distress due to expansive soil movement. Recommendations for deeper foundation embedment can be provided at the owners' request. The foundation design recommendations herein are provided from a geotechnical standpoint only and are not intended to address any structural engineering requirements.

Footings should be set back from ascending and descending slopes per the 2016 California Building Code section 1808. Footings located behind a retaining wall should be embedded below a 2(h):1(v) line extending up from the base of the wall or the wall should be designed to support the footing surcharge.

#### **Lateral Resistance**

A passive soil equivalent fluid pressure of 300 psf per foot of embedment and a friction coefficient of 0.3 may be assumed for design of foundations to resist lateral loads. The above values are ultimate with no factor of safety applied. The passive and friction resistance may be added together without a reduction.

#### Conventional Slab-on-Grade

Slabs-on-grade should be designed to support the anticipated loading. The slab should be at least 4 inches thick and reinforced with #3 bars at 24 inches on center both ways, or per the structural engineer's recommendations. The slab reinforcement should be extended into the footings to within 3 inches of the bottom. The slab thickness and reinforcement design recommendations herein are provided from a geotechnical standpoint only and are not intended to address any structural engineering requirements.

#### **Under-Slab Treatment**

Where moisture sensitive floor coverings will be utilized, an appropriate moisture vapor retarder layer should be installed and maintained below the slab to reduce moisture vapor transmission through the slab. Ten-mil plastic sheeting is commonly used as a moisture vapor retarder layer. The sheeting has previously been installed within two 2-inch layers of sand.

In Section 4.505 of the 2010 California Green Building Standards Code a vapor barrier in direct contact with the concrete slab and underlain by a minimum 4-inch-thick base of  $\frac{1}{2}$  inch or larger clean aggregate is recommended.

Perforations through the moisture vapor retarder such as at pipes, conduits, columns, grade beams, and wall footing penetrations should be sealed per the manufacturer's specifications or ASTM E1643-98(2005) Standard Practice for Installation of Water Vapor Retarders Used in Contact with Earth or Granular Fill Under Concrete Slabs. Proper construction practices should be followed during construction of the slab-on-grade. Repair and seal tears or punctures in the moisture barrier that may result from the construction process prior to concrete placement.

Minimizing shrinkage cracks in the slab-on-grade can further minimize moisture vapor emissions. A properly cured slab utilizing low-slump concrete will reduce the risk of shrinkage cracks in the slab as described herein.

The concrete contractor should be made aware of the moisture vapor retarder and required to protect the layer. Perforations made in the layer by the concrete contractor should be properly sealed prior to concrete placement. In addition, if the concrete is placed directly on top of the layer the concrete contractor should make the necessary changes in the concrete mix design, placement and curing.

The slabs should be tested for moisture content prior to the selection of the flooring and adhesives. Moisture in the slabs should not exceed the flooring manufacturer's specifications. The concrete surface should be sealed per the manufacturer's specifications if the moisture readings are excessive. It may be necessary to select floor coverings that are applicable to high moisture conditions.

#### **Post-Tensioned Slabs**

Post-tensioned slabs may be designed using a modulus of subgrade reaction "K" of 125 pounds per cubic inch at the surface of a properly prepared building pad. The bearing pressure may be increased to 2,000 psf at an embedment of 24 inches. Deeper embedments will be required for footings located on or near descending slopes and should conform to setback requirements per the 2016 California Building Code.

Preliminary Post-Tensioned							
Expansion Potential	51 - 90						
Minimum Edge Depth (inches)	24						
Minimum Slab Thickness (inches)	6						
Allowable Bearing pressure (psf)	2,000						
Edge Distance Penetration:							
e <sub>m</sub> Center Lift (feet)	6						
e <sub>m</sub> Edge Lift (feet)	5						
Differential Swell:							
y <sub>m</sub> Center Lift (inches)	1/2						
y <sub>m</sub> Edge Lift (inches)	1¼						

The structural engineer should determine the need for interior beams and the distribution of loads over the slab and beams. Concentrated foundation loads may be supported by isolated footings incorporated into the slab.

Post-tensioned slabs should have sufficient stiffness to resist excessive bending due to slab uplift caused by non-uniform expansion of the subgrade soils. Non-uniform subgrade soil expansion is caused by varied migration of water beneath the slab.

Reinforced deepened footings/edges around the slab perimeter should be used to minimize non-uniform surface moisture migration (from an outside source) beneath the slab. The reinforcement should be placed in the lower one third of the deepened edge. The minimum edge depths as shown above (as measured below the lowest adjacent grade) should be considered in the slab design.

Post tensioned slabs on grade should be underlain by a 10-mil plastic moisture retarder. The membrane should be installed so that edges of the plastic sheet overlay at least 12 inches onto any adjacent sheet. The membrane may be covered by a minimum 2-inch thick sand layer to promote better concrete curing.

The above parameters are provided with the expectation that subgrade soils below the foundations are maintained in a relatively uniform moisture condition. Therefore, structures should have gutters and downspouts and positive drainage away from the building perimeters. Also, responsible irrigation of landscaping adjacent the foundation should be practiced since over irrigation of landscaping can cause problems. Information regarding drainage, site maintenance, and expansive soils should be passed on to future homeowners.

## **Concrete Cracking**

Concrete shrinks as it cures resulting in shrinkage tension within the concrete mass. The development of tension results in cracks within the concrete since concrete is weak in tension. Therefore, the concrete should be placed using procedures to minimize the cracking within the slab. Shrinkage cracks can become excessive if water is added to the concrete above the allowable limit and proper finishing and curing practices are not followed. Concrete mixing, placement, finishing, and curing should be performed per the American Concrete Institute Guide for Concrete Floor and Slab Construction (ACI 302.1R). The concrete slump for a Class 1 Floor is 5 inches in the ACI 302.1R guide. Concrete slump in the Portland Concrete Association Design and Control of Concrete Mixtures bulletin is recommended at 4 inches for reinforced slabs. These published concrete slumps should be considered in the design of the concrete slabs-on-grade. Where shrinkage cracks would be unsightly such as in the garage, concrete slabs on grade including post-tensioned slabs should be provided with tooled crack control joints at 10-15-foot centers or as specified by the structural engineer.

# **Flooring Coverings**

Tile flooring can crack, reflecting cracks in the concrete slab below the tile. Therefore, the slab designer should consider additional steel reinforcement of concrete slabs on-grade where tile will be placed. The tile installer should consider installation methods that reduce possible cracking of the tile. A vinyl crack isolation membrane (approved by the Tile Council of America/Ceramic Tile Institute) is recommended between tile and concrete slabs on-grade performed per the Portland Cement Association Specifications. Concrete slabs on-grade should be tested for moisture if moisture sensitive floor coverings such as wood flooring or wool carpet are used over the slabs. The slabs should be sealed if the moisture is higher that recommended by the flooring manufacturer.

#### **Moisture Penetration**

The footing and slab subgrade soils should be moistened to reduce the potential for soil uplift. Post-tensioned subgrade soils should be moistened to a minimum of 3% over the optimum moisture content for a suggested minimum depth of 18 inches. The post-tensioned slab designer should determine if the 18 inches of moisture penetration is sufficient for his design.

The project geotechnical consultant should observe the subgrade soil moisture, prior to pouring the concrete. Soils silted into the footing excavations during the premoistened operations should be removed prior to concrete placement.

## **Foundation Settlement**

Static settlements of new footings due to static loading are anticipated to be minor with settlement on the order of ½ to 1 inch. Differential settlements between adjacent columns with similar static loading are anticipated to be on the order of one half the total settlements, on the order of ¼ to ½ inch.

All structures settle during construction and minor structure settlement can occur after construction during the life of the project. Minor wall or slab cracking may also be associated with settlement or expansive soil movement. Wall cracking can also occur associated with expansion and contraction of structural wood members due to thermal or moisture changes. Settlement or soil movement could occur if the soils become saturated due to excessive water infiltration generally caused by excessive irrigation, poor drainage, etc.

# **Footing Excavations**

All footings and edges should be cut square and level and cleaned of slough and soils silted into the excavations during the premoistened operations. Soil excavated from the footing trenches should not be spread over any areas of construction unless properly compacted. This office should observe the footing excavations prior to placing reinforcing steel. The footings should be poured as soon as possible to avoid deep desiccation of the footing subsoils. After excavation footing bottoms should be observed and compacted, if necessary.

# **RETAINING WALLS**

## **Retaining Wall Foundations**

Continuous footings founded below level ground may be designed to impose a maximum allowable soil bearing pressure of 2,000 psf. The resultant of the retaining wall footing pressure should pass within the middle third of the width of the footing. The footings should be embedded a minimum of 24 inches into firm soils and have a minimum width of 24 inches. Deeper embedment will be required for footings located on or near descending slopes and should conform to setback requirements per the current County of Ventura Building Code. Footing reinforcement should be per the structural engineer's recommendations.

### **Active Pressures**

Retaining walls should be designed to resist an active pressure exerted by compacted backfill or retained soil. Retaining walls that may yield at the top should be designed for an equivalent fluid pressure equal to 35 psf for a level backfill and 50 psf for sloping backfills configured at 2:1 (horizontal to vertical). The above active pressure is not designed to resist expansion of the backfill. Therefore, if water is allowed to saturate backfill or backcut materials consisting of clayey soils, the expansion pressure could exceed the active pressure provided.

Retaining wall backcuts should be observed by the project geologist to evaluate if adverse geologic conditions are present. Retaining walls where the backcut displays adverse conditions may need to be designed for additional loading or have the backcut laid back to the dip angle of the bedding.

Footings located behind retaining walls should be embedded below a 2(h):1(v) line extending up from the base of the wall or the wall should be designed to support the footing surcharge. For light traffic loading adjacent to the wall, a surcharge equal to 2 feet of soil should be used.

# **Lateral Resistance**

A passive soil equivalent fluid pressure of 300 psf per foot of embedment and a friction coefficient of 0.35 may be assumed for design of foundations founded on level ground to resist lateral loads. The above values are ultimate with no factor of safety applied. The passive and friction resistance may be added together without a reduction.

# **Earth Pressures-Seismic**

Walls greater than 6 feet in height should be designed for a seismic lateral pressure. The seismic equivalent fluid pressure may be taken as 24 and 40 pounds per cubic foot for level backfill and 2(h):1(v) sloping backfill, respectively. These forces are added to the static earth pressures.

# **Retaining Wall Drainage and Backfill**

Retaining walls should be provided with a drainage system behind the wall. As a minimum, the system could consist of a minimum 1 by 1-foot section of drain material (clean 3/4 inch crushed rock) wrapped in filter cloth placed at the base of the wall. For exterior walls, weep holes may be used or a perforated drainpipe (perforations 3/8" or smaller, perforations down) may be placed in the bottom of the drain material (2 inches above the bottom of the gravel). The invert of the drainpipe should be at least 6 inches below any adjacent slab-on-grade or grade.

All wall backfill should be compacted to a minimum of 90% of the maximum soil density using light equipment. The retaining wall backfill should be benched into the backcut where the backcut is inclined less than 3/4(h):1(v).

#### **SWIMMING POOL RECOMMENDATIONS**

#### General

The proposed swimming pool and spa may be constructed from a geotechnical standpoint provided the geotechnical recommendations presented herein and in the referenced reports are incorporated into the design and construction. Swimming pools should be supported by materials with similar properties. According to the current development plan the pool should be embedded entirely in engineered fill.

Risks associated with pool construction, such as pool or deck movement, cannot be completely eliminated, especially if proper construction practices, drainage, maintenance of landscaping, pool plumbing and pool equipment are not provided. A representative of this office should review pool plans to confirm conformance to the recommendations presented below and observe all geotechnical aspects of the pool construction addressed herein. Based on results of our expansion testing on-site soil expansion potential should be considered moderately expansive, 51-90 Expansion Index range. Pools and decking should be designed for moderately expansive soils.

The potential for differential movement of the pool/spa results from the potential differential expansion of the supporting soils, especially if an irrigated lawn is in the proximity. To address this concern, we recommend constructing a deepened edge/foundation along any portion of the pool/spa perimeter directly adjacent to lawn. The portion of the pool/spa adjacent to lawn and landscape areas should be founded on a reinforced deepened edge extending a minimum of 4 feet below adjacent grade.

#### Pool Excavation

All aspects of grading for the pool including site preparation, excavation, and fill placement should be per the County of Ventura Building Code except where more restrictive requirements are presented herein. Soils exposed in the pool excavation should be kept moist until the concrete placement. The concrete should be cast as soon as possible after excavation to avoid desiccation of the subgrade material. Soil excavated from the pool area should not be spread over areas of construction or slopes unless properly placed and compacted as previously described herein. Any portion of the slopes disturbed by the pool construction should be repaired under the supervision of the project geotechnical consultant.

This office should observe the bottom and sides of the pool excavation before the placement of structural steel or concrete to evaluate if additional site preparation is necessary.

### **Pool Walls**

The pool and spa shells should be designed per the County of Ventura standards for moderately expansive soil conditions (51-90 Expansion Index range). Additionally, the walls should be designed for an equivalent fluid pressure equal to 60 pcf. If the pool is to be constructed in close proximity to a descending slope, the pool should be designed and constructed as free standing. Water should not be

allowed to saturate the soils behind the walls as the expansion pressures could exceed the active pressures provided.

The minimum building code setback for foundations is H/3 where H is the height of the slope. The code allows this setback to be reduced for pools to H/6. Because of the settlement sensitive nature of pools and spa located at the top of descending slopes, we recommend that the setback not be reduced. Pools close to a descending slope, should be designed and constructed as free standing. For pools located at or near the top of descending slopes, deeper foundation embedment should be used.

The pool walls near a structure should be designed to support loads imposed by the structure on the pool wall. Foundations located below a 2(h):1(v) line extending up from the base of the pool wall should not impose loads on the pool wall. A structural engineer should evaluate the impact of an adjacent structure on the pool wall and design pool wall accordingly.

## **Pool Plumbing**

The pool piping should be designed with flexible joints to accommodate the possibility of movement without causing breaks in the plumbing. It is imperative that any leaks in the pool plumbing or drainage system be repaired immediately. Leaks in the pluming can cause saturation of the soils adjacent the pool resulting in possible soil movement/differential settlement.

#### **Concrete Deck**

Concrete decking and hardscape surrounding the swimming pool should be constructed on engineered compacted fill. Soil excavated from the swimming pool area or elsewhere, should not be used underneath the deck unless properly compacted and moisture conditioned. Joints between adjoining sections of pool decking and between the pool decking and the pool walls should be caulked. Periodic inspection by the owner and subsequent caulking, if necessary, are important maintenance procedures that will help prevent water from migrating into the supporting subgrade. The decking should be constructed per the recommendations for exterior slabs and walkways presented below.

## **EXTERIOR SLABS AND WALKWAYS**

All exterior concrete slabs-on-grade and walkways should be a minimum of 4 inches thick and underlain by a minimum of 4 inches of sand. The slabs and walkways should be reinforced with a minimum of #3 bars on 24-inch centers in each direction. Care should be taken to place the reinforcement mid-height in the slab.

Where a slab, walkway, or driveway is adjacent to a descending slope (within 5 feet) the slope side edge should be equipped with a minimum 24-inch-deep, 12-inch-wide perimeter edge reinforced with at least 1 - #4 bar in the top and bottom. Walkways on expansive soils that are located immediately adjacent to the residence sometimes move laterally away from the residence. Either the use of the depended footings on the walkway and/or tying the walkway to the house footing with steel dowels may be used to keep the walkway from moving laterally.

Concrete subgrade should be properly placed and compacted for the support of the concrete flatwork. Prior to placing the concrete, the subgrade soils should be premoistened to at least 3% above the optimum moisture for a minimum of 18 inches. Proper premoistening can reduce the risk of slab subgrade expansion, if used in addition to other preventive measures. Where critical, the subgrade soil premoistening should be observed by the project geotechnical consultant prior to placing the concrete.

Exterior slabs can experience differential uplift caused by non-uniform expansion of the subgrade soils due to varied migration of water beneath the slab. Differential uplift can occur at the corner, edge or center of the slab. Therefore, all planter areas should be graded so excess water drains positively away

from the hardscape or possibly onto the adjacent concrete flatwork and not below the hardscape. Also, moisture migration and where surface water could infiltrate the sand layer under the slab. The perimeter edge should extend a minimum of 12 inches below the bottom of the slab and have a width of 8 inches. A deeper edge would further reduce the risk of deep water migration into the slab subsoils.

Concrete shrinkage cracks will become excessive if water is added to the concrete above the allowable limit, and proper finishing and curing practices are not followed. Finishing and curing should be performed per the Portland Cement Association Guidelines. The concrete slump should not exceed 6 inches unless otherwise specified by the structural engineer. All slabs should have isolation joints (full depth joints) at intervals of 10 to 15 feet.

## SITE DRAINAGE AND SLOPE MAINTENANCE

Positive drainage away from tops of slopes should be continuously provided and maintained. Drainage improvements should be made to prevent surface water from ponding and saturating the slopes or flowing over the slope faces. Excessive water can be caused by poor surface drainage, over-irrigation of lawns and planters, and sprinkler or plumbing leaks. Expansive soils will swell if excessive water is present. Light loads coupled with swelling clay soils can cause distress to light construction (light structures, walks, drains, and slabs). Construction on expansive soil has an inherent risk that must be acknowledged and understood by the developer/property owner.

Gutters and downspouts should be installed to collect roof run off. Downspouts should be directly connected to solid PVC piping which outlets to a concrete drainage device. Positive drainage must be provided away from tops of slopes, bluffs, and structures during and after construction. Planters adjacent a structure should be constructed so irrigation water will not saturate the soils underlying the building footing and slabs. The building pad must be graded at a minimum gradient of two percent away from the building toward an approved drainage course, or alternate drainage provided. Alternate drainage could be area drains. Landscape planting and trees should be located to avoid roots extending beneath foundations and slabs. Irrigation lines and landscape watering should be kept well away from building lines.

Sprinkler systems should be kept away from foundations so that the foundations are not sprayed with water. Trees and large shrubbery should not be planted adjacent to structures where roots could grow under foundations and flatwork. Landscape watering should be held to a minimum, however, landscaped areas should be maintained in a uniformly moist condition and not allowed dry out or become saturated. Planters adjacent to a structure must be constructed so irrigation water will not saturate the soil underlying the footings and slabs.

Plumbing leaks should be immediately repaired so the subgrade soils underlying the structure do not become saturated. During extreme hot and dry periods, close observations should be made around foundations to ensure that adequate watering is being provided to keep soil from separating or pulling back from the foundation.

Property owners should not change the drainage creating an adverse drainage condition. Information regarding the care and maintenance of improvements located on expansive soils must be passed on to future owners of the property.

Compacted earthen berms or other drainage devices should be constructed and maintained on pads and driveways adjacent to descending slopes to direct water away from tops of slopes.

Manufactured slopes require maintenance or protection to reduce the risk of erosion and degradation with time and reduce the potential for surficial instability due to natural or man-made conditions.

Burrowing animals (e.g., ground squirrels) can destroy slopes, therefore, where present, immediate measures should be taken to remove or eliminate them from the area.

Manufactured slopes should be immediately landscaped with dense, deep rooting, drought resistant ground cover and possibly shrubs and small trees. A reliable irrigation system should be installed, and adjusted so that overwatering does not occur, and periodically checked for leakage. Overwatering of slopes can cause erosion and surficial slope failure and must be avoided. Care should be taken to maintain a uniform, near optimum moisture content in the slopes, and to avoid over drying, or excess irrigation, this will reduce the potential for slope softening and strength loss, which could lead to slumping of the slope face. The slopes should not be watered before forecasted rain.

All drainage structures (including gunited ditches) should be cleaned each fall before the rainy season and, if necessary, after major rainstorms. Drainage structures should be kept in good condition and clear of soil or debris for the entire length to an approved outlet or drainage course. Drain pipes, inlets and outlets should occasionally be inspected and, if necessary, any obstructions should be removed.

#### **CLOSURE**

This report was prepared under the direction of a registered geotechnical engineer and engineering geologist. No warranty, expressed or implied, is made as to conclusions and professional advice included in this report. Gorian and Associates, Inc. disclaims any and all responsibility and liability for problems that may occur if the recommendations presented in this report are not followed.

This report was prepared for Crown Pointe Estates and their design consultants to be used solely in the design and construction of the development described herein. This report may not contain sufficient information for other uses or the purposes of other parties. The recommendations are based on interpretations of the subsurface conditions concluded from information gained from subsurface exploration and surficial site reconnaissance. The interpretations may differ from actual subsurface conditions, which can vary horizontally and vertically across the site. Due to possible subsurface variations, all aspects of field construction addressed in this report should be observed by a representative of this office.

Any person using this report for bidding or construction purposes should perform such independent investigations as they deem necessary to satisfy themselves as to the surface and subsurface conditions to be encountered and the procedures to be used in the performance of work on this project.

Earthwork (including site stripping, removals and placement of compacted fill) performed for the construction of the project should be observed and tested by this office. The work should be performed in accordance with the current County of Ventura Building Code. However, the services of the geotechnical consultant should not be construed to relieve the owner or contractors of their responsibilities or liabilities.

-oOo-

CERTIFIED **ENGINEERING GEOLOGIST** EXP 9/30/

We appreciate the opportunity to submit this geotechnical report and look forward to continuing our service on the project design and construction team. Please call if you have any questions concerning this report or require any additional information.

Respectfully submitted,

**GORIAN AND ASSOCIATES, INC.** 

Sheryl N. Shatz, GE 2288

Senior Geotechnical Engine

William F. Cavan Jr., CEG 1161 Principal Engineering Geologist

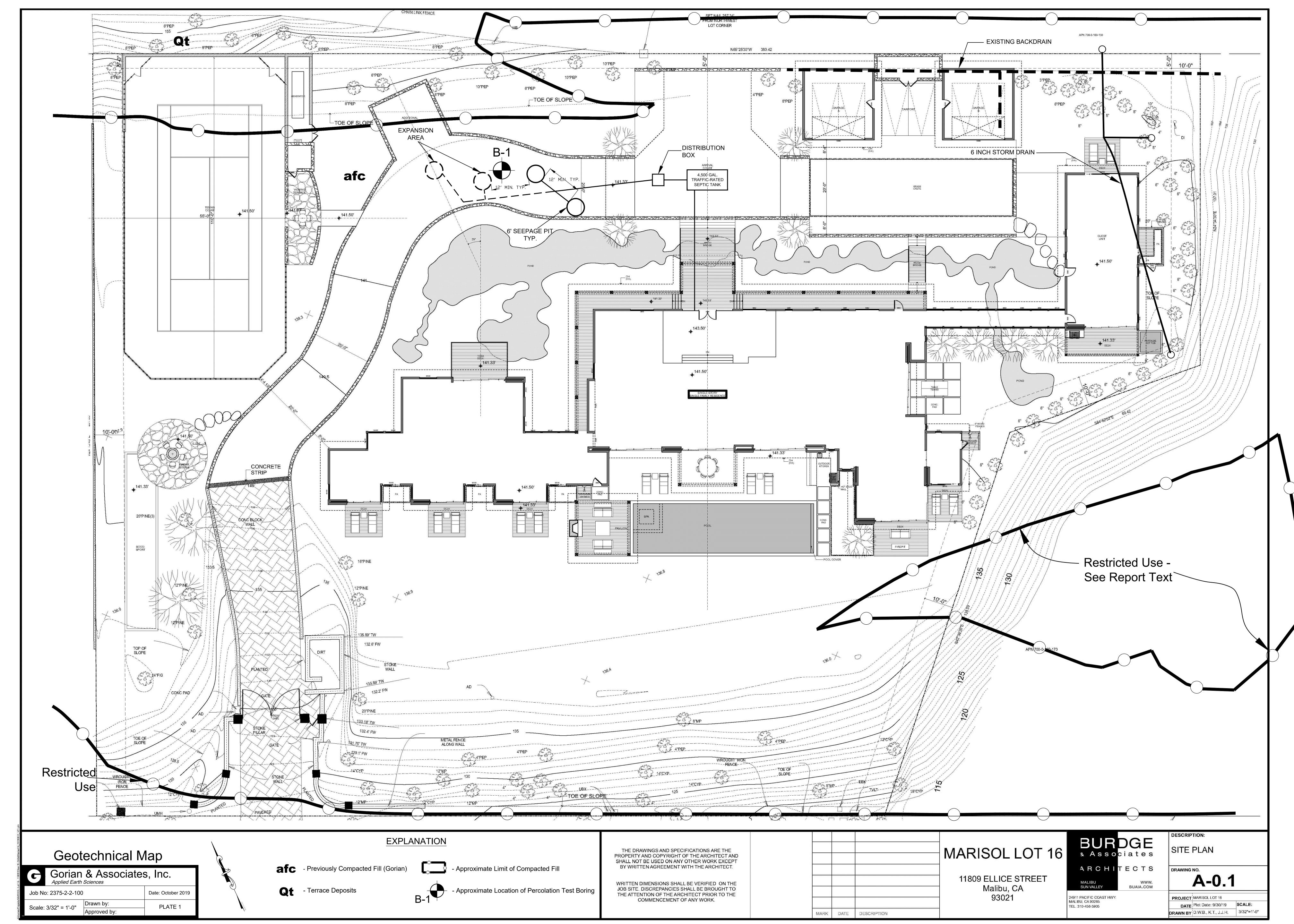
Distribution:

Addressee via e-mail

Burdge & Associates, Attn.: Jennifer Hoppel via e-mail

#### **REFERENCES**

- California Geological Survey (CGS), 2018, Earthquake Fault Zones, A Guide for Government Agencies, Property Owners / Developers, and Geoscience Practitioners for Assessing Fault Rupture Hazards in California. California Geological Survey Special Publication 42, Revised 2018. <a href="mailto:revised-publication-revised-public
- Dibblee, Thomas W., Jr., 1990, Geologic Map of the Point Mugu and Triunfo Pass Quadrangles, Ventura and Los Angeles Counties, California. Dibblee Geological Foundation Map #DF-29.
- Gorian and Associates, Inc., 2005, Preliminary Geotechnical Investigation and Deep Percolation Testing for Proposed Residential Development, Northwest of the Intersection of Tonga Street and Ellice Street (Camp Joan Mier), County of Ventura, California; dated July 26, (Work Order: 2375-2-0-10, Log Number: 23904).
- Gorian and Associates, Inc., 2009a, Geotechnical Update and Plan Review, Tentative Parcel Map, Tract No. 5845, Northwest of the Intersection of Ellice Street and Tonga Street, County of Ventura, California; dated May 19, (Work Order: 2375-2-0-100).
- Gorian and Associates, Inc., 2009b, Revised Geotechnical Site Preparation and Grading Recommendations, Tract No. 5845, Northwest of the Intersection of Ellice Street and Tonga Street, County of Ventura, California; dated July 6, (Work Order: 2375-2-0-101).
- Gorian and Associates, Inc., 2009c, Response to Review Comments from the County of Ventura regarding Revised Geotechnical Site Preparation and Grading Recommendations, Tract No. 5845, Northwest of the Intersection of Ellice Street and Tonga Street, County of Ventura, California; dated July 20, (Work Order: 2375-2-0-102).
- Gorian and Associates, Inc., 2009d, Interim Removals and Temporary Stockpile Configuration for Parcel A, Tract No. 5845, Northwest of the Intersection of Ellice Street and Tonga Street, County of Ventura, California; dated August 10, (Work Order: 2375-2-0-103).
- Gorian and Associates, Inc., 2010a, *Geotechnical Update, Parcels 1, 2 and 3, Tract No. 5845, County of Ventura, California*, dated July 19, (Work Order: 2375-2-0-106A).
- Gorian and Associates, Inc., 2010b, *Interim Rough Grading Compaction Test Report, Parcels 1, 2 and 3, Tract No. 5845*, County of Ventura, California, dated July 28, (Work Order: 2375-2-0-200).
- Gorian and Associates, Inc., 2010c, Compaction Test Summary, Detention Basin and Storm Drain Modification Improvements North of Ellice Street, Tract 4483, County of Ventura, California; December 30, (2375-2-DB-200).
- Gorian and Associates, Inc., 2012a, *Geotechnical Update, Parcels 1, 2 and 3, Tract 5845, County of Ventura, California*, dated July 12, (Work Order: 2375-2-0-109).
- Gorian and Associates, Inc., 2012b, Response to County of Ventura Plan Check Comments, Crown Pointe, County of Ventura, dated August 2, (Work Order: 2375-2-0-110).
- Gorian and Associates, Inc., 2012c, Geotechnical Recommendations for Retaining Wall, Parcel 1, Tract 5845, County of Ventura, California, dated October 12, (Work Order: 2375-2-0-112).
- Gorian and Associates, Inc., 2012d, Rough Grading Compaction Test Report, Parcels 1, 2 and 3, Tract No. 5845, County of Ventura, California; dated December 14, (Work Order: 2375-2-0-201).
- Gorian and Associates, Inc., 2014, Geotechnical Update and Review of Retaining Wall Plans, Tract No. 5845, Parcels 1, 2, and 3, County of Ventura, California; dated April 2, (Work Order: 2375-2-0-113).
- United States Geological Survey (USGS) interactive web application, 2008 *Interactive Deaggregations*, <a href="https://earthquake.usgs.gov/hazards/interactive/">https://earthquake.usgs.gov/hazards/interactive/</a>
- United States Geological Survey (USGS) interactive web application, Seismic Design Maps and Tools for Engineers, <a href="http://earthquake.usgs.gov/hazards/designmaps/usdesign.php">http://earthquake.usgs.gov/hazards/designmaps/usdesign.php</a>>
- Ventura County Environmental Health Division (VCEHD), 2015, Onsite Wastewater Treatment System Technical Manual. Supersedes: 2/28/12 Date Effective 6/17/15.



# APPENDIX A LOG OF SUBSURFACE DATA



Project: Crown Pointe, Parcel 2, PM 5845

Work Order: 2375-2-2-100

**SUBSURFACE LOG** 

Excavation Number: B-1

Page Number: 1

Date(s) Excavated 8/9/19	Logged By CHD	Excavation Location See Location Map	Approximate Surface Elevation 139±	
Excavation	Equipment	Equipment	Hammer	
Dimension 24" Dia.	Contractor Tri-Valley Drilling	Type Calweld 150LH	Data	

Dimension 24" Dia.	Contractor Tri-V	alley Drilling   Type Calweld 150LH   Data	
Elevation / Depth (ft.) Bulk Sample Type Blow Counts Moisture Content (% dry weight)	Dry Density (pcf) USCS Soil / Lithology	Description	Remarks
135 — -5 -10 -10 -125 — -15 -15	SC C	PREVIOUSLY ENGINEERED COMPACTED FILL: Reddish brown to yellowish brown to brown clayey fine to coarse SAND, some fine to coarse gravel and cobbles to sandy CLAY (damp to moist, dense to hard). Mottled. Locally mottled gray. Horizontal contact with unit below.	
120 - 20	SM SM	TERRACE DEPOSIT: Reddish brown silty fine to coarse SAND (moist).  Reddish brown slightly silty fine to coarse SAND with fine to coarse gravel, few cobbles (damp).	S:M:C @ 18'; 51:30:19 @ 21'; 83:10:7
115 —	SM	Reddish brown silty fine to coarse SAND (moist, medium dense).	@ 24'; 63:22:15
110 - 30 -			@ 27'; 62:23:15 @ 30'; 70:19:11
105 - 35	SM	Dark reddish brown silty fine to coarse SAND (moist).	@ 33'; 62:23:15 @ 35'; 67:20:13
100 - 40			@ 37'; 63:23:14



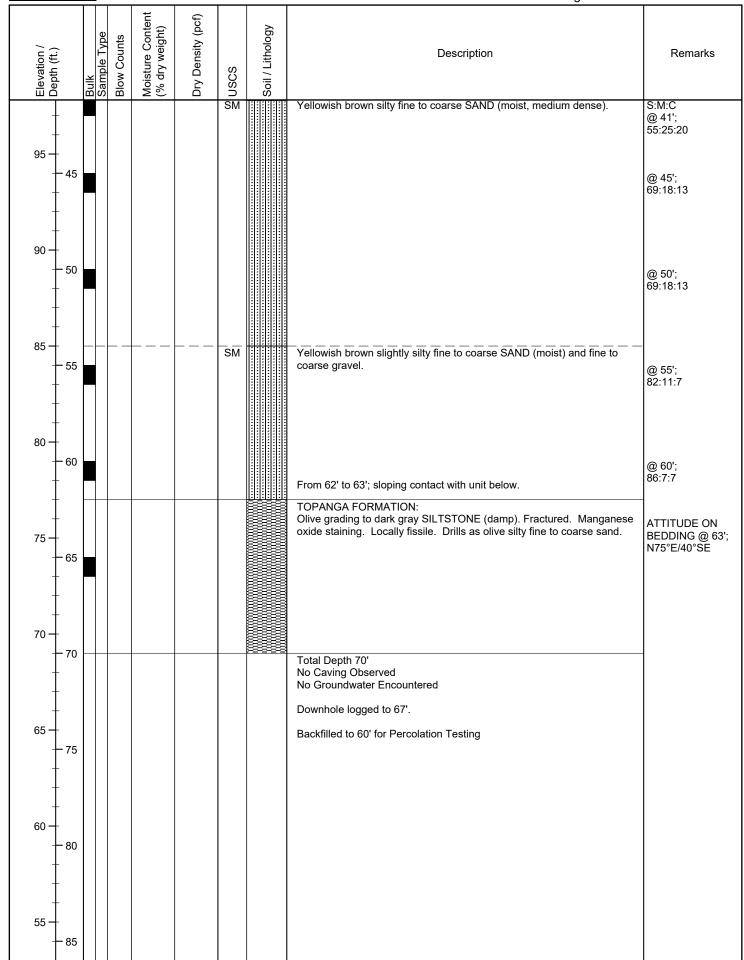
Project: Crown Pointe, Parcel 2, PM 5845

Work Order: 2375-2-2-100

SUBSURFACE LOG

Excavation Number: B-1

Page Number: 2



# APPENDIX B LABORATORY TEST DATA

## **General**

Laboratory tests results on selected bulk samples are discussed below and presented on the attached Log of Subsurface Data (Appendix A). Laboratory testing was performed to evaluate the physical and engineering properties of the encountered earth materials and was limited to Hydrometer Analysis.

# **Hydrometer Analysis**

Hydrometer tests were performed on selected samples obtained from the performance test boring, B-1. The samples were obtained in the native Terrace Deposit soils. The results of the hydrometer testing indicate the percentages of the sand / silt / clay content of each sample. The results are shown on the attached Log of Subsurface Data as S-M-C.

## **Corrosion Testing**

A representative soil sample was previously sent out under separate contract to be tested for corrosive properties. The test results are attached.



112 Bunker Court Folsom, CA 95630 (ph) 916.849.6420 (fax) 916.983.1838 Kerri@AtlanticCorrosionEngineers.com corrprincess@ardennet.com www.AtlanticCorrosionEngineers.com

Atlantic Job No.: 2012-042

December 14, 2012

Gorian and Associates, Inc. Attention: Sheryl N. Shatz Thousand Oaks, CA 91320

Subject: Soil Chemistry Analysis for Gorian Job #2375-2-0-20

(Crown Pointe Estates, Parcels 1,2 and 3, Tract 5845, County of Ventura)

Sample Number	As Rec'd Resistivity (ohm-cm)	<sup>1</sup> Minimum Resistivity (ohm-cm)	<sup>2</sup> Ph	³ Sulfate %	<sup>3</sup> Chloride %	4 Ammonia %	5 Keldahl Nitrogen %	(As Rec'd) Description
Parcel 1	23,200	4,800	7.12	0.0170	0.0054	<0.0010	0.0210	Med. Brn. Moist
Parcel 2	4,800	480	7.65	0.0330	0.0240	<0.0010	0.0160	Med. Brn. Moist
Parcel 3	20,000	1,480	7.94	0.0036	0.0074	<0.0010	0.0086	Med. Brn. Moist

NOTE: SAMPLES WERE ANALYZED IN ACCORDANCE WITH THE FOLLOWING METHODS.

- 1. MINIMUM RESISTIVITY DETERMINED BY SOIL BOX METHOD, (PER ASTM G-57)
- PH MEASURED BY POTENTIOMETRIC METHOD USING STANDARD ELECTRODES. (PER CAL TRANS. #643)
  CHLORIDE AND SULFATE WERE ANALYZED IN ACCORDANCE WITH EPA METHODS FOR CHEMICAL ANALYSIS FOR WATER AND WASTE, NO. 300 EPA-6004-79-020. CONCENTRATION BY WEIGHT OF DRY SOIL.
  AMMONIA WAS ANALYZED IN ACCORDANCE WITH EPA METHOD 350.2
- KELDAHL NITROGEN WAS ANALYZED IN ACCORDANCE WITH EPA METHOD 351.2

#### **CONCLUSIONS:**

Material	Corrosion Class	Recommendation
Concrete	Negligible for sulfate and chloride exposure. pH is neutral to slightly basic. (ACI 318)	-Type II Portland cement for concrete with maximum water cement ratio of 0.50 and a minimum of 3 inches of cover for steel reinforcement.  - It is recommended that an impermeable moisture barrier (6 mil visqueen) be installed between concrete slabs and soil to reduce penetration of moisture and sulfates from the soil into concrete slabs.
Steel Cast/Ductile Iron Mortar Coated Steel	Very corrosive to mildly corrosive	<ul> <li>Install corrosion monitoring and cathodic protection for buried ferrous metal structures and piping.</li> <li>Install joint bonds on all non-welded joints on buried metallic piping to facilitate corrosion monitoring and effectiveness of a cathodic protection system.</li> <li>Electrically isolate underground metal piping from above grade piping and other metallic structures.</li> <li>Use separate ground rods for grounding interior piping.</li> </ul>
Copper Piping	Corrosive.	<ul> <li>Overhead plumbing is the most effective method of corrosion control.</li> <li>Copper pipe is subject to corrosion when exposed to even trace amounts of ammonia.</li> <li>Electrical isolation between hot and cold water lines and between structural steel should be maintained.</li> </ul>



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The test results are based on the samples submitted, which may not be representative of overall site conditions. Additional sampling may be required to more fully characterize soil conditions.

Sincerely,

Kerri M. Howell, P.E.

Kunthowell

President



# APPENDIX C PERCOLATION TEST RESULTS

# **Seepage Pit Performance Test (Percolation Testing)**

 Location:
 Parcel 2, PM 5845
 Work Order:
 2375-2-2-100

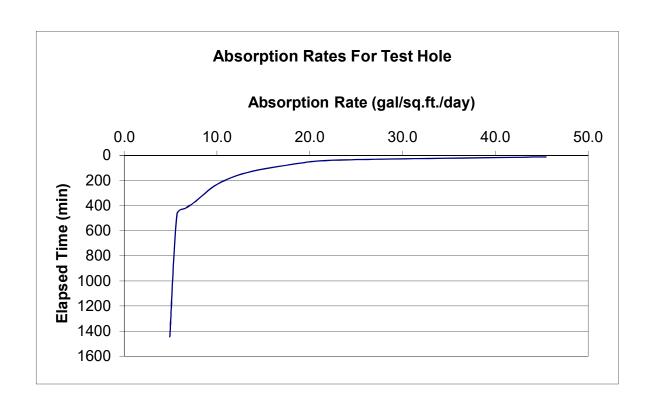
 Date Tested:
 8/13/2019
 Tested By:
 DM/CHD

 Date Presaturated:
 8/12/2019
 Diameter (ft):
 2

Total Depth (ft): 59

	Time (hr:min)	Elapsed Time (min)	Depth to Top of Water (ft)	Water Drop (ft)	Depth of Water Left in Hole (ft)	Average Head (ft)	Absorption Rate (gal/ft²/day)	Cumulative Elapsed Time (min)
1	8:41	0	18	0	41			0
2	8:53	12	22	4	37	39	45.4	12
3	9:20	27	26	4	33	35	22.5	39
4	9:59	39	30	4	29	31	17.5	78
5	10:58	59	34	4	25	27	13.3	137
6	12:29	91	38	4	21	23	10.1	228
7	14:55	146	42	4	17	19	7.6	374
8	15:43	48	43	1	16	16.5	6.6	422
9	16:30	47	43.8	0.8	15.2	15.6	5.7	469
10*	8:47	977	53.5	9.7	5.5	10.35	4.9	1446
				·				
								-

<sup>\*</sup> Measurement taken 8/14/19, ~24 hours after the start of the test



## SEEPAGE PIT DESIGN CALCULATIONS

R-1

depth (feet)	layer thickness (feet)	% sand	%silt	%clay	type*	absorption capacity (gal/ft2/day)	absorption (gal/unit thick)
18		52	30	18	iii	2.5	
21	3	83	10	7	ii	4	12
24	3	62	23	15	iii	2.5	7.5
27	3	62	23	15	iii	2.5	7.5
30	3	70	19	11	iii	2.5	7.5
33	3	62	23	15	iii	2.5	7.5
35	2	68	20	12	∷	2.5	5
37	2	62	23	15	∷	2.5	5
41	4	56	25	19	≔	2.5	10
45	4	68	18	14	iii	2.5	10
50	5	69	18	13	iii	2.5	12.5
53	3	81	11	8	ii	4	12
60	7	86	7	7	ii	4	28

TOTALS = 42 124.5

#### ABSORPTIONS BASED ON LABORATORY TESTING AND UPC

Weighted Absorption Rate = sum of layer thickness x absorption capacity

Weighted Absorption Rate = 1

124.5 gal/unit thick

Average Absorption = weighted absorption rate / total thickness)

Average Absorption =

2.96 gal/ft2/day

#### ABSORPTIONS BASED ON FIELD PERFORMANCE TEST

Lowest Absorption from Performance Test =

4.90 gal/ft2/day

Absorption Rate for Design = lowest absorption between field and lab x total thickness

ABSORPTION RATE FOR DESIGN = 124.50 gal/unit thick

#### DESIGN

Diameter (ft

Total Absorption Capacity = \*\*Surface Area of Pit x Absorption

4 foot Diameter Pits = 1601.76 gallons
5 foot Diameter Pits = 2013.85 gallons
6 foot Diameter Pits = 2430.58 gallons

#### Number of Pits Calculated

## (septic tank capacity / absorption capacity)

Proposed Septic Tank Capacity (gallons)

		2000	2500	3000	3500	4000	4500
۶۲ (ff <sub>.</sub>	4'	1.25	1.56	1.87	2.19	2.50	2.81
meter	5'	0.99	1.24	1.49	1.74	1.99	2.23
Dia	6'	0.82	1.03	1.23	1.44	1.65	1.85

#### Number of Pits Used for Design

Proposed Septic Tank Capacity (gallons)

	2000	2500	3000	3500	4000	4500
4'	2	2	2	3	3	3
5'	1	2	2	2	2	3
6'	1	2	2	2	2	2

(Explanation: A 4,000 gallon septic tank will require (3) 4'diameter, (2) 5'diameter, or (2) 6'diameter seepage pits)

Soil types and percolation rating based on UPC and Ventura County Environmental Health Guidelines Surface Area of Pit with 1 end sealed =  $2\pi rh + \pi r^2$