A. PROJECT INFORMATION

1. Request: The applicant requests that a Minor Modification of an existing CUP be granted to authorize the continued use, operation and maintenance of a metal collection, processing and recycling facility (Case No. PL22-0164).

2. Applicant/Property Owner: LESL, LLC, Mr. John Sheck, 1905 Lirio Avenue, Ventura, CA 93004

3. Applicant’s Representative: Sespe Consulting, Inc., Mr. Mike Biedebach, 374 Poli Street, Suite 200, Ventura, CA 93001

4. Decision-Making Authority: Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-5 and Section 8111-1.2 et seq.) the Planning Director is the decision-maker for the requested CUP.

5. Project Site Size, Location, and Parcel Number: The 7.94 acre project site is located at 1905 Lirio Avenue, near the intersection of Lirio Avenue and Jacinto Way, in the community of Saticoy, in the unincorporated area of Ventura County. The project also includes a 1.5 acre lot for offsite parking located at 1421 Lirio Avenue. The Tax Assessor’s parcel numbers for the parcels that constitute the project site are 128-0-040-345, 128-0-040-305 (1905 Lirio Avenue) and 128-0-060-285 (1421 Lirio Avenue) (Exhibit 2).

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

<table>
<thead>
<tr>
<th>Assessor Parcel No.</th>
<th>General Plan Designation</th>
<th>Saticoy Area Plan Designation</th>
<th>Zoning Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>128-0-040-345</td>
<td>Industrial</td>
<td>Industrial</td>
<td>M2 10,000 sq. ft. (Limited Industrial 10,000 square feet minimum lot size) and M2 10,000 sq. ft. / HCWC (Habitat Connectivity Wildlife Corridor overlay zone)</td>
</tr>
<tr>
<td>128-0-040-305</td>
<td>Industrial</td>
<td>Industrial</td>
<td>M2 10,000 sq. ft.</td>
</tr>
<tr>
<td>128-0-060-285</td>
<td>Industrial</td>
<td>Industrial</td>
<td>M2 10,000 sq. ft.</td>
</tr>
</tbody>
</table>
7. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

<table>
<thead>
<tr>
<th>Location in Relation to the Project Site</th>
<th>Zoning</th>
<th>Land Uses/Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>M2 10,000 sq. ft. and M3 10,000 sq. ft. (General Industrial 10,000 square feet minimum lot size)</td>
<td>Industrial uses (Black on Black Towing, Container Alliance, Gold Coast Recycling)</td>
</tr>
<tr>
<td>East</td>
<td>OS 80 ac/MRP/HCWC (Open Space 80 acres mineral resource protection overlay zone / HCWC)</td>
<td>Santa Clara River</td>
</tr>
<tr>
<td>South</td>
<td>OS 80 ac/MRP/HCWC</td>
<td>Santa Clara River</td>
</tr>
<tr>
<td>West</td>
<td>M2 10,000 sq. ft., Residential Planned Development, and AE40 ac (Agricultural Exclusive 40 acres minimum lot size)</td>
<td>Brown Barranca and residential neighborhood in City of Ventura city limits</td>
</tr>
</tbody>
</table>

8. **History:** The project site is developed with the existing Standard industries metals collection, processing and recycling facility located at 1905 Lirio Avenue. Offsite employee parking is located at 1421 Lirio Avenue. The following discretionary permits have been approved on the project site.

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Approved Use</th>
<th>Approval Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Permit (DP) No. 64</td>
<td>Established a seed company</td>
<td>March 26, 1962</td>
</tr>
<tr>
<td>Modification to DP No. 64</td>
<td>Warehouse addition.</td>
<td>May 31, 1972</td>
</tr>
<tr>
<td>Modification to DP No. 64</td>
<td>Office addition</td>
<td>February 23, 1973</td>
</tr>
<tr>
<td>Modification to DP No. 64</td>
<td>Warehouse and office addition.</td>
<td>January 22, 1975</td>
</tr>
<tr>
<td>Modification to DP No. 64</td>
<td>Office addition</td>
<td>April 22, 1975</td>
</tr>
<tr>
<td>Modification to DP No. 64</td>
<td>Construction of a warehouse</td>
<td>February 9, 1980</td>
</tr>
<tr>
<td>Permit Adjustment to Planned Development (PD) Permit No. 1664</td>
<td>Removal of an 8,000 sq. ft. canopy and 10,400 sq. ft. warehouse. Construction of 4,221 sq. ft. metal building for seed storage and 1,440 sq. ft. metal canopy</td>
<td>October 29, 1996</td>
</tr>
<tr>
<td>Permit Adjustment to Planned Development (PD) Permit No. 1664</td>
<td>Installation of three temporary trailers during construction</td>
<td>May 20, 1999</td>
</tr>
<tr>
<td>PD Permit 1845</td>
<td>Established the operation and maintenance of a metals recycling facility</td>
<td>March 8, 2001</td>
</tr>
<tr>
<td>Permit Adjustment to PD Permit No. 1845</td>
<td>Adjusted the permit boundary to coincide with adjusted lot boundary of</td>
<td>August 27, 2001</td>
</tr>
</tbody>
</table>
Parcel Map Waiver (PMW) 1091, relocate existing 1152 sq. ft. modular building and convert 2,800 sq. ft. of existing warehouse storage into office space

| CUP No. LU09-0128 | Authorized the continued operation and maintenance of a metals recycling facility. PMW-Voluntary Merger No. SD11-0016 merged a portion of a parcel owned by United Water Conservation District with an existing parcel owned by the applicant, and a Variance (Case No. LU12-0030) from Ventura County NCZO Section 8106-5.3(c) was granted to allow parking in the required front yard setback | November 1, 2012 |

| Permit Adjustment to CUP No. LU09-0128 (Case No. PL20-0087) | Installation of a 15,750 sq. ft. steel canopy to cover outdoor ferrous and non-ferrous material storage piles | January 13, 2021 |

### 1421 Lirio Avenue Discretionary Permits

<table>
<thead>
<tr>
<th>CUP No. LU09-0128</th>
<th>Granted offsite parking for Standard Industries employees</th>
<th>November 1, 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>PD Permit No. PL13-0074</td>
<td>Construction of a 6,000 sq. ft. industrial building with three enclosed service bays and one covered roof service bay</td>
<td>January 16, 2014</td>
</tr>
<tr>
<td>Permit Adjustment to PD Permit No. PL13-0074 (Case No. PL15-0082)</td>
<td>Installation of a 12,000-gallon capacity above-ground diesel fueling facility</td>
<td>June 30, 2015</td>
</tr>
<tr>
<td>Permit Adjustment No. PL18-0053 to PD Permit No. PL13-0074</td>
<td>Reduced the size of industrial building from 6,000 sq. ft. to 5,000 sq. ft.</td>
<td>June 1, 2018</td>
</tr>
</tbody>
</table>

#### 9. Project Description:

The applicant requests that a modification to CUP No. LU09-0128 be granted for the continued operation and maintenance of the existing metals collection, recycling and processing facility for an additional 20-year term. Facility activities include the separation, baling, crushing, cleaning, sorting, shredding, or cutting of the metal materials in preparation for sale and transport. No new structures or vegetation removal are proposed with this modification request.

Ferrous and non-ferrous material would continue to accumulate and be stored in piles up to 30 feet in height throughout the open storage yard. The material in the storage piles remain onsite for a maximum of 180 days before being shipped offsite. The piles are setback 20 feet from property lines.

Existing landscaping for the purpose of screening the 30-foot high metal storage piles from public views will remain and be maintained for the life of the permit.
These landscaped areas are located adjacent to the Santa Clara River, at the southeast corner of the property and along the western property line.

The facility will continue to operate Monday through Friday, 5:00 a.m. to 7:00 p.m., and Saturday, 6:00 a.m. to 6:00 p.m. throughout the year. A maximum of 38 employees will continue to work at the Standard Industries site.

Fourteen onsite parking spaces for employees and customers would remain at the entrance to the site. Additional employee parking is located at 1421 Lirio Avenue. A shuttle service will continue to be provided by the applicant to transport employees to and from the work site at the start and end of each workday.

Water for the site is provided by the City of Ventura. Wastewater disposal services is provided by the Saticoy Sanitary District. Access to the site is provided by a 30-foot wide private driveway connected to the terminus of Lirio Avenue (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.

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. The proposed project is exempt from the CEQA Guidelines pursuant to Section 15301 (Existing Facilities). The continued operation and maintenance of the metals collection, processing and recycling facility will occur onsite, with additional employee parking located at 1421 Lirio Avenue, will not result in new development or physical changes to the existing facility. The project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Therefore, no further environmental review is required.

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

**C. CONSISTENCY WITH THE GENERAL PLAN / SATICOY AREA PLAN**

The proposed project has been analyzed and determined to be consistent with all applicable General Plan and Saticoy Area Plan policies. A consistency analysis which evaluates the project’s consistency with the policies is included as Exhibit 4 of this Staff Report.
D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the Ventura County NCZO (Section 8105-5), the proposed use is allowed in the M2 10,000 sq. ft. zone district with the granting of a CUP. Upon the granting of the CUP, the proposed project will comply with this requirement.

The proposed project includes the use of buildings that are subject to the development standards of the Ventura County NCZO (Section 8106-1.2). Table 4 lists the applicable development standards and a description of whether the proposed project complies with the development standards.

<table>
<thead>
<tr>
<th>Type of Requirement</th>
<th>Zoning Ordinance Requirement</th>
<th>Complies?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area (Gross)</td>
<td>10,000 sq. ft.</td>
<td>Yes. The project site is 7.94 acres or 345,866 sq. ft. in size. The lot that includes the offsite parking is 1.5 acres or 65,340 sq. ft.</td>
</tr>
<tr>
<td>Maximum Percentage of Building Coverage</td>
<td>50 percent</td>
<td>Yes. Existing building coverage is 19.9 percent.</td>
</tr>
<tr>
<td>Front Setback</td>
<td>10 feet</td>
<td>Yes. A variance from the development standards of the Ventura County NCZO was granted in 2012 (Variance No. LU12-0030) to allow parking in the required 10 foot front setback.</td>
</tr>
<tr>
<td>Side Setback</td>
<td>Specified by Permit</td>
<td>Yes. The storage piles and steel wall adjacent to the Santa Clara River are setback more than 20 feet from the southern property line.</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>Specified by Permit</td>
<td>Yes. The steel wall and heavy metal storage area is setback more than 20 feet from the western property line.</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>30 feet (main structure)</td>
<td>Yes. The main building is 23 feet in height to the ridge. The accessory buildings range in height from 23 feet to 40 feet at the ridge.</td>
</tr>
<tr>
<td></td>
<td>Specified By Permit</td>
<td></td>
</tr>
</tbody>
</table>

The proposed metals recycling, collection and processing facility is subject to the special use standards of the Ventura County NCZO. Table 5 lists the applicable special use standard and a description of whether the proposed project complies with the special use standards.

<table>
<thead>
<tr>
<th>Special Use Standard</th>
<th>Complies?</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 8107-36.3.1(a): Prior to issuing a Conditional Use Permit or other discretionary entitlement, the applicable decision-making authority (the Planning Director, Planning Commission, and/or Board of Supervisors) shall make a finding that the proposed project will not have a significant effect on soils designated “Prime,” “Statewide Importance,” “Unique” or “Local Importance” on the</td>
<td>Yes. Existing lemon orchards are located on APN 128-0-060-120 northwest of the project site. All activities associated with the continued operation and maintenance of the metals recycling, collection and processing facility will remain onsite, screened by existing mature landscaping and behind a 12</td>
</tr>
</tbody>
</table>
### Table 5 – Special Use Standards Consistency Analysis

<table>
<thead>
<tr>
<th>General Standards</th>
<th>Complies?</th>
</tr>
</thead>
<tbody>
<tr>
<td>California Department of Conservation's Farmland Mapping and Monitoring Program, Important Farmlands Maps, or on land subject to a Land Conservation Act (LCA) contract, as defined in the appropriate section of the Ventura County Initial Study Assessment Guidelines, unless the Planning Director, in consultation with the Agricultural Commissioner, determines that the land is developed or otherwise unsuitable for agricultural activities.</td>
<td>Foot high steel wall at the western property line. Therefore, the existing facility will not adversely affect the offsite agriculture northwest of the project site.</td>
</tr>
<tr>
<td>§ 8107-36.3.1(b): The project shall be designed, and all activities shall be conducted so as to minimize their adverse impact on the physical environment. To this end, dust, noise, vibration, noxious odors, intrusive light, vectors, traffic impacts and other factors of nuisance and annoyance shall be reduced to a minimum or eliminated through appropriate setbacks and other best accepted practices that are applicable to local conditions.</td>
<td>Yes. The applicant will be required to minimize onsite dust by implementing dust suppression measures as part of the continued operation of the facility (Exhibit 5, Condition No. 38). These include limiting onsite traffic to 15 miles per hour, securing bulk materials and soil onto outbound trucks with secured tarps or cargo coverings, and treating bulk material with water to avoid potential wind. Onsite equipment operation and maintenance will continue to be prohibited between 5:00 a.m. and 6:00 a.m. (Exhibit 5, Condition No. 30). Existing lighting is shielded downward to prevent light trespass onto offsite properties. No new truck trips are proposed and there are no noxious odors emitted from the facility.</td>
</tr>
<tr>
<td>§ 8107-36.3.1(c): The site shall be maintained free of litter and the facility operator shall be responsible for daily collection of all litter that leaves the site.</td>
<td>Yes. The applicant will continue to maintain a graffiti control plan that addresses graffiti removal within 48 hours of its discovery (Exhibit 5, Condition No. 31); maintain the existing landscape screening and limit outside storage piles to 30 feet in height (Exhibit 5, Condition No. 20).</td>
</tr>
<tr>
<td>§ 8107-36.3.1(d): All residual wastes derived from receiving and processing activities shall be removed from the site within the time frame required by state law.</td>
<td>Yes. The material in the storage piles remain onsite for a maximum of 180 days before being shipped offsite (Exhibit 5, Condition No. 1).</td>
</tr>
<tr>
<td>§ 8107-36.3.1(e): Materials shall not be accepted at any time when the storage capacity of the site would be exceeded by such delivery.</td>
<td>Yes. Condition of Approval No. 1 (Exhibit 5) limits material storage piles onsite for no more than 180 days before being shipped offsite. This allows onsite storage capacity to not be exceeded.</td>
</tr>
<tr>
<td>§ 8107-36.3.1(f): Drainage - Drainage must be controlled so as to prevent any leachate run-off from the site; divert surface water drainage away from all piles of material; and prevent the creation of puddles and standing water in any area where waste materials are stored.</td>
<td>Yes. The applicant dedicated a flood control easement in 2014 to the Ventura County Watershed Protection District along the eastern bank of the Brown Barranca (Document # 20141105-00140172-0). Encroaching structures along Brown Barranca were also removed.</td>
</tr>
</tbody>
</table>
### Table 5 – Special Use Standards Consistency Analysis

<table>
<thead>
<tr>
<th>Special Use Standard</th>
<th>Complies?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Standards</strong></td>
<td></td>
</tr>
<tr>
<td>§ 8107-36.3.1(g): Facilities in commercial, M1, or M2 zones which require outdoor operations or storage shall incorporate appropriate landscaping, walls, fences, or other methods to provide visual screening from any adjacent properties and public rights-of-way</td>
<td>Yes. There is existing perimeter steel wall and landscape screening along the Santa Clara River and western property line, which will continue to protect the Brown Barranca and the river from the existing operations at the facility moving into these areas (Exhibit 5, Condition No. 1).</td>
</tr>
<tr>
<td>§ 8107-36.3.1(h): The standards outlined in the following Sections (8107-36.3.2 through 8107-36.3.12) that apply to the specific activity shall also be met.</td>
<td>Not Applicable.</td>
</tr>
<tr>
<td><strong>Recyclables Collection and Processing Facilities</strong></td>
<td></td>
</tr>
<tr>
<td>§ 8107-36.3.3(a): Prior to issuing a Conditional Use Permit or other discretionary entitlement, the applicable decision-making authority (the Planning Director, Planning Commission, and/or Board of Supervisors) shall make a finding that the proposed project, as conditioned, is compatible with adjacent agriculture, including but not limited to such factors as water runoff, siltation, erosion, dust, introduction of pests and diseases, and the potential for trespassing, pilferage, or vandalism, as well as conflicts between agricultural and non-agricultural uses including but not limited to vehicular traffic and the application of agricultural chemicals to agricultural property.</td>
<td>Yes. Existing operations are setback more than 265 feet from offsite agriculture located on APN 128-0-060-125 northwest of the project site. Operations and maintenance activities are contained on the project site and screened by existing mature landscaping and the existing 12 foot high steel wall at the western property line. The applicant will also be required to minimize onsite dust by Yes. The applicant will be required to minimize onsite dust by implementing dust suppression measures as part of the continued operation of the facility (Exhibit 5, Condition No. 38). These include limiting onsite traffic to 15 miles per hour, securing bulk materials and soil onto outbound trucks with secured tarps or cargo coverings, and treating bulk material with water to avoid potential wind.</td>
</tr>
<tr>
<td>§ 8107-36.3.3(b): Such facilities shall be set back a minimum of 300 feet from any agricultural production. If the applicant can demonstrate that potential impacts to the agricultural production have been adequately mitigated by design or terrain, the Planning Director, in consultation with the Agricultural Commissioner, may reduce or waive the setback.</td>
<td>No. Existing operations are not setback a minimum of 300 feet from offsite agriculture located on APN 128-0-060-125 northwest of the project site. However, operation and maintenance activities will be contained on the project site and screened by existing mature landscaping and the existing 12 foot high steel wall at the western property line.</td>
</tr>
</tbody>
</table>

The proposed project is located within a Habitat Connectivity Wildlife Corridor Overlay Zone and, therefore, is subject to the standards of the Ventura County NCZO. Table 6 lists the applicable Habitat Connectivity Wildlife Corridor Overlay Zone standards and a description of whether the proposed project complies with those standards.

### Table 6 – Habitat Connectivity Wildlife Corridor Overlay Zone Standards Consistency Analysis

<table>
<thead>
<tr>
<th>Overlay Zone Standard</th>
<th>Complies?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 8109-4.8.1(a): Except as otherwise specified in Sec. 8109-4.8.2.1 regarding</td>
<td></td>
</tr>
</tbody>
</table>

Yes. The project is a discretionary permit; therefore these standards apply.
<table>
<thead>
<tr>
<th>Table 6 – Habitat Connectivity Wildlife Corridor Overlay Zone Standards Consistency Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Overlay Zone Standard</strong></td>
</tr>
<tr>
<td>outdoor lighting and Sec. 8109-4.8.3.3 regarding prohibitions, the standards, requirements and procedures of this Sec. 8109-4.8 shall only apply to land uses and structures requiring a discretionary permit or modification thereto, or a ministerial Zoning Clearance, the applications for which are decided by the County decision-making authority on or after May 18, 2019, or to uses or activities not requiring a discretionary permit or Zoning Clearance which occur after May 18, 2019.</td>
</tr>
<tr>
<td>Section 8109-4.8.1(b): If a lot is located both inside and outside of the Habitat Connectivity and Wildlife Corridors overlay zone, the standards, requirements and procedures of this Sec. 8109 - 4.8 shall only apply to the portion of the lot that is located inside the Habitat Connectivity and Wildlife Corridors overlay zone.</td>
</tr>
<tr>
<td>Section 8109-4.8.2.4(a)1 Existing Lighting: (1) Any outdoor luminaire installed prior to May 18, 2019 and use thereof that does not comply with any standard or requirement of Sec. 8109 - 4.8.2.4.b, and is not otherwise approved in conjunction with a land use and/or structure authorized by a discretionary permit granted pursuant to this Chapter, may remain in use until replaced, but shall comply with the following requirements as of May 18, 2020. i. Luminaires that have adjustable mountings with the ability to be redirected shall be directed downward, to the extent feasible, to reduce glare and light trespass onto adjacent undeveloped areas; and; ii. Lighting shall be turned off at 10:00 p.m. or when people are no longer present in exterior areas being illuminated, whichever occurs latest, and shall remain turned off until sunrise, except for essential luminaires which may remain on if used to illuminate circulation areas such as walkways and driveways or building entrances, or if used for safety or security lighting, pursuant to the requirements of Sec. 8109 - 4.8.2.4.b(5).</td>
</tr>
<tr>
<td>Section 8109-4.8.2.4(b)1 Shielding and Direction of Luminaries: All outdoor lighting shall be fully-shielded, directed downward, and installed and maintained in such a manner to avoid light trespass beyond the property line. Lights at building entrances, such as porch lights and under-eave lights, may be partially-shielded luminaires.</td>
</tr>
<tr>
<td>Section 8109-4.8.2.4(b)2 Maximum Height of Lighting: i. Luminaires affixed to structures for the purposes of outdoor recreational facility lighting shall not be mounted higher than 15 feet above ground level. In cases where a luminaire is affixed to a fence, the top of the luminaire shall be no higher than the height of</td>
</tr>
</tbody>
</table>
### Table 6 – Habitat Connectivity Wildlife Corridor Overlay Zone Standards Consistency Analysis

<table>
<thead>
<tr>
<th>Overlay Zone Standard</th>
<th>Complies?</th>
</tr>
</thead>
<tbody>
<tr>
<td>the fence. ii. Freestanding light fixtures used to light walkways and driveways shall use luminaires that are no higher than two feet above ground level. iii. All other freestanding light fixtures shall not exceed 20 feet above ground level, unless authorized by a discretionary permit granted under this Chapter.</td>
<td></td>
</tr>
<tr>
<td>Section 8109-4.8.2.4(b)3 Lighting Color (Chromaticity): The correlated color temperature of all outdoor lighting shall not exceed 3,000 Kelvin.</td>
<td></td>
</tr>
<tr>
<td>Section 8109-4.8.2.4(b)4 Maximum Lumens: All outdoor lighting, except that used for security lighting, outdoor recreational facility lighting, and driveway and walkway lighting, shall have a maximum output of 850 lumens per luminaire. iv. Driveway and walkway lighting shall have a maximum output of 100 lumens per luminaire. v. See Sec. 8109-4.8.2.4.b(5) for standards regarding security lighting. vi. See Sec. 8109-4.8.2.4.b(7) for standards regarding outdoor recreational facility lighting.</td>
<td></td>
</tr>
<tr>
<td>Section 8109-4.8.2.4(b)5 Security Lighting: i. Outdoor lighting installed for security lighting shall have a maximum output of 2,600 lumens per luminaire. If required for proper functioning of a security camera used in conjunction with security lighting, the correlated color temperature may exceed 3,000 Kelvin. Where the light output exceeds 850 lumens, security lighting shall be operated by motion sensor or a timer switch and shall be programmed to turn off no more than 10 minutes after activation. ii. Notwithstanding subsection (i) above, if security lighting is installed within a surface water feature, it shall be programmed to turn off no more than five minutes after activation. iii. Outdoor lighting installed for security lighting that is used in connection with agricultural uses on lots zoned Agricultural Exclusive (AE), Open Space (OS), and Rural-Agricultural (RA) or legally authorized oil and gas exploration and production uses operating under a discretionary permit as of May 18, 2019 shall not be subject to the requirements for motion sensors and timers set forth in subsections (i) and (ii) above. iv. Essential luminaires may remain on if used to illuminate circulation areas such as walkways, driveways or building entrances.</td>
<td></td>
</tr>
</tbody>
</table>
E. CUP FINDINGS AND SUPPORTING EVIDENCE

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

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

Based on the information and analysis presented in Section D and Exhibit 4 of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County’s General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code can be made.

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

No new development or ground disturbance is proposed. The existing facility has been in operation on the project site for more than 20 years.

The applicant was required to prepare, implement and maintain landscape screening along the southeastern corner of the property and along the southern property line adjacent to the Santa Clara River to screen the outdoor storage piles from public views (i.e. State Route 118) under CUP No. LU09-0128. Landscaping was planted in 2014. The landscaping adjacent to the Santa Clara River (Exhibit 3, Landscape Area 2) includes Incense Cedar, Catalina Ironwood, Coast Redwood, Toyan and Catalina Cherry. Additional trees in this area were planted in 2013 and 2017 at the request of the County to further screen the facility from public views. The screening at the southeastern property line has grown in density and height and is currently 10 to 20 feet in height and 10 to 30 feet in width. Nineteen additional redwood trees and a large Ficus tree along the western property line (Exhibit 3, Landscape Area 3) were planted in 2016 to further screen the facility from public views from the residential neighborhood southwest of the project site.

Landscaping along the southeastern corner of the property (Exhibit 3, Landscape Area 1) includes Cottonwood, acacia, sugar bush, pepper trees, eucalyptus trees, dense areas of mulefat, and other vegetation, that measure 10 feet to 20 feet tall and 10 feet to 30 feet wide. The applicant conducted a visual survey in December 2022 (Attachment 6) to demonstrate how the existing landscaping complies with the landscape screening mitigation requirements. The survey included three viewpoints (southern, central and northern) from the State Route 118 bridge over the Santa Clara river. Viewing distances to the project site were between 1,000 feet and 2,100 feet. Due to acute viewing angles from the bridge, the southeastern corner of the project site is not visible from southbound traffic lanes. In addition, Vulcan sand and gravel mine blocks any views of the facility from the southern
viewpoint on the bridge. The northern viewpoint is the closest public viewing location on the bridge. The top portion of the 30 foot high outdoor storage piles and the storage containers stacked to 20 feet in height on the property addressed at 1806 Lirio Avenue, are visible from this viewpoint.

Portions of the project site are visible from the residential community west of the project site. This residential tract is located in the City of Ventura, and developed in 2017. The closest public views of the project are approximately 500 feet to the northwest, off Daffodil Avenue and Dogwood Drive. Views of the project site are limited to a select few dwellings, and some views are screened by street trees planted along Dogwood Drive. Additional views toward the project site are also blocked by tree plantings surrounding the sewer treatment tanks/equipment owned by Saticoy Sanitary District (APN 128-0-060-110). In 2021, Planning Division Condition Compliance staff determined that the landscaping in this area adequately screens the storage areas. As the landscaping in this area grows and matures, the facility will become less visible from surrounding areas.

Noise impacts from the operation and maintenance of facility equipment will remain below General Plan noise thresholds. Operating hours are limited to 5:00 a.m. to 7:00 p.m. on weekdays, and Saturday from 6:00 a.m. to 6:00 p.m. In addition, the permittee is prohibited from maintaining and operating equipment during the weekday operating hours between 5:00 a.m. and 6:00 a.m. (Exhibit 5, Condition No. 30).

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

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

As the project involves the continued operation of an existing facility, no adverse effect on neighboring property or uses is anticipated. The existing landscape screening along the perimeter of the project site will be maintained (Exhibit 5, Condition No. 1). The permittee is prohibited from maintaining and operating equipment onsite between 5:00 a.m. and 6:00 a.m. (Exhibit 5, Condition No. 30). The permittee has also provided a contact person to facilitate the timely resolution of complaints should any arise from the operation of the facility (Exhibit 5, Condition Nos. 16 & 17).

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

4. **The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [Section 8111-1.2.1.1a.d].**

Adequate public facilities and services are available to serve the proposed project. Water is provided by the City of Ventura. Wastewater disposal service is provided by the Saticoy Sanitary District. Access to the site is provided by a 30-foot wide
private driveway connected to the terminus of Lirio Avenue. Adequate water supply for fire fighting purposes has been previously established at the site. The distance and response time for fire protection is available for the proposed project, as Fire Station No. Station 51, addressed at 3302 Turnout Park Circle in the City of Oxnard, is located approximately 4.6 miles south of the project site.

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

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

The facility would not be out of character or incompatible with the industrial uses which characterize the surrounding neighborhood. The industrial designation and use of the project site and surrounding properties is not anticipated to change in the foreseeable future. Thus, the facility would also be compatible with anticipated future land uses in the area.

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

6. The proposed development will occur on a legal lot [Section 8111-1.2.1.1a.f].

The project site is comprised of one legal lot pursuant to Parcel Map Waiver Voluntary Merger No. SD11-0016, which was recorded on October 31, 2013, in the Ventura County Recorders Office (Document No. 20131031-00180906-0).

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

7. The proposed development is approved in accordance with the California Environmental Quality Act and all other applicable laws [Section 8111-1.2.1.1a.g].

As discussed in Section B, above, the proposed project is exempt from CEQA, pursuant to Section 15301 (Existing facilities). As such, the project would not have potentially significant impacts on the environment. All applicable provisions of the CEQA Guidelines and Public Resources Code were followed in the processing of the proposed project.

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

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

As discussed in section D of this staff report (above), the proposed project complies with all applicable standards of the Habitat Connectivity Wildlife Corridor.
Overlay Zone. Upon the granting of this CUP, the Permittee will be in compliance with the Ventura County NCZO.

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

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

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), Ventura County NCZO (Section 8111-3.1). On August 21, 2023, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located. On August 21, 2023, the Planning Division placed a legal ad in the Ventura County Star.

On May 1, 2023, the Saticoy Municipal Advisory Council (MAC) considered the proposed project and recommended that the existing facility continue operation and maintenance of the existing metals collection, recycling and processing facility for an additional 20-year term (Exhibit 7).

The project site is located within the City of Ventura’s Sphere of Influence. Therefore, on November 3, 2022, the Planning Division notified the City of Ventura of the proposed project and requested the City of Ventura to submit any comments that the City might have on the proposed project. The City of Ventura did not have any comment on the proposed project.

G. RECOMMENDED ACTIONS

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

1. CERTIFY that the Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;

2. FIND that this project is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines.

3. MAKE the required findings to grant a Minor Modification of a CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section D of this staff report and the entire record;

4. GRANT Minor Modification of CUP Case No. PL22-0164, subject to the conditions of approval (Exhibit 5).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

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

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

Prepared by: Kristina Boero, Senior Planner
Reviewed by: Mindy Fogg, Manager

Residential Permit Section
Ventura County Planning Division
Commercial & Industrial Permit Section
Ventura County Planning Division

**EXHIBITS**
- Exhibit 2 Maps
- Exhibit 3 Project Plans
- Exhibit 4 General Plan Consistency Analysis
- Exhibit 5 Conditions of Approval
- Exhibit 6 February 15, 2023, Landscaping Status letter from Mike Biedebach of Sespe Consultants
- Exhibit 7 May 1, 2023, Saticoy Municipal Advisory Council Minutes
Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.
Aerial View of Comparative Building Sizes
Minor Modification to Conditional Use Permit (CUP) No. LU09-0128
Standard Industries Case No. PL22-0164

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

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

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

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

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

**Urban Design Standards for Commercial and Industrial Development Policy LU-16.2:** The County shall require that discretionary commercial and industrial developments maintain high standards of urban design and environmental quality by incorporating compact form, maximizing pedestrian access and safety, and minimizing land use conflicts and traffic congestion.

**Discretionary Review of Industrial Development Policy ED-13.3:** The County shall subject industrial development to either a Planned Development Permit or Conditional Use Permit to assure compatibility with neighboring uses. Such review shall give careful attention to aesthetics, landscaping, signage, access, site and building design and size, drainage, on-site parking and circulation, operating hours, fencing, and mitigation of nuisance factors.

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

The existing project site is located within an existing industrial area, with various industrial uses (Black on Black Towing, Container Alliance, Gold Coast Recycling)
to the north, east and northwest of the project site. An agricultural property and a residential development built in 2017 are west of the site. The Santa Clara River abuts the project site to the south. The project site contains a warehouse, outdoor storage piles and offices that were constructed and modified between 1962 and 1996. No new development is proposed. Existing operation and maintenance activities are contained on the project site and setback more than 20 feet from the Santa Clara River that is southeast of the project site. Access to and from the site is provided by a 30-foot wide private driveway connected to the terminus of Lirio Avenue.

In 2012, CUP No. LU09-0128 was approved by the Planning Division which required the permittee to legalize the 12 foot high steel wall along the western and southeastern property lines and plant and maintain landscape screening along the southeastern corner of the property and southern property lines as required mitigation for impacts to scenic resources. The landscape screening has been maintained since 2014 and complies with the landscape screening mitigation requirements. The permittee also planted nineteen additional redwood trees and a large Ficus tree along the western property line in 2016 to further screen the facility from public views (i.e. residential neighborhood southwest of the project site). These measures minimize land use conflicts between this industrial facility and offsite non-industrial uses.

Based on the discussion above, the proposed project is consistent with these Policies.

2. **Siting of Uses Within Designated Disadvantaged Communities Policy LU-17.2:** The County shall consider environmental justice issues as they relate to potential health impacts associated with land use decisions to reduce the adverse health effects of hazardous materials, industrial activities, and other uses that may negatively impact health or quality of life for affected county residents.

**Negative Impacts from Potential Hazards Within Designated Disadvantaged Communities Policy LU-17.6:** The County shall work to reduce or prevent negative impacts associated with environmental hazards, including industrial and roadway generated pollution, to people who are living and working in close proximity to these uses.

**Input on Proposed Planning Activities Within Designated Disadvantaged Communities Policy LU-18.2:** The County shall facilitate opportunities for community members and stakeholders to provide meaningful and effective input on proposed planning activities early on and continuously throughout the public review process.
Collaboration on Infrastructure and Public Service Deficiencies Policy PFS-1.4: The County shall collaborate with the cities in Ventura County, neighboring jurisdictions, special districts, and regional agencies to address issues of mutual interest and concern, including infrastructure and public service deficiencies, particularly in Designated Disadvantaged Communities.

The existing facility provides industrial and consumer recycling services that include the handling, processing and exporting of all grades of scrap iron and metals for the Saticoy Community, Ventura County and the State of California. On May 1, 2023, the Saticoy Municipal Advisory Committee (MAC) considered the proposed project and recommended that the existing facility continue to operate for an additional 20-year term.

Existing outdoor storage pile height is limited to 30 feet and the existing landscaping along the southeastern corner of the property, adjacent to the Santa Clara River and along the western property line continue to help to blend the facility into the community. As no new development or changes in the operation of the facility are proposed, there will not be any new impacts to public services as a result of the proposed project.

To ensure that equitable provision of public services and infrastructure are provided to the Saticoy community, the permittee will be required to ensure that the storage of any hazardous materials or wastes onsite above reporting thresholds (i.e. 200 cubic feet gas, 55 gallons liquid, 500 pounds solid). If materials or waste are generated above these thresholds, the permittee will be required to submit a Hazardous Materials Business Plan (HMBP) to the Environmental Health Division/Certified Unified Program Agency (Ventura CUPA) for storage of hazardous materials, and maintain and active permit with the California Department of Toxic Substances Control (Exhibit 5, Condition No. 32).

The proposed facility will not add any roadway generated pollutions or negative impacts associated with environmental hazards. The permittee will be required to minimize onsite dust by limiting onsite traffic to 15 miles per hour, securing bulk materials and soil onto outbound trucks with secured tarps or cargo coverings, treating bulk material with water to avoid potential wind or other spillage or other dust suppression measures as part of the continued operation of the facility (Exhibit 5, Condition No. 38).

Based on the discussion above, the proposed project is consistent with these Policies.

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

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

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

The proposed project will not generate any new additional trips on local public roads or the regional road network. As such, the proposed project will not create any new adverse effect on the level of safety on surrounding County roads, nor adversely impact vehicle miles traveled.

Based on the discussion above, the proposed project is consistent with these Policies.
4. **General Plan County Road Access Policy CTM-2.3:** The County shall require discretionary development with access onto a County road to have the access point(s) designed and built to County standards.

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

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

**Emergency Vehicles Access Policy PFS-11.4:** 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.

**Emergency Response Policy PFS-11.1:** The County shall maintain adequate staffing, equipment, and facilities to provide timely and effective responses to emergencies.

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

**Saticoy Area Plan Hazards Policy HAZ-1.1:** All public and private roads shall be designed in accordance with Ventura County Fire Protection District (VCFPD) requirements.

**Saticoy Area Plan Hazards Policy HAZ-1.2:** New discretionary development shall only be approved upon demonstration that adequate tactical access and fire flow are available as determined by the VCFPD. (See MOB-2.2.)

**Saticoy Area Plan Public Facilities Policy PF-1.1:** Discretionary development shall be served by a publicly accountable water supplier.

**Saticoy Area Plan Public Facilities Policy PF-1.2:** Water demand associated with discretionary development shall be estimated based on water demand factors provided by the City of Ventura as published in its Comprehensive Water Resources Report, unless more accurate data is made available by Ventura County.
The Ventura County Fire Protection District (VCFPD) previously determined that the available water supply, tactical and emergency access, and response time for fire protection are adequate to serve the proposed metals recycling, collection and processing facility as part of CUP No. LU09-0128, which was approved in 2012. The City of Ventura will continue to provide domestic water service and the Saticoy Sanitary District will continue to provide wastewater service to the project site. There will not be an increase in water demand or wastewater services as a result of the proposed project as no new development or an increase in the number of employees is proposed. Access to and from the site is provided by a 30-foot wide private driveway connected to the terminus of Lirio Avenue. The distance and response time for fire protection is available for the proposed project, as Fire Station No. Station 51, addressed at 3302 Turnout Park Circle in the City of Oxnard, is located approximately 4.6 miles south of the project site. Finally, public services to the surrounding uses and the Saticoy community will not be altered or disrupted by the proposed project.

Based on the discussion above, the proposed project is consistent with these Policies.

5. **Wastewater Connections Requirement Policy PFS-4.1:** 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.

**Onsite Wastewater Treatment Systems Policy PFS-4.2:** 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.

**Percolation Standards for Discretionary Development Policy ED-25.1:** The County shall require discretionary development to be either served by a sewage treatment facility or an on-site septic system where the total percolate from the property to the groundwater basin does not exceed the Primary Standards - Inorganic Chemicals (Article 4, Title 22, California Code of Regulations). The County Environmental Health Division shall regulate the installation and maintenance of septic systems in accordance with the County’s Sewer Policy, County Building Code and County Service Area 32.

**Requirements for Discretionary Commercial or Industrial Development Policy ED-25.2:** The County shall condition discretionary development within Commercial or Industrial designations served by on-site septic systems to:
a. Ensure to the satisfaction of the Environmental Health Division that any accidental release of industrial wastewater, hazardous materials, or hazardous waste will be remedied in a timely and safe manner. Satisfactory insurance may include demonstration of financial responsibility, including posting of a bond or surety.

b. Grant an access easement to County Service Area 32. In addition, regular testing and monitoring of septic systems shall be performed to the satisfaction of the Environmental Health Division.

**Solid Waste Capacity Policy PFS-5.3:** The County shall require evidence that adequate capacity exists within the solid waste system for the processing, recycling, transmission, and disposal of solid waste prior to approving discretionary development.

**Hazardous Materials and Waste Management Facilities Policy HAZ-5.2:** The County shall require discretionary development involving facilities and operations which may potentially utilize, store, and/or generate hazardous materials and/or wastes be located in areas that would not expose the public to a significant risk of injury, loss of life, or property damage and would not disproportionately impact Designated Disadvantaged Communities.

**Presence of Hazardous Wastes Policy HAZ-5.7:** Applicants shall provide a statement indicating the presence of any hazardous wastes on a site, prior to discretionary development. The applicant must demonstrate that the waste site is properly closed, or will be closed, pursuant to all applicable state and federal laws, before the project is inaugurated.

**Siting Criteria for Hazardous Waste Generators Policy HAZ-5.8:** The County shall require commercial or industrial uses which generate, store, or handle hazardous waste and/or hazardous materials to locate, operate, and maintain hazardous waste and/or hazardous materials in a manner that does not endanger public health and safety and is located based on objective criteria that do not disproportionately impact Designated Disadvantaged Communities.

The Saticoy Sanitary District will continue to provide wastewater service to the project site. The permittee will be required to submit a Hazardous Materials Business Plan (HMBP) to the Environmental Health Division/Certified Unified Program Agency (Ventura CUPA) for storage of hazardous materials above reporting thresholds (i.e. 200 cubic feet gas, 55 gallons liquid, 500 pounds solid), and maintain an active permit with the California Department of Toxic Substances Control if hazardous wastes are generated onsite (Exhibit 5, Condition No. 32).

Based on the discussion above, the proposed project is consistent with these Policies.
6. **Stormwater Drainage Facilities Policy PFS-6.5:** *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.*

Stormwater impacts were previously evaluated in 2012 and 2021, as part of CUP No. LU09-0128 and Permit Adjustment No. PL20-0087, respectively. Under these discretionary permits, the permittee obtained a National Pollutant Discharge Elimination System (NPDES) permit from the Los Angeles Regional Water Quality Control Board to address water pollution by regulating point sources that discharge pollutants to waters of the United States. As no new development is proposed, the Ventura County Watershed Protection District determined that the project would not create any new adverse impacts to stormwater runoff or flooding.

Based on the discussion above, the proposed project is consistent with this General Plan Policy.

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

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

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

**Discretionary Development within the Santa Clara River Habitat Area Policy ED-33.1:** *The County shall require discretionary development within the Santa Clara River and adjoining natural habitat areas which could potentially impact biological resources to be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures.*
Landscaping on Lots Adjacent to Santa Clara River Habitat Areas Policy ED-33.2: The County shall require landscaping on lots adjacent to natural habitat areas in the Santa Clara River to utilize appropriate native species.

The 2012 CUP identified potentially significant but mitigable impacts to biological resources as a result of the required landscape screening along the southeastern corner of the property and the southeastern property line adjacent to the Santa Clara River. Mitigation measures required the permittee to hire a County-approved biologist to monitor landscape installation; obtain a streambed alteration agreement from the California Department of Fish and Wildlife for work adjacent to the river and the Brown Barranca; and install native plant species that are not invasive to the local riparian habitat. These measures were implemented and completed by the permittee in 2014.

The approved landscape screening plan and additional landscaping installed in 2016 complies with the MWELO requirements that were in place at the time of landscape installation.

The southern portion of the project site (APN 128-0-040-345) is located within the Habitat Connectivity Wildlife Corridor overlay zone. The existing facility is not expected to create additional impacts to wildlife movement within this corridor as all activities associated with the operation and maintenance of the facility occur onsite and behind a 12 foot steel wall. Exterior lighting within the storage yard is shielded downward to prevent light trespass onto offsite properties and into the Santa Clara River where the corridor is located. Although no new lighting is proposed, the installation of any new or replacement lighting must comply with Section 8109-4.8.2 of the Ventura County NCZO (Outdoor Lighting).

Based on the discussion above, the proposed project is consistent with these Policies.

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

**Discretionary Development Adjacent to Highways and Major Roadways Policy ED 34.1:** The County shall subject discretionary development on parcels adjacent to U.S. 101, Ventura Boulevard, Highway 118, State Route 232, Rose Avenue, Santa Clara Avenue, and Central Avenue (within the El Rio/Del Norte Area Plan boundary) to the following development standards:

a. A sign program shall be submitted concurrently with a discretionary permit for all commercial and industrial development. Freestanding off-site advertising signs shall be prohibited. All on-site freestanding signs shall be limited to five feet in height.
b. Outside open storage shall be landscaped and/or screened from public view to the maximum extent feasible.

c. The architectural design and building material of development shall be designed to enhance the visual quality of the surrounding areas.

Saticoy Area Plan Resources Element Policy 4.1: Landscape buffers or other appropriate visual screening shall be required for all discretionary industrial development that borders SR 118, the Santa Clara River, the Brown Barranca, or the Franklin Barranca. When customary visual screening techniques, such as those listed in RES 4.2, fail to provide full visual screening for industrial properties visible from the Santa Clara River Bridge due to grade differences, the Planning Director may modify visual screening requirements to address grade differences.

The 2012 CUP identified potentially significant but mitigable impacts to scenic resources as a result of the outdoor storage piles. The permittee was required to prepare, implement and maintain landscape screening along the southeastern corner of the property and the southeastern property line adjacent to the Santa Clara River to screen the outdoor storage piles from public views (i.e. State Route 118). This measure was implemented and completed by the permittee in 2014. The screening at the southeastern property line has grown in density and height and is currently 10 to 20 feet in height and 10 to 30 feet in width; in compliance with the mitigation measure. Additional redwood trees and a large Ficus tree along the western property line were planted in 2016 to further screen the facility from public views (i.e. residential neighborhood southwest of the project site). Additional trees were also planted in 2017 at the request of the County to further screen the facility from public views.

The permittee prepared a visual survey in December 2022 (Attachment 6) to demonstrate the visibility of the outdoor storage on from public views with the existing landscaping. Of the three viewpoints evaluated (southern, central and northern) from northbound traffic lanes on SR 118, the northern viewpoint is the only location on State Route 118 where there is partial visibility. The top portion of the 30 foot high outdoor storage piles on the project site and the 20 foot high stacked storage containers on the property addressed at 1806 Lirio Avenue, are partially visible from this viewpoint. Therefore, public views of the facility from State Route 118 are negligible.

Based on the discussion above, the proposed project is consistent with these General Plan Policies.

9. **Soil Erosion and Pollution Prevention Policy HAZ-4.5**: The County shall require discretionary development be designed to prevent soil erosion and downstream sedimentation and pollution.
Vegetative Resource Protection Policy HAZ-4.6: The County shall require discretionary development to minimize the removal of vegetation to protect against soil erosion, rockslides, and landslides.

The 2012 CUP identified potentially significant but mitigable impacts to flood control and drainage along the Brown Barranca that abuts the western property line. The permittee was required to dedicate a flood control easement and remove encroaching structures along the barranca. In addition, a steel wall was constructed to replace the existing perimeter wall to prevent the offsite migration of recyclable and other materials during a flood event. This measure was implemented and completed by the permittee in 2014. As no new development is proposed, there are no new adverse impacts to soil erosion, rockslides, and landslides.

Based on the discussion above, the proposed project is consistent with these Policies.

10. Noise Compatibility Standards Policy HAZ-9.2: The County shall review discretionary development for noise compatibility with surrounding uses. The County shall determine noise based on the following standards:

1. New noise sensitive uses proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed CNEL 60 or Leq1H of 65 dB(A) during any hour.

2. New noise sensitive uses proposed to be located near railroads shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed L10 of 60 dB(A)

3. New noise sensitive uses proposed to be located near airports:
   a. Shall be prohibited if they are in a Community Noise Equivalent Level (CNEL) 65 dB or greater, noise contour; or
   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).

The 2012 CUP identified potentially significant but mitigable impacts to noise on nearby noise sensitive receptors from the activities associated with the operation of the existing industrial equipment in the outside storage yard. The permittee is prohibited from operating equipment or performing maintenance activities onsite between 5:00 a.m. and 6:00 a.m. This measure was implemented in 2014 and continues to be a requirement for the life of the permit (Exhibit 5, Condition No. 30). As there will not be any change in existing operations, there will not be any new adverse impacts to noise.

Based on the discussion above, the proposed project is consistent with this Policy.

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

Fugitive Dust Best Management Practices Policy HAZ-10.14: The County shall ensure that discretionary development which will generate fugitive dust emissions during construction activities will, to the extent feasible, incorporate appropriate BMPs to reduce emissions to be less than applicable thresholds.

The permittee will be required to minimize onsite dust by implementing dust suppression measures as part of the continued operation of the facility. These measures include limiting onsite traffic to 15 miles per hour, securing bulk materials and soil onto outbound trucks with secured tarps or cargo coverings, and treating bulk material with water to avoid potential wind or other spillage (Exhibit 5, Condition No. 38). According to VCAPCD, the facility is not subject to best available control technology (BACT) requirements and does not require a Permit to Operate, as existing operations do not use mobile sources that would trigger air emissions. As no new change in existing operations is proposed, there will not be any new adverse impacts to air quality.

Based on the discussion above, the proposed project is consistent with these Policies.

12. Discretionary Development Adjacent to Agriculturally Designated Lands Policy AG-2.1: The County shall ensure that discretionary development adjacent to Agriculturally designated lands does not conflict with agricultural use of those lands.
Minimize Impacts on Agricultural Uses Policy ED-2.3: *The County shall condition discretionary development located adjacent to Agricultural designated land to minimize the impacts on the agricultural uses.*

Existing lemon orchards are located on APN 128-0-060-125 northwest of the project site. All activities associated with the continued operation and maintenance of the metals recycling, collection and processing facility will remain onsite, screened by existing mature landscaping and a 12 foot high steel wall at the western property line. Therefore, the existing facility will not adversely affect the offsite agriculture northwest of the project site.

The permittee will also be required to minimize onsite dust by limiting onsite traffic to 15 miles per hour, securing bulk materials and soil onto outbound trucks with secured tarps or cargo coverings, treating bulk material with water to avoid potential wind or other spillage or other dust suppression measures as part of the continued operation of the facility (Exhibit 5, Condition No. 38). As a result, there will not be any new adverse impacts to offsite agricultural operations.

Based on the discussion above, the proposed project is consistent with these Policies.

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

Water Quality Protection for Discretionary Development Policy WR 1.12 & WR 2-2: *The County shall evaluate the potential for discretionary development to cause deposition and discharge of sediment, debris, waste and other pollutants into surface runoff, drainage systems, surface water bodies, and groundwater. The County shall require discretionary development to minimize potential deposition and discharge through point source controls, storm water treatment, runoff reduction measures, best management practices, and low impact development.*

Discretionary Development Subject to CEQA Statement of Overriding Considerations – Water Quality and Quantity Policy WR 2.3: *The County shall require that discretionary development not significantly impact the quality or quantity of water resources within watersheds, groundwater recharge areas or groundwater basins.*

Discretionary Development Subject to CEQA Statement of Overriding Considerations – Water Quantity and Quality Policy WR 4.5: *The County shall require that discretionary development shall not significantly impact the quantity or quality of water resources within watersheds, groundwater recharge areas or groundwater basins.*
Groundwater Quality Protection Policy ED 39.1: *In order to protect groundwater quantity, the County shall require discretionary development to not result in any net decrease in the quantity of groundwater, taking into account existing and projected water supply and demand factors (e.g. potable water demand, landscape irrigation, evapotranspiration, recharge). Discretionary development may utilize water offsets (e.g. plumbing fixture retrofits in existing structures) to achieve no decrease in the quantity of groundwater.*

Saticoy Area Plan Land Use Policy LU-1.1: *Discretionary development shall be designed to conserve water used for landscaping by implementing the requirements of the Ventura County Landscape Design Criteria, as amended. Water conservation techniques include, but are not limited to the following:*

- a. Replace lawns with drought-tolerant ground cover or other drought-tolerant plants;
- b. Utilize drought-tolerant trees or plants mixed with hardscapes for areas that require landscaping and, when feasible, use native plants;
- c. Install irrigation systems designed for use the minimum amount of water necessary to maintain landscapes; and
- d. Use recycled or "gray" water for landscaping.

Saticoy Area Plan RES-2.2: *In order to conserve water, all landscape plans shall be prepared in accordance with the County's Landscape Design Criteria (as amended) and applicable State regulations. In addition, new discretionary development adjacent to the Santa Clara River, the Brown Barranca, or the Franklin Barranca shall only include drought tolerant plants and, whenever feasible, should include plants that are native to the Santa Clara River watershed.*

The City of Ventura will continue to provide domestic water to the project site. As discussed above, stormwater impacts were previously evaluated in 2012 and 2021, as part of CUP No. LU09-0128 and by Permit Adjustment No. PL20-0087, respectively. Under these discretionary permits, the permittee obtained a NPDES permit from the Los Angeles Regional Water Quality Control Board to addresses water pollution. In 2014, the permittee dedicated a flood control easement and removed encroaching structures along Brown Barranca. In addition, a steel was constructed to replace the existing perimeter wall to prevent the offsite migration of recyclable and other materials during a flood event. The landscape screening plan further required the permittee to integrate the harvesting and/or use of alternative, non-potable sources of water, including stormwater, reclaimed water, and gray water, where feasible. These requirements reduce any adverse impacts to quality or quantity of water resources. As no new development or change in operations is proposed, there will not be any new impacts on water resources as a result of the proposed project.
Based on the discussion above, the proposed project is consistent with these Policies.

14. **Saticoy Area Plan RES Policy 4.3: Lighting for discretionary development shall be designed to avoid off-site glare, including glare that may impact drivers along SR 118.**

Existing lighting was approved by the Planning Division in 2014. All existing lighting is directed downward, and all lighting is turned off at 10:00 p.m. or when people are no longer present in exterior areas being illuminated, except for security lighting which is on a motion sensor. Although no new lighting is proposed, the installation of any new or replacement lighting must comply with Section 8109-4.8.2 of the Ventura County NCZO (Outdoor Lighting). The permittee will be required to submit a lighting plan for any new or replacement lighting before installation (Exhibit 5, Condition No. 21).

Based on the discussion above, the proposed project is consistent with this Policy.
DRAFT CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP)
CASE NO. PL22-0164 (Formerly LU09-0128 as modified by PL20-0087)

Standard Industries

These conditions supersede all previous conditions of approval.

RESOURCE MANAGEMENT AGENCY CONDITIONS

Planning Division Conditions

1. Project Description

This CUP is based on and limited to compliance with the project description stated in this condition below, Exhibit 3 of the Planning Director hearing on August 31, 2023, and conditions of approval set forth below. Together, these conditions and documents describe the “Project.” Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

The Project is granted to Standard Industries for the continued operation and maintenance of the existing metals collection, recycling and processing facility for an additional 20-year term. Facility activities include the separation, baling, crushing, cleaning, sorting, shredding, or cutting of the metal materials in preparation for sale and transport. No new structures or vegetation removal are proposed with this modification request.

Ferrous and non-ferrous material would continue to accumulate and be stored in piles up to 30 feet in height throughout the open storage yard. The material in the storage piles remain onsite for a maximum of 180 days before being shipped offsite. The piles are setback 20 feet from property lines.

Existing landscaping for the purpose of screening the 30-foot high metal storage piles from public views will remain and be maintained for the life of the permit. These landscaped areas are located adjacent to the Santa Clara River, at the southeast corner of the property and along the western property line.
The facility will continue to operate Monday through Friday, 5:00 a.m. to 7:00 p.m., and Saturday, 6:00 a.m. to 6:00 p.m. throughout the year. A maximum of 38 employees will continue to work at the Standard Industries site.

Fourteen onsite parking spaces for employees and customers would remain at the entrance to the site. Additional employee parking is located at 1421 Lirio Avenue. A shuttle service will continue to be provided by the applicant to transport employees to and from the work site at the start and end of each workday.

Water for the site is provided by the City of Ventura. Wastewater disposal services is provided by the Saticoy Sanitary District. Access to the site is provided by a 30-foot wide private driveway connected to the terminus of Lirio Avenue.

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

2. Days and Hours of Operation

Purpose: In order to ensure that the metals recycling, collection and processing facility remains compatible with the surrounding areas, the days and hours of operation shall be limited.

Requirement: The metals collection, recycling and processing facility shall be limited to:

- Monday through Friday, 5:00 a.m. to 7:00 p.m.
- Saturday, 6:00 a.m. to 6:00 p.m.

The Permittee shall post the hours of operation in an obvious location that can be seen by customers, vendors, and/or truck hauling operators. The signage must be made of weatherproof and permanent material and comply with the Ventura County Non-Coastal Zoning Ordinance (Article 10).

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

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

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

3. **Required Improvements for CUP**

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

**Requirement:** The Permittee shall ensure that all required off-site and on-site improvements for the Project, including structures, parking, 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., landscape plans) for inclusion in the Project file, as necessary.

**Timing:** Prior to the issuance of a Zoning Clearance for use inauguration the Permittee shall submit all final development plans to the Planning Division for review and approval.

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

4. **Site Maintenance**

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

**Requirement:** The Permittee shall maintain the Project site in a neat and orderly manner, and in compliance with the Project description set forth in Condition No. 1. Only equipment and/or materials which the Planning Director determines to substantially comply with the Project description shall be stored within the Project site during the life of the Project. Outdoor storage piles shall not exceed 30 feet in height. Existing landscape screening at the southeastern and western property lines shall be maintained for the life of the permit.

**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, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee’s ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

5. **CUP Modification**

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

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

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

6. **Acceptance of Conditions and Schedule of Enforcement Responses**

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

a) Public reporting of violations to the Planning Commission and/or Board of Supervisors;

b) Suspension of the permitted land uses (Condition No. 1);

c) Modification of the CUP conditions listed herein;

d) Recodrdation of a “Notice of Noncompliance” on the deed to the subject property;

The Permittee is responsible for being aware of and complying with the CUP conditions and all applicable federal, state, and local laws and regulations.
7. **Time Limits**
   a. **Use inauguration:**

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

   (2) This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for construction within one year from the date the approval decision of this CUP becomes effective [see the Ventura County Non-Coastal Zoning Ordinance (§ 8111-4.7)]. 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 use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.

   b. **Permit Life or Operations Period:** This CUP will expire on [Insert Expiration Date, 2043]. The lack of additional notification of the expiration date provided by the County to the Permittee shall not constitute grounds to continue the uses that are authorized by this CUP after the CUP expiration date. The uses authorized by this CUP may continue after the CUP expiration date if:

      (1) The Permittee has filed a permit modification application pursuant to § 8111-6 of the Ventura County Non-Coastal Zoning Ordinance prior to [Insert Expiration Date, 2043]; and

      (2) The County decision-maker grants the requested modification.

   The uses authorized by this CUP may continue during processing of a timely-filed modification application in accordance with § 8111-2.10 of the Ventura County Non-Coastal Zoning Ordinance.
8. **Documentation Verifying Compliance with Other Agencies’ Requirements Related to this CUP**

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

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

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

**Timing:** The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for use inauguration.

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

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

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

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

**Documentation:** The Permittee shall maintain a current set of CUP conditions and exhibits at the project site.

**Timing:** Prior to issuance of a Zoning Clearance for use inauguration and throughout the life of the Project.
Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

10. Recorded Notice of Land Use Entitlement

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

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

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

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

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

11. Financial Responsibility for Compliance Monitoring and Enforcement

a. Cost Responsibilities: The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Non-Coastal Zoning Ordinance (§ 8114-3) related to this CUP. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.

b. Establishment of Revolving Compliance Account: The Resource Management Agency created Condition Compliance Case No. CC06-0243 to cover the costs
associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding PD No. 1845. The Planning Division will continue to use Condition Compliance Case No. CC06-0243 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 11.a (above), and any duly-imposed civil administrative penalties regarding this CUP.

Within 10 calendar days of the effective date of the final decision approving this CUP, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC06-0243 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 11.a (above), and any duly-imposed civil administrative penalties regarding this CUP.

c. **Billing Process**: The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to timely pay an invoice shall subject the Permittee to late fees and charges set forth in the Planning Division Fee Schedule, and shall be grounds for suspension, modification, or revocation of this CUP. The Permittee shall have the right to challenge any charge or penalty prior to payment.

12. **Defense and Indemnification**

a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, “Indemnified Parties”) arising out of or in any way related to the County's issuance, administration, or enforcement of this CUP. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.

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

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

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

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, at the discretion of the Planning Director, the Planning Director may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Director shall make the determination of adequacy. If the Planning Director cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

14. Consultant Review of Information and Consultant Work
The County and all other County permitting agencies for the Project have the option of referring any and all special studies that these conditions require to an independent and
qualified consultant for review and evaluation of issues beyond the expertise or resources of County staff.

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

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant’s proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 14 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 CUP Conditions, Laws, and Other Entitlements
The Permittee shall implement the Project in compliance with all applicable requirements and enactments of federal, state, and local authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any CUP condition contained herein is in conflict with any other CUP condition contained herein, when principles of law do not provide to the contrary, the CUP condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

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

The Permittee shall obtain a business tax certificate and regulatory licenses for the operation of recycling facility.

16. Contact Person
Purpose: To designate a person responsible for responding to complaints.
Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP.

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

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

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

17. Resolution of Complaints
The following process shall be used to resolve complaints related to the Project:

a) The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 16 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about the use as it is occurring may directly contact the Contact Person;

b) If County staff receives a written complaint about the Project, Planning Division staff may contact the Permittee’s Contact Person or the Permittee to request information regarding the alleged violation; and

c) If, following a complaint investigation by County staff, a violation of the Ventura County Code or a condition of this CUP is confirmed, County staff may initiate enforcement actions pursuant to § 8114-3 of the Non-Coastal Zoning Ordinance.

18. Reporting of Major Incidents
Purpose: To ensure that the Planning Director is notified of major incidents associated with, or resulting from, the Project.
Requirement: The Permittee shall immediately notify the Planning Director by telephone, email, FAX, and/or voicemail of any incidents (e.g., fires, explosions, spills, landslides, or slope failures) that could pose a hazard to life or property inside or outside the Project Site.

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

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

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

19. Change of Permittee

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

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

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

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

Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.
20. **SR-1: Landscape Screening Plan**

**Purpose:** In order to screen the material piles from public view, the Permittee shall install landscaping.

**Requirement:** Landscaping and screening that serves the following functions must be provided and maintained:

a) Screens undesirable views, incompatible land uses or uses in natural settings. Landscaping must be provided to screen the outside storage yard and its contents from public views. Specifically, landscaping shall be installed and maintained along the entire existing perimeter wall adjacent to the Santa Clara River and along a portion of the existing perimeter wall starting at the southeastern corner of the property and extending north for approximately 200 feet, as noted on the preliminary landscape plan submitted by Jack Kiesel, dated November 21, 2011.

b) Provides visual relief and visual integration. Landscaping must be provided that softens the view of the outside storage piles from public viewing locations. Visual integration would be achieved by maintenance of the storage piles based on the planting and growing schedule shown in Table 1, below.

To ensure that the landscape screening is effective in screening the outside storage areas and existing steel wall, the outside storage piles shall be limited to 16 feet in height upon installation of the required landscaping. When 60% of the trees included in the landscaping reach 21 feet in height, the pile heights shall be limited to 21 feet. When 60% of the trees reach 26 feet in height, the pile heights shall be limited to 26 feet. When 60% of the trees reach 30 feet in height, pile heights shall be limited to 30 feet. Pile heights above 30 feet are not authorized. (At the sole discretion of the Planning Director, alterations in the pile height limitations may be granted upon demonstration by the Permittee that the proposed change would not substantially alter views of the facility from public viewing locations). Table 1 below details the planting and growing schedule for screening of the outdoor pile heights.

<table>
<thead>
<tr>
<th>Landscape Height</th>
<th>Maximum Pile Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Planting</td>
<td>16 feet</td>
</tr>
<tr>
<td>60% of trees at 21 feet</td>
<td>21 feet</td>
</tr>
<tr>
<td>60% of trees at 26 feet</td>
<td>26 feet</td>
</tr>
<tr>
<td>60% of trees at 30 feet</td>
<td>30 feet</td>
</tr>
</tbody>
</table>
c). Ensures compatibility with community character. Landscaping must be provided that visually integrates the development with the character of the surrounding community.

The required landscaping must be designed to require minimal amounts of water and to use required water efficiently, in accordance with the water efficiency requirements of the Landscape Design Criteria, and must achieve the following design objectives:

i. **Use Available Non-potable Sources of Water.** The landscaping must integrate the harvesting and/or use of alternative, non-potable sources of water, including stormwater, reclaimed water, and gray water, where feasible.

ii. **Protection of Existing Vegetation.** Existing vegetation, especially trees, must be saved and integrated into landscape design wherever feasible, appropriate or required by other regulations (such as the Tree Protection Ordinance).

iii. **Create Viable Growing Environment.** Landscape design must address the needs of the plants to ensure their health, long-term viability and protection.

iv. **Species Diversity.** The landscape plan must integrate a variety of plant species, heights, colors, and textures, as appropriate given the size of the landscape.

v. **Fire Resistance.** Plant material installed in the fuel modification zone must be fire resistant.

vi. **Crime Deterring.** The landscape design must deter crime by allowing unobstructed views of vulnerable doors and windows from the street and other properties, avoiding blind spots and hiding spaces, and creating pedestrian walkways that are safe.

vii. **Plant Palette.** The plant palette shall consist of species native to California that would not be invasive in local riparian habitats, with emphasis on species native to Ventura County, in accordance with Saticoy Area Plan Policy 1.3.2-4.

The Permittee shall reimburse the County for staff and/or consultant costs to monitor compliance with the approved landscape plan. Planning Division staff time and consultant costs to monitor compliance will be billed to the project's Condition Compliance Account.

**Documentation:** The Permittee shall submit to the County of Ventura Planning Division for review and approval three sets of a draft landscape plan, prepared by a California
registered landscape architect (or other qualified individual as approved by the Planning Director), demonstrating compliance with the above requirements, Saticoy Area Plan Policy 1.3.2-4, § 8109-0.6 of the Ventura County Non-coastal Zoning Ordinance and the County’s Landscape Design Criteria. The landscape architect responsible for the work shall stamp the plan. After landscape installation, the Permittee shall submit to the County of Ventura Planning Division a statement from the project landscape architect that all landscaping has been installed as shown on the approved landscape plan. Any changes to approved landscape plans that affect the character or quantity of the plant material or irrigation system design must be approved by the Planning Director prior to installation.

The Permittee shall provide documentation to the Planning Director, for review and approval, that demonstrates that the landscape screening has reached each growing increment (per the Planting and Growing table noted above), prior to increasing the height of the outside storage piles.

**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. The Permittee shall install all required landscaping prior to issuance of a Zoning Clearance for use inauguration.

**Monitoring and Reporting:** The Planning Division maintains the landscape plans and statement by the landscape architect provided by the Permittee in the project file and has the authority to periodically confirm that the landscaping is maintained by the Permittee in accordance with the approved plan consistent with the requirements of §8114-3 of the Ventura County Non-coastal Zoning Ordinance.

*This condition was satisfied prior to the submittal of Minor Modification Case No. PL22-0164. This mitigation measure shall be maintained by the Permittee for the life of the CUP.*

21. **Lighting Plan**

**Purpose:** To ensure lighting on the subject property is provided in compliance with §8106-8.6, § 8108-5.12 and § 8109-4.8.2 of the Ventura County Non-coastal Zoning Ordinance and:

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

**Requirement:** For any new or replacement lighting, the Permittee shall submit two copies of a lighting plan to the Planning Division for review and approval prior to implementing the lighting plan. The Permittee shall include a photometric plan and manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs) in the lighting plan. An electrical engineer registered by the State of California shall prepare the lighting plan. The plan must include illumination information within parking areas, pathways, streetscapes, and open spaces proposed throughout the development. In order to minimize light and glare from project property all parking lots, exterior structure light fixtures, and freestanding light standards must be high cut-off type that divert lighting downward onto the property to avoid the casting of any direct light onto any adjacent property or roadway. 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:** A stamped copy of the approved Lighting Plan.

**Timing:** The Permittee shall submit a lighting plan for review and approval by the Planning Division prior to the issuance of a Zoning Clearance for construction of the new or replacement lighting. The Permittee shall maintain the lighting as approved in the lighting plan for the life of the permit.

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

22. **Sign Plan**

**Purpose:** To ensure signage on the property complies with Chapter 1, Article 10 of the Ventura County Non-coastal Zoning Ordinance and Saticoy Area Plan Policy 3.4.2-2.

**Requirement:** The Permittee shall submit two copies of a sign plan to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for construction. The sign plan shall include the proposed size, colors, materials, and lighting details. The Permittee shall bear the total cost of such review and approval.

**Documentation:** A stamped copy of the approved sign plan.
Timing: The Permittee shall submit the sign plan to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for construction.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved sign plan in the project file. The Permittee shall be responsible for obtaining a Zoning Clearance for any new or replacement sign to assure that the signage for the project continues to comply with the approved sign plan and Chapter 1, Article 10 of the Ventura County Non-coastal Zoning Ordinance. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-coastal Zoning Ordinance.

This condition was satisfied prior to the submittal of Minor Modification Case No. PL22-0164.

23. Availability of Parking Spaces

Purpose: To ensure compliance with all applicable provisions in § 8108-3 of the Ventura County Non-coastal Zoning Ordinance.

Requirement: The Permittee shall ensure that the required 55 motor vehicle parking spaces (including accessible spaces), and 8 carpool spaces remain continuously available for their intended parking use and are not used for merchandise display, storage, vehicle repair, or any other unauthorized use. The Permittee and Property Owner shall maintain the required parking area as illustrated on the approved site plan. This maintenance requirement includes, but is not limited to; the number of parking spaces, curbs, directional markings, accessible parking symbols, screening, sight distance, surfaces, signs, striping, lighting fixtures, landscaping, and trash and recyclables enclosures.

Documentation: The Permittee shall provide a site plan that depicts the required parking to the Planning Division for review and approval.

Timing: Prior to the issuance of the Zoning Clearance for construction, the Permittee shall obtain the approval of the site plan from the County Planning Division. The Permittee shall install all components of the required parking area as indicated on the approved site plan prior to occupancy, and shall maintain the required parking area as illustrated on the approved site plan for the life of the permit.

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

This condition was satisfied prior to the submittal of Minor Modification Case No. PL22-0164.

24. Off-Site Parking Restrictive Covenant

**Purpose:** In order to comply with § 8108-3.3.2 of the Ventura County Non-coastal Zoning Ordinance and ensure that the required off-site parking remains available for the permitted use.

**Requirement:** The Permittee shall record on the off-site parking lot's property title a restrictive covenant, subject to the Planning Division's and County Counsel's review and approval, to legally encumber the parking lot or the portion of the parking lot on which shared parking is provided. The Permittee shall include provisions in the restrictive covenant that ensure the continued availability of the shared parking spaces for all the land uses that utilize the shared parking area. The Permittee shall include the following provisions in the restrictive covenant:

a. The County of Ventura must be named as the beneficiary of the restrictive covenant.

b. The restrictive covenant may not be released or terminated without the prior notice and written consent of the Planning Director.

c. The restrictive covenant must include the persons and addresses of the other land uses sharing the parking.

d. The restrictive covenant must include the location and number of parking spaces that are being shared.

**Documentation:** The restrictive covenant must be recorded with the Ventura County Recorder so that it appears on the subject property's title. The Permittee shall provide the Planning Division with a copy of the recorded restrictive covenant.

**Timing:** The Permittee shall provide a copy of the recorded restrictive covenant to the Planning Division prior to the issuance of a Zoning Clearance for construction. The Permittee shall ensure that the restrictive covenant remains in place throughout the life of the permit and shall notify the Planning Division of any proposed changes to the restrictive covenant.

**Monitoring and Reporting:** The Planning Division maintains a copy of the recorded restrictive provided by the Permittee in the project file. The Permittee shall ensure that subsequent development complies with the requirements dictated by recorded restrictive covenant and shall submit any proposed changes to the restrictive covenant
to the Planning Division for review and approval before those changes occur. Unless other provisions for parking are provided that are acceptable to the Planning Director, the elimination of the off-site parking shall constitute grounds to initiate an enforcement action pursuant to § 8114-3.3 of the Ventura County Non-coastal Zoning Ordinance.

This condition was satisfied prior to the submittal of Minor Modification Case No. PL22-0164.

25. **Signage Requirement for Off-Site Parking**

**Purpose:** In order to comply with § 8108-3.3.2(c) of the Ventura County Non-coastal Zoning Ordinance.

**Requirement:** The Property Owner where the off-site parking is provided shall place and maintain permanent, weatherproof signs providing clear and easy-to-follow directions for access to and from the off-site parking location. There must be one sign at each site or parking area entrance or signs must be placed at building entrances or other appropriate locations if it is demonstrated to the satisfaction of the Planning Director that such placement would be more effective in informing off-site parking users. Information on the signs shall be readable by a person seated in a vehicle at the nearest driveway. Graphics (e.g., maps and arrows) shall supplement written directions as appropriate.

**Documentation:** The Permittee shall submit a sign plan to the Planning Division for review and approval. The Permittee shall also submit photo documentation to the Planning Division that such signs have been installed according to the approved sign plan.

**Timing:** Prior to issuance of a Zoning Clearance for construction, the Permittee shall obtain approval of the sign plan. Prior to the issuance of a Certificate of Occupancy the Permittee shall submit the required photo documentation.

**Monitoring and Reporting:** The Property Owner where the off-site parking is located shall maintain the signage for the life of the permit. The Planning Division maintains a stamped copy of an approved sign plan illustrating where the signs will be located. The Planning Division has the authority to periodically inspect the off-site parking area to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-coastal Zoning Ordinance.

This condition was satisfied prior to the submittal of Minor Modification Case No. PL22-0164.
26. **Perimeter and Interior Landscape and Landscape Screening Plan for Offsite Parking Area**

**Purpose:** To comply with the County’s landscaping requirements for offsite parking areas pursuant to § 8108-5.14.4 of the Ventura County Non-coastal Zoning Ordinance.

**Requirement:** Interior and perimeter landscaping, as well as landscape screening that serves the following functions must be provided and maintained:

**Landscape Screening**

a. **Screens undesirable views, incompatible land uses or uses in natural settings.** A landscape plan shall be submitted to the Planning Division that screens the offsite parking area from public view of Lirio Avenue and the public views as seen from the Brown Barranca side of the lot.

Perimeter Landscaping Adjacent to Streets. Where parking areas are not visually screened from any adjacent public or private street by an intervening building or structure, the following requirements shall apply pursuant to § 8108-5.14.4 [a.1 to a.3] of the Ventura County Non-coastal Zoning Ordinance:

a. **Screening Materials and Height.** Visual screens, measuring 3 feet in height from the top of the pavement, shall be provided. Where the ground level adjoining the street is below street grade, the visual screen height may be reduced by the difference in levels. Where the ground level adjoining the street is above street grade, the visual screen height may be reduced as determined appropriate by the Director.

The visual screen shall be composed of a berm or solid wall, plus plant material that softens the look and breaks up the expanse of the screen. Plant material may be used as the main screening element only if a minimum of 50 percent of the plants are of 15-gallon container size when planted, the rest are of 5-gallon container size, and the plants form a dense hedge. Where walls are used, the preferred location is in the middle of the 8-foot planter so that the planter may also serve as a bumper overhang and so that trees may be planted on both sides of the wall. Walls may also be placed behind the plant material, relative to the street. Where earth berms are used, the berm slope shall be a maximum of 1 foot of rise for every 3 feet of linear distance (3:1 horizontal to vertical).

b. **Ensures compatibility with community character.** Landscaping must be provided that visually integrates the development with the character of the surrounding community.
c. **Perimeter landscaping planter width.** A minimum 8-foot-wide (inside dimension, inclusive of any bumper overhang) landscape planter shall be provided between the street and the parking area, except at driveways, pedestrian pathways, and other pedestrian areas.

d. **Trees and Shrubs.** Trees shall be provided at a minimum rate of 1 for each 30 linear feet of landscape planter or fraction thereof, and at least 1 per planter. Shrubs shall be provided as needed to meet screening requirements, but no less than 1 for every 5 linear feet of landscape planter or fraction thereof.

**Interior Landscaping.** Interior landscaping shall be included in parking areas pursuant to § 8108-5.14.5 of the Ventura County Non-coastal Zoning Ordinance as follows:

a. **Amount Required.** Interior landscaping shall account for 6 percent of the parking area, excluding the area of required perimeter landscaping, except that no interior landscaping is required when the required perimeter landscaping amounts to 10 percent or more of the parking area.

b. **Tree Spacing.** Trees shall be spaced out evenly throughout the parking area in order to maximize shading of pavement. At a minimum, 1 shade tree shall be provided in interior planters for every 4 adjacent motor vehicle parking spaces (8 total spaces in double-sided parking rows) or equivalent area of motorcycle spaces.

c. **Interior Planter Dimensions.**

   i. **Finger Planters.** Finger planters are planters adjacent to the long side of parking spaces. Finger planters shall measure at least 5 feet wide (inside dimension) by the length of the parking space, and shall contain 1 tree in single-sided rows and two trees (one per side) in double-sided rows.

   ii. **Tree Wells.** Tree well planters shall measure at least 4 feet by 4 feet (inside dimension).

   iii. **Strip Planters.** Strip planters in front of or between rows of parking spaces shall measure at least 4 feet wide (inside dimension).

   iv. **Pedestrian-Orientated Design.** Landscaping shall be designed so that pedestrians are not likely to cross landscape planters to reach building entrances from parked vehicles. This may be achieved through orientation of the landscape planters away from pedestrian pathways, use of pedestrian pathways or barriers to keep pedestrians out of planters.

e. **Preferred Layout.** The preferred layout of interior landscaping of parking areas is set forth below. The Director shall consider this preferred layout, together with any site constraints, in approving parking area landscape plans.
Conditions of Approval for Conditional Use Permit Case No. PL22-0164
Planning Director Hearing Date: August 31, 2023
Planning Director Decision Date: TBD
Permittee: LESL LLC
Location: 1905 Lirio Street, Saticoy
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i. **Ends of Parking Rows.** The ends of each row of parking spaces should be separated from drive aisles, driveways, or buildings by a finger planter (as described in subparagraph (2) below) or sidewalk.

ii. **Double-sided Parking Rows.** One finger planter with 2 trees (1 per row) per 12 adjacent spaces, or fraction thereof, should be provided. Between finger planters either 2 tree wells (1 per 8 spaces) or a continuous planter containing 2 trees (1 per 8 spaces) should be provided.

iii. **Single-sided Parking Rows.** One finger planter with 1 tree per 16 adjacent spaces, or fraction thereof, should be provided. Between finger planters either 2 tree wells (1 per 4 spaces) or a continuous planter containing 2 trees (1 per 4 spaces) should be provided.

iv. **Adjacent to On-Site Buildings.** Where a parking area or driveway is adjacent to a building on the same site, the area should be separated from the building by a landscaped planter at least 4 feet wide.

All landscaping must be designed to require minimal amounts of water and to use required water efficiently, in accordance with the water efficiency requirements of the Landscape Design Criteria, and must achieve the following design objectives:

a. **Use Available Non-potable Sources of Water.** The landscaping must integrate the harvesting and/or use of alternative, non-potable sources of water, including stormwater, reclaimed water, and gray water, where feasible.

b. **Create Viable Growing Environment.** Landscape design must address the needs of the plants to ensure their health, long-term viability and protection.

c. **Species Diversity.** The landscape plan must integrate a variety of plant species, heights, colors and textures, as appropriate given the size of the landscape.

d. **Crime Deterring.** The landscape design must deter crime by allowing unobstructed views of vulnerable doors and windows from the street and other properties, avoiding blind spots and hiding spaces, and creating pedestrian walkways that are safe.

e. **Use Native Plant Species.** In accordance with Saticoy Area Plan Policy 1.3.2-4 (select appropriate plan), landscaping must utilize plants that are native to the Santa Clara River watershed.

f. In accordance with § 8107-35.3.6 of the Ventura County Non-coastal Zoning Ordinance, invasive plants, as listed on List A and List B maintained by the California Invasive Plant Council, are not permitted.
Documentation: The Permittee shall submit to the County of Ventura Planning Division for review and approval three sets of a draft landscape plan, prepared by a California registered landscape architect (or other qualified individual as approved by the Planning Director), demonstrating compliance with the above requirements, and the County's Landscape Design Criteria. The landscape architect responsible for the work shall stamp the plan. After landscape installation, the Permittee shall submit to the County of Ventura Planning Division a statement from the project landscape architect that all landscaping has been installed as shown on the approved landscape and plan. Any changes to approved landscape plans that affect the character or quantity of the plant material or irrigation system design must be approved by the Planning Director prior to installation.

Timing: Prior to issuance of a Zoning Clearance for construction, the Permittee shall obtain approval of the landscape plan. The Permittee shall install all required landscaping within 18 months of the issuance of the Zoning Clearance for use inauguration. If all required landscaping is not installed within 18 months of the issuance of the Zoning Clearance for use inauguration, the Permittee shall provide a financial assurance, as per the existing policy of the Planning Division at the time of the request. The financial assurance must be based on an estimate for labor and materials to complete the landscape and irrigation project per the approved landscape plan, plus an additional 25 percent.

Monitoring and Reporting: The Planning Division maintains the landscape plans and statement by the landscape architect provided by the Permittee in the project file and has the authority to periodically confirm that the landscaping is maintained by the Permittee in accordance with the approved plan consistent with the requirements of § 8114-3 and § 8109-5.14.4 of the Ventura County Non-coastal Zoning Ordinance.

This condition was satisfied prior to the submittal of Minor Modification Case No. PL22-0164.

27. BR-1: Biological Mitigation Measure - Monitoring by a County-approved Biologist

Purpose: In order to avoid impacts on potential special-status wildlife associated with the riparian habitats along the Santa Clara River, a County approved biologist shall monitor the installation of landscaping.

Requirement: The Permittee shall retain the services of a County-approved qualified biologist to monitor activities associated with installation of the landscaping, including but not limited to clearing, excavating, and planting, and to ensure that such activities avoid the bank of the Santa Clara River.

Documentation: The Permittee shall provide a copy of a signed contract (financial information redacted) with a County-approved biologist responsible for monitoring. The
Permittee shall submit to the Planning Division a Mitigation Monitoring Report from a County-approved biologist following completion of landscaping installation that documents actions taken to ensure that all activities are set back from the bank of the Santa Clara River.

**Timing:** The signed contract shall be provided to the Planning Division prior to issuance of a zoning clearance for construction. The Mitigation Monitoring Report shall be submitted within 14 days of completion of the landscaping installation.

**Monitoring and Reporting:** The Planning Division shall review for adequacy the signed contract prior to issuance of a Zoning Clearance for construction. The Planning Division maintains copies of the signed contract and Mitigation Monitoring Report in the project file.

*This condition was satisfied prior to the submittal of Minor Modification Case No. PL22-0164.*

28. **BR-2: California Department of Fish and Game (CDFG) Streambed Alteration Agreement (SAA)**

**Purpose:** In order to ensure compliance with California Fish and Game Code § 1602, the Permittee shall obtain any necessary permit from the CDFG.

**Requirement:** The Permittee shall notify CDFG under the Lake and Streambed Alteration Program prior to the removal of existing vegetation and planting of landscaping within the bank of the Brown Barranca and riparian corridor of the Santa Clara River. The Permittee shall obtain any permit required by the CDFG.

**Documentation:** The Permittee shall provide written proof or documentation to the County that the Permittee has obtained either: (1) the SAA from CDFG; or, (2) written verification from CDFG stating that an SAA is not required.

**Timing:** The Permittee shall provide the SAA or written verification from CDFG to the Planning Division prior to issuance of a Zoning Clearance for construction.

**Monitoring and Reporting:** The Planning Division maintains a copy of the SAA provided by the Permittee in the project file. Monitoring of any mitigation measures required as part of the SAA is the responsibility of CDFG.

*This condition was satisfied prior to the submittal of Minor Modification Case No. PL22-0164.*

29. **Trash and Recycling Storage Area**

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

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

**Documentation:** The Permittee shall illustrate the enclosures on all development plans for review and approval by the Planning Division.

**Timing:** Prior to the issuance of a Zoning Clearance for construction, the Permittee shall obtain approval of the submitted plans. Prior to occupancy, the Permittee shall install the trash enclosures.

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

>This condition was satisfied prior to the submittal of Minor Modification Case No. PL22-01644.

30. **N-1: Prohibition to Operate Equipment and Perform Maintenance Activities Onsite from 5:00 am to 6:00 am.**

**Purpose:** In order to reduce project noise impacts, the hours of operation and maintenance activities shall be limited.

**Requirement:** The Permittee shall not operate equipment or perform maintenance activities onsite from 5:00 am to 6:00 am.

**Documentation:** The Permittee must maintain current contact information for the Permittee or Permittee’s designee and supply the current contact information to the County Planning Division and post the current contact information on the property. The contact information shall include: the 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 CUP site. 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 the Planning Division with the new information in writing within three calendar days of the change in the Permittee’s field agent.
In addition, the Permittee must use the following process to resolve noise complaints received regarding onsite operation of equipment and onsite maintenance activities from 5:00 am to 6:00 am:

a. The Permittee shall post the telephone number for the designated Contact Person as identified in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about an metals recycling and processing facility as it is occurring may directly contact the Contact Person;

b. If a written complaint about this CUP is received by the County, Planning staff will contact the Permittee’s Contact Person or the Permittee to request information regarding the alleged violation; and,

c. If, following a complaint investigation by County staff, a violation of Ventura County Code or a condition of this permit is confirmed, County enforcement actions pursuant to § 8114-3 of the Ventura County Non-coastal Zoning Ordinance may be initiated.

The Permittee shall take all reasonable actions to prevent noise from adversely affecting nearby residential areas. If the problem persists, the Planning Director may initiate actions to prevent further complaints, including, but not limited to, the use of a noise consultant, at the Permittee’s expense, to monitor the noise and implement measures to achieve compliance with the maximum noise levels. Failure of the above attempts to curtail noise complaints may result in the Planning Director modifying the permit to disallowing all operation of the facility and equipment between 5:00 am and 6:00 am.

**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.

**Monitoring and Reporting:** The Planning Division maintains the contact information provided by the Permittee in the respective project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of § 8114-3 of the Ventura County Non-coastal Zoning Ordinance. In the event that complaints are unabated, the Planning Director has the authority to review any complaints received by the Planning Division to determine whether the permit should be modified or revoked. The Planning Division also has the authority to conduct periodic site inspections to confirm whether the Permittee is in compliance with this mitigation measure, pursuant to § 8114-3.5 of the Ventura County Non-coastal Zoning Ordinance.
This condition was satisfied prior to the submittal of Minor Modification Case No. PL22-01644.

31. **Graffiti**

**Purpose:** In order to comply with § 8107-31.15 of the Ventura County Non-Coastal Zoning Ordinance.

**Requirement:** The Permittee shall submit a graffiti control plan (“the plan”) for the Planning Director's review and approval. The plan must address the prevention of graffiti by such means as landscaping materials, special surface finishes, misting/irrigation strategies, alarms, or other means that the Planning Director deems feasible. The plan must also include strategies which detail how graffiti will be removed within 48 hours of its discovery.

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

**Timing:** The Permittee shall submit the plan to the Planning Division for review and approval prior to issuance of the Zoning Clearance for construction. The Permittee shall implement the plan in accordance with the Planning Division-approved schedule.

**Monitoring and Reporting:** The Planning Division maintains a copy of the plan in the Project file. The Planning Division has the authority to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

This condition was satisfied prior to the submittal of Minor Modification Case No. PL22-01644.

**Environmental Health Division**

32. **Hazardous Materials/Waste Management (CUPA Permit Required)**

**Purpose:** To comply with the California Code of Regulations Title 22, Division 4.5, California Health and Safety Code chapter 6.95; and Ventura County Ordinance Code, and to ensure the safe storage, handling, and disposal of any potentially hazardous material and/or waste.

**Requirement:** The Permittee shall submit a Hazardous Materials Business Plan (HMBP) to the Environmental Health Division/Certified Unified Program Agency (Ventura CUPA) for storage of hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid). If hazardous wastes are generated, an EPA ID number issued by the California Department of Toxic Substances Control must be obtained and maintained in active status. Wastes identified as "non-hazardous"
may require waste determination analysis to confirm if wastes are listed hazardous wastes, exhibits a hazardous characteristic through testing, or application of general knowledge.

**Documentation:** A completed HMBP must be submitted to the Ventura CUPA electronically through the California Environmental Reporting System (CERS). Maintain all records of hazardous waste determination testing and disposal and make available for review by this Ventura CUPA staff upon request.

**Timing:** HMBP must be submitted through CERS annually, and whenever there is a change to the type, quantity, or location of the hazardous materials. EPA ID number must be renewed annually.

**Monitoring and Reporting:** Verification of hazardous materials inventory as well as ongoing compliance with requirements shall be accomplished through field inspection by Ventura CUPA staff. Additional information on the storage and handling requirements for hazardous materials and wastes may be found on the Ventura County Environmental Health Division/Certified Unified Program Agency website: https://vcrma.org/cupa

### 33. Solid Waste – Recyclables Collection and Processing Facility

**Purpose:** To comply with California Code of Regulations Title 14 (14 CCR). All site conditions and operations must conform to State solid waste laws and regulations.

**Requirement:** Facility operation shall pass the “three-part test” to ensure it is not subject to Construction and Demolition/Inert Debris Regulatory Requirements and to maintain status as a Recyclables Collection and Processing Facility.

**Timing:** The Permittee shall maintain the Project site in compliance with 14 CCR regulations at all times.

**Monitoring:** The Environmental Health Division is the Local Enforcement Agency (LEA) for Ventura County. LEA staff will provide technical assistance and respond to complaints of illegal solid waste and/or CDI disposal.

### PUBLIC WORKS AGENCY CONDITIONS

#### Water Quality Section

34. State General Industrial Stormwater Permit No. CAS000001 Requirements

**Purpose:** To ensure the project continues coverage and maintains compliance with all water quality provisions in accordance with NPDES General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Industrial Activities (IGP).
**Conditions of Approval for Conditional Use Permit Case No. PL22-0164**

**Planning Director Hearing Date:** August 31, 2023  
**Permittee:** LESL LLC  
**Planning Director Decision Date:** TBD  
**Location:** 1905 Lirio Steet, Saticoy

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

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

i. A current notice of intent (NOI), in accordance with the State Water Resources Control Board requirements under the IGP; or

ii. Verification of payment for the current coverage year, whichever is more recent;

iii. A copy of the project Stormwater Pollution Prevention Plan (SWPPP); and

iv. A copy of the most recent annual report, if applicable.

**Timing:** The above-listed items shall be submitted to CSP staff for review prior to a zoning clearance for use inauguration.

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

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**OTHER VENTURA COUNTY AGENCIES CONDITIONS**

**Ventura County Fire Protection District**

35. **Fire Sprinkler and Standpipe System**

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

**Requirement:** The Permittee shall be responsible for obtaining approved plans from the Fire District for the modification of the fire sprinklers which was the addition of standpipes in the interior of the warehouse building. The fire sprinkler and standpipe system shall be designed and installed by a properly licensed contractor under California State Law.

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

**Timing:** The Permittee shall submit and obtain approval for the fire sprinkler and standpipe plans to the Fire Prevention Bureau prior to the inauguration of the Zoning Clearance for use inauguration.

**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 and standpipe system is installed according to the approved plans. Unless a modification is approved by the Fire
Prevention Bureau, the Permittee, and his successors in interest, shall maintain the fire sprinkler and standpipe system for the life of the development.

36. **Fire Code Permits**

**Purpose:** In order to minimize fire hazards, the project shall be constructed in conformance with the requirements of the Ventura County Fire Code.

**Requirement:** The Permittee and/or tenant shall obtain all applicable Fire Code permits.

**Documentation:** The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for review and approval.

**Timing:** Prior to final occupancy clearance, installation or use of any required item or system, the Permittee must obtain approval of all necessary Fire Code permits.

**Monitoring and Reporting:** A copy of the approved Fire Code permits shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the requirements of the Fire Code permit are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the conditions of the Fire Code permit for the life of the development.

37. **Outdoor storage at 30 feet in height**

**Purpose:** To comply with current Ventura County Fire Protection District Ordinance.

**Requirement:** Outside storage shall be no higher than 30 feet in height, all combustible materials shall be separated from non-combustible materials in separate product piles in order to limit spread of possible fire. And, all torch cutting operations shall be performed on a concrete surface at least 50 feet from any combustible materials to prevent ignition of fires.

**Documentation:** A Fire District stamped copy of the approved Site Plan.

**Timing:** The Permittee shall submit a Site Plan to the Fire Prevention Bureau for approval prior to the inauguration of the Zoning Clearance for use inauguration.

**Monitoring and Reporting:** A copy of the Fire District approved Site Plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site inspections to ensure that the business operation is in accordance with the approved plans.
Air Pollution Control District

38. Dust for Operations

**Purpose:** To ensure that fugitive dust and particulate matter that may result from activities on the site are minimized. 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).

**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:

I. Signs shall be posted onsite limiting traffic to 15 miles per hour or less.

II. Signs displaying the APCD Complaint Line Telephone number for public complaints shall be posted in a prominent location off the site: 805-303-3708 during business hours and 805-303-3700 after hours.

III. No person shall cause or allow the emissions of fugitive dust from any applicable source such that the dust remains visible beyond the midpoint (width) of a public street or road adjacent to the property line of the emission source or beyond 50 feet from the property line if there is not an adjacent public street or road.

IV. Truck Hauling: No person (including facility or site operator) shall load or allow the loading of bulk materials or soil onto outbound trucks unless at least one of the following dust prevention techniques is utilized:
   a) Use properly secured tarps or cargo covering that covers the entire surface area of the load or use a container-type enclosure.
   b) Maintain a minimum of 6 inches of freeboard below the rim of the truck bed where the load touches the sides of the cargo area and ensure that the peak of the load does not extend above any part of the upper edge of the cargo area.
   c) Water or otherwise treat the bulk material to minimize loss of material to wind or spillage.
   d) Other effective dust prevention control measures.

V. High Wind Exemption: The requirements in Section I and other provisions in Rule 55 shall not apply to fugitive dust when on-site wind speed exceeds 25 miles per hour (mph) for at least 5 minutes in any one-hour period.

**Timing:** Throughout the lifetime of the CUP.
Reporting and Monitoring: The Lead Agency shall monitor all dust control measures. APCD inspectors may also enforce any dust-related provisions per Rule 55, Fugitive Dust, on a complaint-driven basis.

39. Complaint-Driven Nuisance

Purpose: To ensure that discharge of air contaminants (dust, odors, etc.) that may result from any future site construction or existing operations are minimized to the greatest extent feasible.

Requirement: Construction and operation shall be operated in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 51, Nuisance, as described below.

- A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endangers the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.

Documentation: There is no documentation required for this condition.

Timing: Throughout the lifetime of the CUP.

Reporting and Monitoring: Monitoring and enforcement of the Nuisance Rule shall be conducted by APCD staff during compliance inspections and on a complaint-driven basis.
February 15, 2023

Ms. Mindy Fogg, Manager  
Commercial and Industrial Permits Section  
Ventura County Planning Division  
800 S. Victoria Avenue  
Ventura, California 93009

Re:  Reply to Incompleteness Letter dated December 15, 2022  
Minor Modification to Conditional Use Permit (CUP) No. LU09-0128  
Case No. PL22-0164, 1905 Lirio Avenue, Saticoy, California

Dear Ms. Fogg:

Per the County Planning Incompleteness letter dated December 15, 2022, for the above-referenced project, this letter addresses the Planning Division incompleteness information, that included the following:

- **Item 1 - Landscape Screening along Southeast Corner:** The existing landscape screening in this area does not comply with the landscape screening plan that was approved in 2012 for the project (Kiesel Design, landscape screening plan dated December 12, 2011). The existing natural vegetation in this area, the large eucalyptus trees and the existing on-site buildings do not adequately screen the outdoor storage from public views at the State Route 118 / Los Angeles Avenue bridge over the Santa Clara River. Please provide a planting plan / report that depicts the type, number and location of the existing trees and shrubs in this area (e.g., within the United Water Conservation easement or on the project site) and a description of how the existing landscaping adequately screens the storage from public views; or propose additional landscaping to meet the permit requirement.

- **Item 2 - Landscape Screening along Western Property Line:** Similar to No. 1 above, please provide a planting plan / report that depicts the type, number and location of the trees and shrubs that are currently located in this area. The trees must screen the existing outdoor storage piles from public views (i.e., the residential neighborhood southwest of the project site).

**Background on Southeast Corner Landscaping**

The previously approved 2012 landscaping plan for the southeast corner was completed and planted as documented in the County issued Kiesel Design summary letter dated April 8, 2014 (KD 2014). It included planting 23 trees.
Current Landscaping at Southeastern Corner

A visual survey of the area on December 20, 2022 found that area was densely planted with a variety of plants and trees, including many of the KD 2014 planting work. The plants and trees, some of which were dormant and had no leaves, were evident in this area that included; Cottonwood, acacia, sugar bush, pepper trees, eucalyptus trees, dense areas of mulefat, and other vegetation. As compared to KD 2014 report photographs attached in that report, the current density of landscaping in this area has filled in (both in width and height) with trees that measure 10’ to 20’ tall and 10’ to 30’ wide. Figure 2 in Attachment 1 includes the current approximate locations of landscaping near the southeast corner. Attachment 2 contains photographs from March/April 2014 to show the original plantings, and photographs from December 2022, show this currently area.

The 2014 planting was partially successful, but it was limited by several factors including:

- The proposed southeastern planting area is not located on real estate owned by Standard Industries (SI) property. It is located on the adjacent parcel owned by United Water Conservation District (UWCD). No easement was granted by UWCD.
- This UWCD area is not readily accessible to SI. It requires driving around to the property located off Los Angeles Avenue (1691 Los Angeles Avenue), requesting access through their property, to a UWCD locked gate which is located at the southwest corner of the 1691 Los Angeles Avenue property.
- An existing unnamed drainage ditch/wash runs along this same general area and it creates problems with the erosion, trash, maintenance, etc. The elevation of the drainage ditch area, and areas of the UWCD property, are lower in elevation than the adjacent SI property.

With additional time, the existing landscaping will continue to add additional screening value as the plants and trees mature.

Current Landscaping at Western Property Line

Under the prior CUP approved in 2012, there were no requirements for landscaping in this area. The western property line of the SI facility is approximately 230’ long, and it has a 16-foot-tall steel wall along it. In approximately 2016, SI planted nineteen (19) redwood trees along the western property line and there is also a large Ficus tree in this area. These trees were added proactively by SI to screen the yard areas from views to the west and northwest. The redwood trees currently measure an average height of 25 feet (December 2022), and these trees, along with the large Ficus tree, screen the western property line of the SI property. See Attachment 1 (Figure 2) to shows the trees, and Attachment 2 for recent photographs of the trees.

Current Landscaping at Southern Property Line

The landscaping of southern property line area was not identified as an incompleteness matter. However, given the size and scale of the planting area, and the substantial screening value it thus provided over the 800’ length, a brief summary of this area is warranted. The initial tree plantings in this area were added in 2013 and the plantings were supplemented in 2017 with additional trees, to add more height and density. This landscaping effort in 2017 is acknowledged in the County of Ventura letter dated April 6, 2017. See Attachment 1 (Figure 2) to shows the planted area (too many trees to inventory individually), and Attachment 2 for photographs from 2013 and 2022 to show this area.
Public Views of the SI Facility

The intent of the landscaping (COA #19) is to screen the storage piles in the SI yard areas from public views. The actual public views of the SI yard are very limited as summarized below.

Some of the residential properties located to the northwest, near Daffodil Avenue and Dogwood Drive, have partial views of the SI facility. The other public views of the SI storage yard areas are possible from Highway 118 to the east/southeast. Specifically, only the Highway 118 bridge (approximately 1,800 foot long) section over the Santa Clara River, provides a possible public view.

- **Residential Views.** The closest public viewing areas of the SI property are located in the residential tract to the northwest, approximately 500+ feet away, off Daffodil Avenue and Dogwood Drive. This residential tract is located in the City of Ventura, and it was constructed in 2017. Views of the SI facility area are limited to a select few dwellings, and some views are screened by street trees planted along Dogwood Drive. Additional views toward the SI property are also blocked by tree plantings surrounding the sewer treatment tanks/equipment owed by Saticoy Sanitary District (APN 128-0-060-110). The existing redwood tree landscaping along the SI western property line adequately screens the SI storage areas. With time and additional tree heights, more screening benefits will be achieved from these young trees.

- **Highway 118 Views.** From the Highway 118 Santa Clara River bridge-crossing area, the viewing distances to the SI facility are between 1,000 feet and 2,100 feet away. Possible views of the SI property are only feasible from northbound traffic lanes on Highway 118. The viewing angles of the SI facility from southbound traffic on Highway 118 are not possible due to the acute viewing angles.

To evaluate actual public views of the SI facility from Highway 118, three (3) separate locations over the bridge-crossing section of Highway 118 were chosen and mapped on Google Earth with placemark pin. Using the “street view” tool within Google Earth to place the “orange guy icon” near the placemark pins, you can view a ground-level perspective of the SI facility and surroundings areas from Highway 118. These street views reflect the recently captured photographs (circa 2022) as well as the maximum SI storage yard pile heights of 30 feet. Appendix 3 contains street view photographs showing the regular-zoom level, and max-zoom level views facing the SI facility. The three Google Earth placemark locations included:

- **South Placemark on Highway 118 (34°16'29.74"N / 119° 8'11.25"W).** This location is approximately 2,174 feet southeast from the SI facility and is located is on the south side the Highway 118 bridge-crossing section, immediately east of the Vulcan Facility (6029 Vineyard Avenue). Note: There are no public views of the SI property from locations south of this placemark as the Highway 118 road elevation drops, and views are blocked by the Vulcan facility.

  **SI Observations:** The SI facility is barely visible given the remote distance. Landscaping along the southern property line of the SI facility effectively screen the facility.

- **Central Placemark on Highway 118 (34°16'36.29"N / 119° 8'20.34"W).** This location is approximately 1,343 feet east from the SI facility. This location is in the middle of the bridge-crossing over the Santa Clara River area of Highway 118.
SI Observations: At the Google Earth street regular-zoom street view level, the SI facility is partially visible in the distance. At the maximum-zoom street view level, there is a very small viewing window at the southeast corner (maybe 100’ long) that provides a slight view of the facility. Although the view is mostly blocked due to the landscaping along southern/eastern property lines, some of the tops of the SI storage piles are partially visible.

- **Northern Placemark on Highway 118 (34°16'40.94"N / 119° 8'26.95"W).** This location is approximately 1,100 feet east from the SI facility, and it represents the closest public viewing location of the SI facility. Note: There are no views of the SI property from areas north of this location as the Highway 118 road elevation drops, and views are blocked by other industrial buildings.

SI Observations: At the Google Earth street view, the most prominent storage site in the area are the stacked (20’ tall) shipping containers located at the 1806 Lirio Avenue property, adjacent east of the SI facility. Beyond this, the views of the SI facility are screened by landscaping and eucalyptus trees. A small viewing window reveals some of the tops of the SI storage piles, which is slightly above the height of the adjacent stacked storage containers.

- **Neighboring View Observations:** For all three locations discussed above, it is noteworthy to mention that the majority of other nearby industrial facilities and storage operations are more highly visible from the Highway 118 public viewing areas, than the SI facility.

**Standard Industries Complaint History**

SI is not aware of any visual public complaints received by County Planning from Highway 118 commuters. However, SI is aware of visual complaints received by County Planning from the residential tract located northwest of the SI facility, off Daffodil Avenue. Upon receipt of these complaints, the County has contacted SI to conduct a compliance check of their pile and landscaping heights. Such a review was most recently completed in March 2022. The perimeter trees were inventoried and measured with findings reported back to County Planning on March 28, 2022. It was determined that the pile heights could achieve their maximum permitted pile height of 30 feet as the landscaping height measurements, of the tallest 44 trees, were confirmed to average over 30 feet. Additionally, County Planning staff conducted their own on-site inspection on April 6, 2022, to verify site conditions. No violation was issued.

Regarding future development matters, the adjacent vacant parcels to the west/northwest of the SI facility are apparently proposed for residential development under a City of Ventura project called Northbank/Vanoni (PROJ-6270). The County will hopefully ensure that this development will have its own on-site landscaping to screen views of the long-established industrial businesses in the area.
Summary

The SI facility has undertaken significant landscaping efforts to effectively screen their storage areas from public views. As can be seen in the photographs supplied to show the original landscaping areas at the time of planting in 2013/2014 (2016 for western side) as compared to recently obtained photographs, the SI storage areas are currently adequately screened. Public views of the SI storage areas are very limited with the western property line screened by large redwood trees. Public viewing from Highway 118 are inherently limited by many factors including; remote distance, viewing angles, normal driving conditions and the posted speed limit of 50 MPH, in addition to the existing landscape screening. While the SI pile heights have reached their maximum permitted heights of 30 feet, the young landscaping will continue to mature and grow taller and wider, and which will provide additional screening value.

Respectfully submitted,

Mike Biedebach  
Project Manager  
Sespe Consulting, Inc.

Attachments  
1. Landscaping Plan (Figure 2)  
2. Photos of Landscaping  
3. Google Earth Street Views from Highway 118
Attachment 1
Landscaping Plan (Figure 2)
9. Eastern planting area after installation of redwood and mulch. April 2014

2. Southern planting area with weed cloth prior to planting and mulch, looking east. March 2013

3. Southern planting area looking west along wall to be screened. March 2013
Attachment 3
Google Earth Street Views from Highway 118
118 - 50 MPH speed limit
118 View - south location
2,174 feet from Standard Industries Facility
118 View - south location (max zoom)
2,174 feet from Standard Industries Facility
118 View - Central location
1,343 feet from Standard Industries Facility
118 View - Central location (max zoom)

1,343 feet from Standard Industries Facility
118 View - North location (max zoom)
1,000 feet from Standard Industries Facility
AGENDA

Saticoy Municipal Advisory Council
Serving the Unincorporated Area of Saticoy
Boundary Sections
Wason Barranca, Brown Barranca, Aster Street, Campanula Avenue,
Rosal Lane, Los Angeles Avenue

Adopted Summary of Minutes on June 5, 2023 by the Saticoy MAC in-person meeting held at the José Flores Community Center

Monday, May 1, 2023, at 6:00 PM
José Flores Community Center, 11168 Violeta Street

Persons who require accommodation for any audio, visual or other disability in order to review an agenda, or to participate in a meeting of the Saticoy Municipal Advisory Council, per the American Disabilities Act (ADA), may obtain assistance by requesting such accommodation in writing addressed to County Supervisor Matt LaVere at 800 S. Victoria Avenue # L1900, Ventura, CA 93009-1740 or by calling (805) 654-2703. Any requests for accommodation should be made at least 48 hours prior to the meeting for which assistance is requested.

YOU MAY PROVIDE PUBLIC COMMENT AT TIME OF THE MEETING OR SEND AN EMAIL to SATICOYMAC@VENTURA.ORG.

YOU MAY PROVIDE PUBLIC COMMENT By 5:00 P.M. on Day of Meeting to Lourdes Solorzano via Phone: 1-(805)-654-2703 or Email: LOURDES.SOLORZANO@VENTURA.ORG.

PLEASE NOTE THE MEETING WILL BEGIN AT 6:00 PM

I. Call to Order
   1. Meeting was called to order by Chair Sunner
   2. Meeting was called to order at 6:12 PM
   3. Meeting held at the Jose Flores Community Center in the unincorporated area of Saticoy.

II. Roll Call
   1. Membership Attendance
      A. Present
         a. Chair Sunner, Co-Chair Parra, and members of the council: Teri Hernandez, Miguel Hernandez, and alternate member Dan Feliz
      B. Absent
         a. Members of the Council: Jacqueline Flores, Elizabeth Claudio, and Joshua Addison

III. Pledge of Allegiance
1. Led by Co-Chair Parra

IV. Inspirational
1. Led by Chair Sunner
   a. Quote: Don’t Focus on Negative Things by Alek Wek

V. Approval of Draft Minutes of the Meeting Held Monday, November 7, 2022, February 6, 2023
1. Date of title for approval of summary of minutes corrected by Clerk
2. February 6, 2023, reviewed by Council. No comments
3. Motion to approved minutes as written and corrected by Alternate Councilmember Dan Feliz, and second by Councilmember Teri Hernandez
4. All in Favor, Motion Carried

VI. Public Comments on Items Not on the Agenda
1. No Public Comments

VII. Community/Government Reports and Announcements
   1. CHP Ventura, absent.

2. Beat Report from County of Ventura Sheriff’s Office
   1. Deputy Officer Sevelo reported several arrests made related to vandalism and graffiti around the Saticoy Park and other areas in the community. Also, reported the lights at Saticoy Park were fixed and the park is well lighted. Deputy Officer thanked County Parks for the repairs.

VIII. Council Action Items
1. Receive and File a Presentation from the County of Ventura Resource Management Agency Regarding a Conditional Use Permit (CUP) No. PI22-0-0164, Minor Modifications to the CUP No. LU09-0128, located at 1905 Lirio Avenue.
   i. Kristina Boero, Resource Management Council, Senior Planner and Mindy Fogg, Planning Manager gave a presentation to the Council regarding the local company, Standard Industries’ request to a modification of the CUP No. LU09-0128 to be granted for the continued operation and maintenance of the existing metals collection, recycling and processing facility for an additional 20-year term. No new structures or vegetation removal was proposed with this modification request. Staff stated the site will go into review/inspection every 3 years as part of the CUP.
   ii. Item was heard, motioned by Councilmember Teri Hernandez and seconded by Chair Sunner.
   iii. Yes Vote: Chair Sunner, Terri Hernandez, Miguel Hernandez, and Alternate Member Dan Feliz
   iv. No Vote: Co-Chair Parra

2. Non-Agenda Future and/or Informational Item Requests.
   (Municipal Advisory Council Members)
   i. No Comments by Council

IX. Council Member Comments
1. Council member Teri Hernandez asked if the community center could have a community board installed outside the building – Clerk will be calling the General
Services Agency Parks to see if installation is possible, and report at next meeting.
2. Council member Miguel Hernandez has a concern regarding public property around his home, called VCPWA to help out and was asked to share it at Council. Clerk was tasked to find a resolution and report at next meeting.

X. Administrative Updates
   i. No Comments by Council

XI. Future MAC Agenda Items and/or Events: Clerk will give an update on various items as shown below:

1. City of Ventura Clean Water Presentation: Representatives from City of Ventura, and County of Ventura
2. Youth Town Hall Meeting
3. Community Input on the City of Ventura General Plan Update
4. Update on the Saticoy Alley Way Presentation
5. Staff Update on the Public Works Agency Saticoy Stripping Project on Azahar Street and Nardo Street
   i. Clerk was tasked to add items 4 and 5 to the June Agenda.
   ii. Presentations will be made in June by PWA staff members regarding updates on the stripping project at Azahar and Nardo Streets, and an update on the awarded $3M grant from the State Cycle 6 Active Transportation Program for the Saticoy Area.
   iii. Items 1 – 4 were discussed by Council; a report from Clerk is anticipated.

XII. Adjourn
1. Meeting adjourned at 6:54PM

Next Saticoy MAC Meeting is Scheduled for Monday June 5, 6:00 P.M. In-Person at the José Flores Community Center.