Planning Director Staff Report Hearing on June 13, 2024



County of Ventura • Resource Management Agency

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

LAKE SHERWOOD PLANNED DEVELOPMENT (PD) PERMITS CASE Nos. PL23-0125 and PL23-0125

A. PROJECT INFORMATION

- 1. Request: The applicant requests approval of two Planned Development (PD) Permits for the construction of two single-family dwellings and two accessory dwelling units on separate legal lots within the Scenic Resource Protection (SRP) Overlay Zone (Case Nos. PL23-0125 and PL23-0126).
- 2. Applicant / Property Owner: Mitch Mouw c/o Sherwood Development Company, 2300 Norfield Court, Thousand Oaks, CA 91361
- **3. Applicant's Representative:** Ibrahim Hzayen c/o Hzayen Design Group, Inc. 2300 Norfield Court, Thousand Oaks, CA 91361
- **4. Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-4 and Section 8111-1.2 et seq.), the Planning Director is the decision-maker for the requested PD Permit.

5. Project Site Sizes, Locations, and Parcel Numbers:

<u>PL23-0125 (Lot 75)</u>: The 5.12 acre parcel is addressed as 929 West Stafford Road, west of the intersection of Elderoak Road and West Stafford Road in the community of Lake Sherwood. The Tax Assessor's parcel number (APN) for the parcel that constitutes the project site is 692-0-040-165 (Exhibit 2).

<u>PL23-0126 (Lot 76)</u>: The 5.73 acre parcel is addressed as 925 West Stafford Road, west of the intersection of Elderoak Road and West Stafford Road in the community of Lake Sherwood. The APN for the parcel that constitutes the project site is 692-0-040-155 (Exhibit 2).

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

- a. Countywide General Plan Land Use Map Designation: Rural
- b. <u>Lake Sherwood / Hidden Valley Area Plan Land Use Map Designation</u>: Rural Residential 2-4 dwelling units per acre
- c. <u>Zoning Designation</u>: Rural Exclusive 2 acre minimum lot size / Scenic Resource Protection Overlay Zone (RE-2 ac / SRP)

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

| Table 1 – Adjacent Zoning and Land Uses | | | |
|--|--|---|--|
| Location in Relation to the Project Site | Zoning | Land Uses/Development | |
| North | RPD-1 du/ac (Residential Planned Development 1 dwelling unit per ace) | Residential development and Sherwood Country Club Golf Course | |
| East | RE-5 ac / SRP | Undeveloped residential lots | |
| South | RE-2 ac / SRP (Rural Exclusive 2 acre minimum lot size / SRP) and OS-10ac/SRP (Open Space, 10-acre minimum lot size / SRP) | Undeveloped residential lots | |
| West | RE-2 ac / SRP | Undeveloped residential lots | |

8. History: The proposed projects includes the development of two lots (Lots 75 and 76) of Tract Map 4409 (TM 4409) and Conditional Use Permit (CUP) 4635, located in the Lake Sherwood area of the County.

On February 11, 1993, the Board of Supervisors approved CUP 4635 and TM 4409. TM 4409 created 49 lots for the development of single-family dwellings on 640 acres. CUP 4635 permitted grading within the tract to create roads and pads for the residential development on these lots that are subject to the regulations of the SRP Overlay Zone.

On June 7, 1994, Modification No. 2 to TM 4409 was approved by the Board of Supervisors for a General Plan Amendment that affected portions of Planning Unit 2, which Tentative Tract. No. TM 4409 is a part. The General Plan Amendment changed the land use designation of TM 4409-2 from Rural Residential 3 (5-10 dwelling units per acre) to Residential 2-4 (2-4 dwelling units per acre). This did not a

On September 10, 2002, the Planning Division approved a Permit Adjustment to TM 4409 to conduct a geotechnical investigation for subsurface exploration, which was necessary to reconfigure approved TT 4409.

On December 5, 2002, Modification No. 5 was approved for to allow the phasing of TM 4409 to be recorded in sequence.

On May 3, 2005, Modification No. 6 was approved by the Board of Supervisors for subdivision of Phases 2 through 8 of TM 4409, which added 30 new lots to TM 4409, bringing the total to 77 lots in the tract. This did not affect Lots 75 & 76.

9. Project Description:

<u>PL23-0125 (Lot 75)</u>: The applicant requests a PD Permit to authorize the construction of a two-story single-family dwelling (4,886 square feet (sq. ft.)) with an attached four-car garage (1,050 sq. ft.). The single-family dwelling includes an attached covered patio area (808 sq. ft.) and a 2nd floor balcony (37 sq. ft.). A detached single story accessory dwelling unit (1,200 sq. ft.) with a covered patio (170 sq. ft.) is also proposed on the vacant parcel referenced as Lot 75 of TM 4409-2 in Lake Sherwood.

Water will be provided by the Ventura County Waterworks District 38 and sewer service will be provided by Triunfo Sanitation District. Access to Lot 75 is provided by a reciprocal driveway to the east of the proposed pad location from West Stafford Road (Exhibit 3a).

<u>PL23-0126 (Lot 76)</u>: The applicant requests a PD Permit to authorize the construction of a two-story single-family dwelling (3,448 sq. ft.) with an attached four-car garage (968 sq. ft.). The single-family dwelling includes an attached covered patio area (1,113 sq. ft.) and a 2nd floor balcony (177 sq. ft.). A detached single story accessory dwelling unit (1,200 sq. ft.) with a covered patio (35 sq. ft.) is also proposed on the vacant parcel referenced as Lot 76 of TM 4409-2 in Lake Sherwood.

Water will be provided by the Ventura County Waterworks District 38 and sewer service will be provided by Triunfo Sanitation District. Access to Lot 76 is provided by a reciprocal driveway to the west of the proposed pad location from West Stafford Road (Exhibit 3b).

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

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

On June 7, 1994, the Board of Supervisors adopted a Negative Declaration for Tentative Tract. No(s). TM 4934, and TM 409-2; Residential Planned Development Permit No. RPD 1272-5; Parcel Map Waiver No. 702; and Zone Charge Z-2883. As a function of the Lake Sherwood / Hidden Valley Area Plan, the Lake Sherwood community was divided into several planning units for development purposes. For Planning Unit 2 (which includes the tract for the subject PD Permit request), the ND evaluated the environmental impacts resulting from a General Plan Amendment that changed the land use designation of TM 4409-2 from Rural Residential 3 (5-10 dwelling units per acre) to Residential 2-4 (2-4 dwelling units per acre). This ND is attached as Exhibit 4.

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

of the conditions described in the CEQA Guidelines (Section 15162) calling for the preparation of a subsequent ND have occurred. Exhibit 4a includes a description of the changes or additions that are necessary to the ND and a discussion of why none of the conditions described in the CEQA Guidelines exist, which require the preparation of an EIR or subsequent ND.

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

C. CONSISTENCY WITH THE GENERAL PLAN AND LAKE SHERWOOD / HIDDEN VALLEY AREA PLAN

The proposed projects have been analyzed and determined to be consistent with all applicable General Plan and Lake Sherwood / Hidden Valley Area Plan policies. A consistency analysis which evaluates the project's consistency with the policies of the General Plan and the Area Plan is included as Exhibit 5 of this Staff Report.

D. ZONING ORDINANCE COMPLIANCE

The proposed projects are subject to the requirements of the Ventura County NCZO.

Pursuant to the Ventura County NCZO (Section 8105-4), the proposed use is allowed in the RE-2 ac / SRP zone district with the granting of a PD Permit. Upon the granting of the PD Permit, the proposed projects will comply with this requirement.

The proposed projects include the construction and use of structures that are subject to the development standards of the Ventura County NCZO (Section 8106-1.1). Table 2 lists the applicable development standards and a description of whether the proposed projects comply with the development standards.

| Table 2 – Development Standards Consistency Analysis | | | | |
|--|---------------------------------|---|--|--|
| Type of Requirement | Zoning Ordinance Requirement | Complies? | | |
| Minimum Lot Area (Gross) | 10,000 sq. ft. | Yes. Lot 75 is 5.12 ac (22,3027.2 sq. ft.) and Lot 76 is 5.73 ac (24,9598.8 sq. ft.) in size. | | |
| Maximum Percentage of Building Coverage | 35 percent | Yes. Lot 75 will include 9,780 sq. ft. of structures, or 0.22 percent building coverage. Lot 76 will include 8,410 sq. ft. of structures, or 0.19 percent building coverage. | | |
| Front Setback | 20 feet | Yes. The single family dwelling on lot 75 will be setback 125 feet from the front property line. The ADU will be setback 126 feet from the front property line. The single-family dwelling on Lot 76 will be setback more than 150 feet from the | | |

| Table 2 – Development Standards Consistency Analysis | | | | |
|--|--|---|--|--|
| Type of Requirement | Zoning Ordinance Requirement | Complies? | | |
| | | front property line. The ADU will be setback more than 145 feet from the front property line. | | |
| Side Setback | 5 feet | Yes. The single family dwelling on lot 75 will be setback 530 feet from the side property line. The ADU will be setback 68 feet from the side property line. | | |
| | | The single-family dwelling on Lot 76 will be setback 189 feet from the side property line. The ADU will be setback more than 60 feet from the side property line. | | |
| Rear Setback | 15 feet | Yes. The single-family dwelling on Lot 75 will be setback 111 feet from the rear property line. The ADU will be setback 130 feet from the rear property line. | | |
| | | The single family dwelling on lot 76 will be setback 613 feet from the rear property line. The ADU will be setback 565 feet from the rear property line. | | |
| | | Yes. The single family dwelling on Lot 75 will be 25 feet in height. | | |
| Maximum Building Height (Principal Structures) | 25 ft. (Height may be increased above 25 ft., to a maximum 35 ft., if each side yard is at least 15 ft | The single family dwelling on Lot 76 will be 25 feet, 8 inches in height. Ventura County NCZO Section 8106-1.1 allows the height of a principal structure to be increased above 25 ft (to maximum 35 ft) if each side yard is at least 15 feet or as specified by permit. The side yard setbacks for Lot 76 exceed 15 feet. | | |
| Maximum Building Height (Accessory Structures) | 15 feet | Yes. The ADU on Lot 75 will be 13 feet, 7 inches in height. The ADU on Lot 76 will be 13 feet, 7.5 inches in height | | |

The proposed projects are located within the SRP Overlay Zone and, therefore, are subject to the standards of the Ventura County NCZO (Section 8109-4.1). Table 3 lists the applicable SRP Overlay Zone standards and a description of whether the proposed projects comply with those standards.

| Table 3 – Special Use Standards Consistency Analysis | | | |
|--|--|--|--|
| Special Use Standard | Complies? | | |
| Sec. 8109-4.1.5.a.(1) | Yes. The proposed projects will be partially visible from Lake Sherwood, a designated scenic resource. The subject lots were intended to be developed with SFDs. | | |

| Table 3 – Special Use Standards Consistency Analysis | | | |
|--|---|--|--|
| Special Use Standard | Complies? | | |
| Discretionary development shall be sited and designed to prevent significant degradation of a scenic view or vista. | Proposed development complies with the development standards of NCZO Section 8106-1.1 (see Table 1 above). Exterior materials will consist of stucco with stone veneer for accents. Selected colors of dark earth-tones will help blend structures into the natural surroundings. | | |
| Sec. 8109-4.1.5.a.(2) Discretionary development shall be sited and designed to minimize alteration of the natural topography, physical features and vegetation. | Yes. The development of each project will be limited to the graded pads that were approved as part of TM 4409-2 and CUP 4635. No additional grading or vegetation removal is proposed beyond what was approved as part of TM 4409-2. | | |
| Sec. 8109-4.1.5.a.(3) Discretionary development shall be sited and designed to utilize native plants indigenous to the area for re-vegetation of graded slopes, where appropriate considering the surrounding vegetative conditions. | Yes. The proposed projects will be conditioned to require use of drought tolerant native vegetation for landscaping to the maximum extent feasible and the re-vegetation of graded slopes (Exhibits 6a and 6b, Condition No. 20). | | |
| Sec. 8109-4.1.5.a.(4) Discretionary development shall be sited and designed to avoid silhouetting of structures on ridge tops that are within public view. | Yes. The proposed dwellings are each located on previously graded pads on a hillside and have been sited to not project above the silhouette of the hilltop against the sky; Lot 75 is approximately 798 feet and Lot 76 is 997 feet below the ridgeline, respectively. | | |
| Sec. 8109-4.1.5.a.(5) Discretionary development shall be sited and designed to use materials and colors that blend in with the natural surroundings and avoid materials and colors that are highly reflective or that contrast with the surrounding vegetation and terrain, such as large un-shaded windows, light colored roofs, galvanized metal, and white or brightly colored exteriors. | Yes. The projects have been conditioned to ensure structures are painted in dark earth tones and non-reflective materials (Exhibits 6a and 6b, Condition No. 18). | | |
| Sec. 8109-4.1.5.a.(6) Discretionary development shall be sited and designed to minimize lighting that causes glare, illuminates adjacent properties, or is directed skyward in rural areas. | Yes. The projects have been conditioned to require the applicant submit a Lighting Plan (Exhibits 6a and 6b, Condition No. 19). | | |

E. PD PERMIT FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a PD Permit 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 Sections C and D of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2 of the Ventura County Ordinance Code can be made.

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

The project sites are located in the Lake Sherwood community. Lake Sherwood is a residential community in the Santa Monica Mountains and overlooks Lake Sherwood reservoir. Lots 75 and 76 have existing graded building sites as do parcels to the east and west of the project site. Open space exists to the west and east, and existing residential development and the Lake Sherwood golf course are to the north.

Existing residential development includes a mix of architectural styles; the contemporary Cape Cod and Mid-Century Ranch styles of the proposed single-family dwellings will be consistent with the existing dwellings in the neighboring areas. Colors and materials consist of natural stone and earth tone colors. To comply with the NCZO development standards, SRP Overlay Zone standards, and policies of the Lake Sherwood/Hidden Valley Area Plan, future development of Lots 75 and 76 has been conditioned to require the exterior surfaces of all structures utilize natural building materials and colors compatible with surrounding terrain (earth tones and non-reflective paints) (Exhibits 6a and 6b, Condition No. 18).

The proposed projects do not include a change of use that has the potential to create any land use conflicts with the surrounding residential development or introduce physical development that is incompatible with the surrounding development.

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

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

The proposed development will not expand the current permissible use of the subject properties. The proposed projects will not result in a change in traffic generation, water, or sewage disposal service connections than what was analyzed for TM 4409-2. Existing public services are adequate to serve the proposed development along with existing residential development on neighboring properties. Additionally, as discussed in Section D of this staff report (above), the proposed projects will comply with maximum building height, maximum building coverage, and minimum side and rear setback standards for the RE zone. Therefore, the proposed projects will not be obnoxious, harmful, or impair the utility of neighboring properties or uses.

The subject properties are located in a very high fire hazard area and will be subject to Ventura County Fire Protection District (VCFPD) Ordinance requirements to ensure that all proposed dwellings contain sprinklers, that brush clearance around structures is maintained, and adequate emergency access is provided on-site. The applicant will be required to verify compliance with these requirements prior to issuance of building permit for construction of the single family dwellings (Ventura County Fire Protection District Ordnance No. 29, Section 4.2.1 and Ventura County Fire Protection District Ordnance No. 32, Sections 903.2, 304.1.2).

Furthermore, the proposed projects will be subject to a condition of approval to limit the days and times of noise-generating construction activities (Exhibits 6a and 6b, Condition No. 22). This requirement will avoid the creation of any nuisances caused by construction noise.

Finally, the proposed projects will be subject to drainage and grading requirements in the form of a drainage plan (under separate permit), which will ensure that the volume and rate of runoff from the project sites will not increase beyond existing rates. The applicant will be required to verify compliance with these requirements prior to issuance of building permit for construction of the single family dwellings (Ventura County Grading Ordinance).

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].

As discussed in Section C of this staff report, adequate public resources and infrastructure exist to serve the two single-family dwellings and two ADUs. Lake Sherwood Community Services District will provide water and the Trifuno Sanitation District will provide sewage disposal services to the subject properties. West Stafford Road and the surrounding public road network are adequate to continue serving the proposed residential development. Adequate fire flow, access, and response times exist for fire protection purposes. VCFPD reviewed and conditioned the project to comply with the applicable standards of the Ventura County Fire Code and VCFPD ordinance (Exhibits 6a and 6b, Condition Nos. 29 and 32). The proposed projects will also be subject to conditions of approval to not create any significant adverse effects related to noise and lighting (Exhibits 6a and 6b, Condition Nos. 19 and 22). Therefore, the proposed projects will not be detrimental to the public interest, health, safety, convenience, or welfare.

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 proposed use is not conditionally permitted; therefore, the requirement of this finding does not apply to the proposed projects.

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 proposed development will occur on Lots 75 and 76 of TM 4409-2, recorded in Miscellaneous Records Book 155 Page 23 and 24.

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 of this staff report (above), on June 7, 1994, the Board of Supervisors adopted an ND for Tentative Tract. No(s) TT-4934, and TM 4409-2; Residential Planned Development Permit No. RPD1272-5; Parcel Map Waiver No. 702; and Zone Charge Z-2883. The ND evaluated the environmental impacts associated with Planning Unit 2 (which includes the tract for the subject PD Permit request). An Addendum to the ND (Exhibit 4a) was prepared for the proposed development of Lots 75 and 76. No changes to the ND are required and there is no substantial evidence to warrant the preparation of an EIR or subsequent ND. Therefore, the proposed project can be approved in accordance with CEQA.

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].

The proposed project sites are located in the SRP Overlay Zone due to their visibility from Lake Sherwood, a designated scenic lake.

As stated in the Scenic Resources Protection Overlay Zone Standards consistency analysis (Table 2, above), the proposed projects will be consistent with § 8109-4.1.5 of the Ventura County NCZO. The projects are also consistent with the General Plan Scenic Resource Policies, as stated in Section C of this staff report.

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 June 3, 2024, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project sites are located. On June 3, 2024, the Planning Division placed a legal ad in the Ventura County Star.

G. RECOMMENDED ACTIONS

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

- CERTIFY that the Planning Director has reviewed and considered this staff report and all exhibits thereto, including the proposed Addendum to the ND (Exhibit 4a) and has considered all comments received during the public comment process;
- 2. FIND that none of the conditions have occurred or exist as set forth in CEQA Guidelines section 15162 to require the preparation of a supplemental or subsequent ND for the subject project, and that the addendum to the previously adopted ND (Exhibit 4a) satisfies the environmental review requirements of CEQA;
- MAKE the required findings to grant the PD Permits (Case Nos. PL23-0125 and PL23-0126) pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
- 4. **GRANT** PD Permit Case Nos. PL23-0125 and PL23-0126, subject to the conditions of approval (Exhibits 6a and 6b).
- 5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location of the documents and materials that constitute the record of proceedings upon which this decision is based.

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

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

Prepared by:

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

Knot Bow

Reviewed by:

Jennifer Trunk, Manager Residential Permit Section

Ventura County Planning Division

EXHIBITS

| Exhibit | 2 | Maps |
|---------|---|------|
|---------|---|------|

Exhibit 3a Project Plans for PL23-0125 and Viewshed Analysis Exhibit 3b Project Plans for PL23-0126 and Viewshed Analysis

Exhibit 4 ND for TM 4409-2 Exhibit 4a ND Addendum

Exhibit 5 General Plan Consistency Analysis Exhibit 6a Conditions of Approval for PL23-0125 Exhibit 6b Conditions of Approval for PL23-0126





Ventura County, California Resource Management Agency GIS Development & Mapping Services Map Created on 04-09-2024 This aerial imagery is under the copyrights of Vexcel 2022

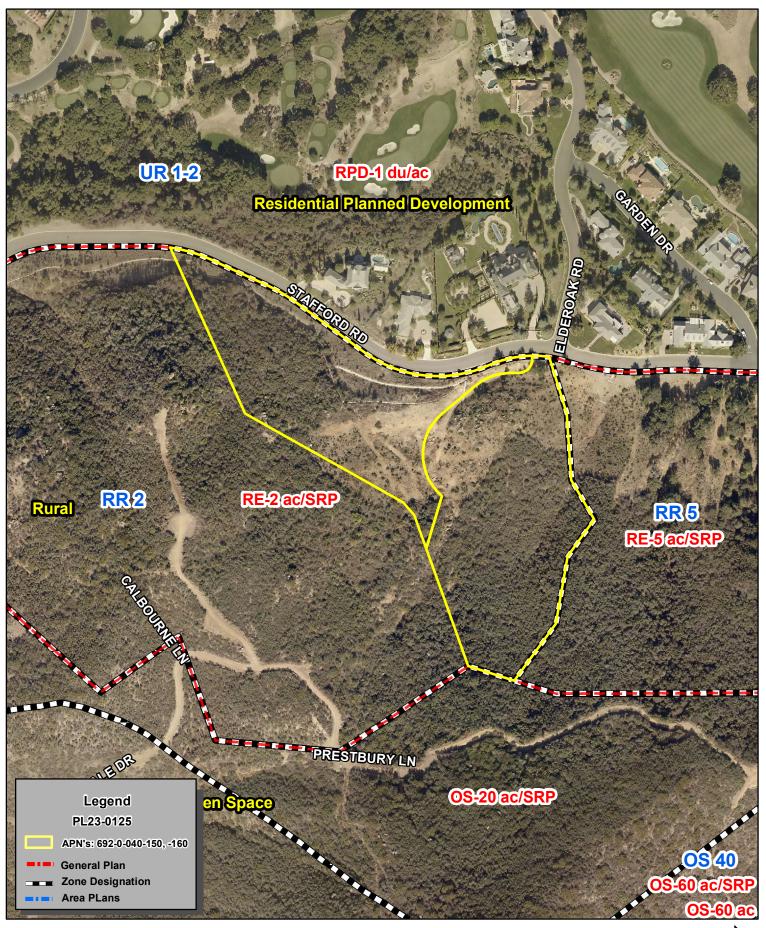


County of Ventura Planning Director Hearing PL23-0125 & PL23-0126 Exhibit 2 - Maps



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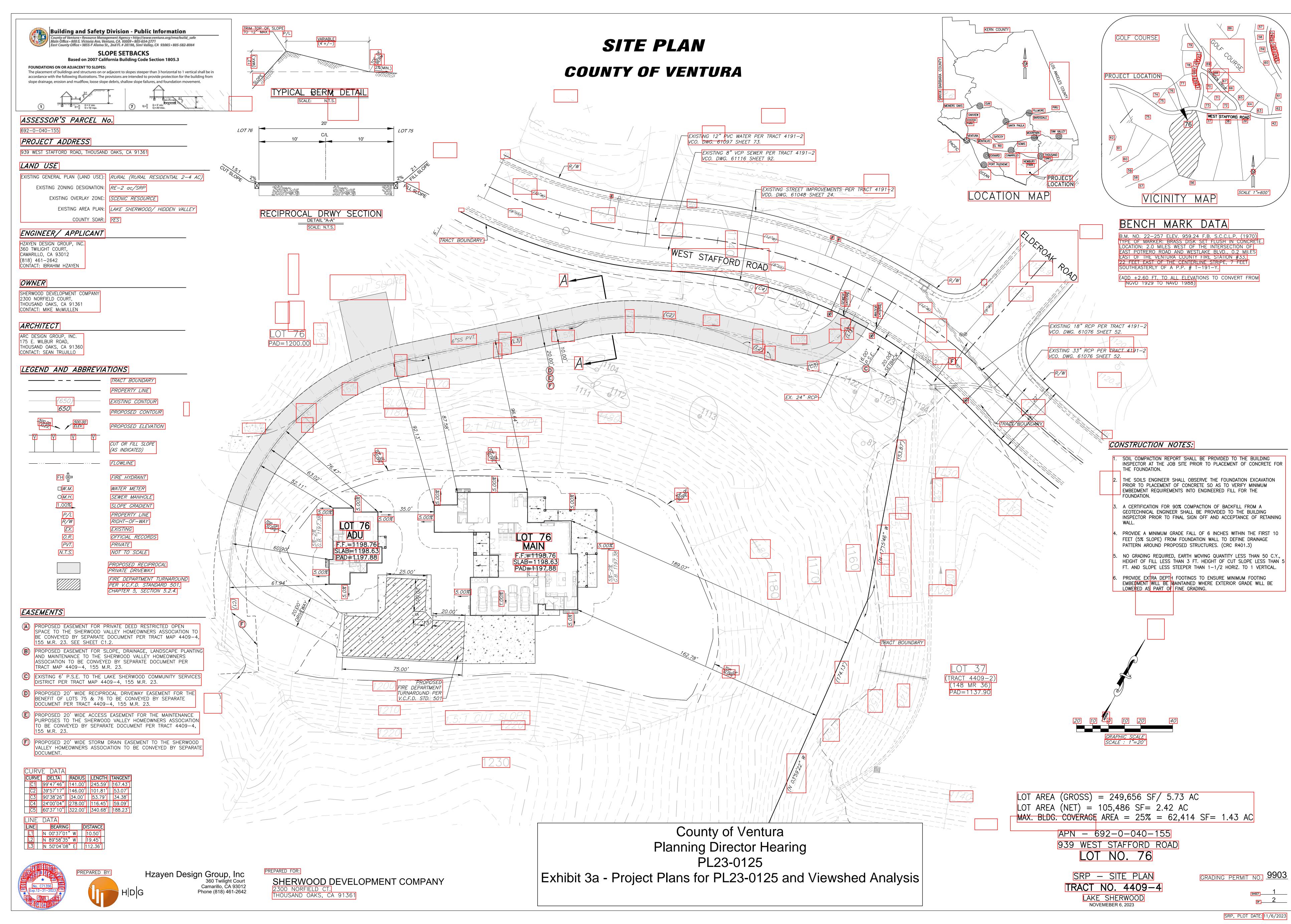


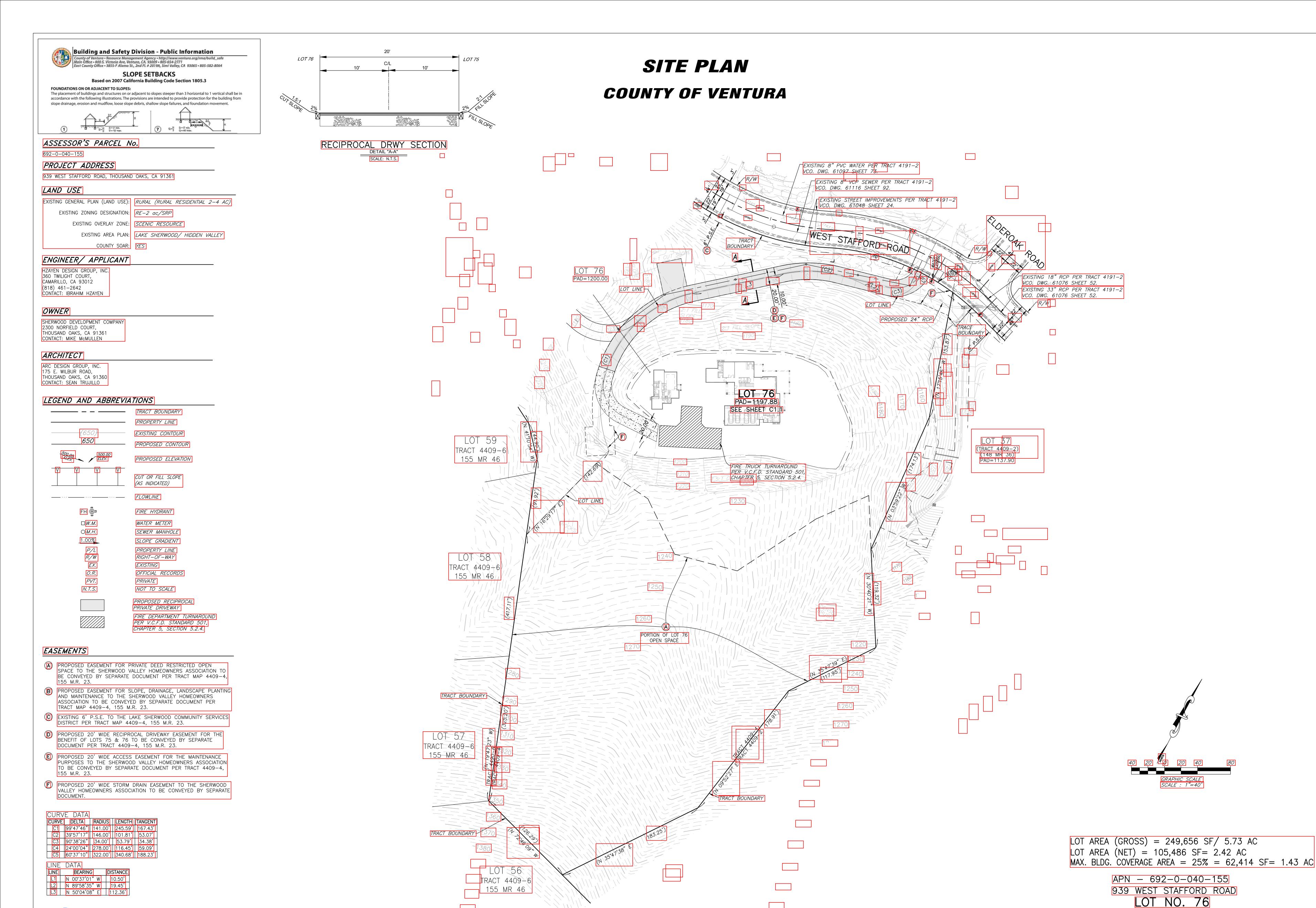
Ventura County, California Resource Management Agency GIS Development & Mapping Services Map Created on 04-09-2024 This aerial imagery is under the copyrights of Pictometry Source: Pictometry, 2019

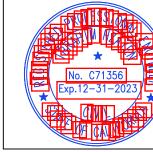




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Hzayen Design Group, Inc 360 Twilight Court Camarillo, CA 93012 Phone (818) 461-2642

SHERWOOD DEVELOPMENT COMPANY
2300 NORFIELD CT.
THOUSAND OAKS, CA 91361

PREPARED FOR:

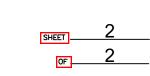
SRP - SITE PLAN

TRACT NO. 4409-4

LAKE SHERWOOD

NOVEMBER 6, 2023

GRADING PERMIT NO. 9903





VICINITY MAP PROJECT ADDRESS 949 WEŚT STAFFORD ROAD THOUSAND OAKS, CA 91361 (TRACT 4409-2 LOT 76) A.P.N. 692-0-040-145 **GOLF COURSE**

PROJECT LOCATION

SHERWOOD DEVELOPMENT COMPANY

2300 NORFIELD COURT THOUSAND OAKS, CA 91361 TELEPHONE: (805) 496-1833

CONSULTANTS

PLANS BY: arc design group, inc.

175 E. WILBUR ROAD, SUITE 202 THOUSAND OAKS, CALIFORNIA 91360 TELEPHONE: 805.484.4277

CIVIL ENGINEER: HZAYEN DESIGN GROUP, INC.

360 TWILIGHT COURT CAMARILLO, CA 93012 TELEPHONE: 805.233.7778

SOILS ENGINEER:

5251 VERDUGO WAY, SUITE J CAMARILLO, CA 93012 TELEPHONE: 805 484 5070

ENGINEER: JT ENGINEERING

107 N REINO RD, SUITE 153 NEWBURY PARK, CA 91320 TELEPHONE: 805.480.9450

MECHANICAL, ELECTRICAL, PLUMBING: CONSULTING WEST

> 31340 VIA COLINAS, SUITE 102 WESTLAKE VILLAGE, CA 91362 TELEPHONE: (818) 889-3383

TITLE 24 ENERGY CALCULATIONS **CONSULTING WEST**

> 31340 VIA COLINAS, SUITE 102 WESTLAKE VILLAGE, CA 91362 TELEPHONE: (818) 889-3383

AREA CALCULATIONS SHEET INDEX FIRST FLOOR: SECOND FLOOR: TOTAL LIVING AREA: SHEET DESCRIPTION SHEET DESCRIPTION 2,704 SQ. FT. 6,152 SQ. FT ARCHITECTURAL 968 SQ. F1 SHEET INDEX, VICINITY MAP, CONSULTANTS LIST SYMBOL LEGEND, & AREA CALCULATIONS IST FLR EXTERIOR COVERED AREAS: 1,113 SQ. F 2ND FLOOR BALCONY: TOTAL COVERED AREAS AND BALCONY FIRST FLOOR PLAN ADU FLOOR AREA: ADU COVERED AREAS: SECOND FLOOR PLAN ADU FLOOR PLAN AND ROOF PLAN BUILDING CODE DATA EXTERIOR ELEVATIONS OCCUPANCY CLASSIFICATION - DWELLING: "R-3" SINGLE FAMILY EXTERIOR ELEVATIONS DWELLING - GARAGE: "U" ATTACHED PRIVATE A5.3 ADU EXTERIOR ELEVATIONS NOTE: 1-HR FIRE RESISTIVE OCCUPANCY SEPARATION SHALL BE PROVIDED BETWEEN R-3 AND U OCCUPANCIES AS INDICATED ON THE FLOOR PLAN. CONSTRUCTION TYPE - "Y-B" NUMBER OF STORIES - TWO STORY BUILDING HEIGHT - MAX, ALLOWED 35'-0" ACTUAL BUILDING HEIGHT - 25'-8" (SEE ELEVATIONS) FIRE ZONE - VERY HIGH FIRE HAZARD SEVERITY ZONE IN COMPLIANCE WITH YOBO CHAPTER 14, YOFD ORD. 30 AN AUTOMATIC FIRE EXTINGUISHING

LOT 76

arc

ENGINEER: JT ENGINEERING ASSOCIATES, INC 107 N REINO ROAD, SUITE # NEWBURY PARK, CA 805 480 9450

OWNER: SHERWOOD DEVELOPMENT CO. L 2300 NORFIELD COURT THOUSAND OAKS, CA (805) 496-1833

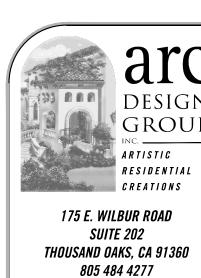
DRAWING SCALE: NO SCALE

AUGUST 18, 2023 **REVISIONS:**

Lot 76

SYSTEM SHALL BE PROVIDED

THROUGHOUT BOTH STRUCTURES.



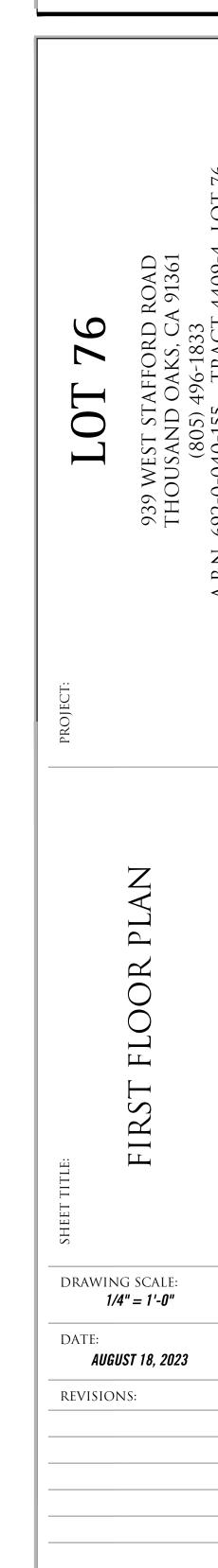
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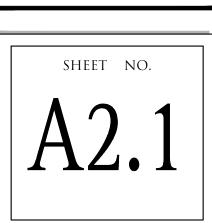
JT ENGINEERING
ASSOCIATES, INC.
107 N REINO ROAD, SUITE #15
NEWBURY PARK, CA
91320-3110
805 480 9450

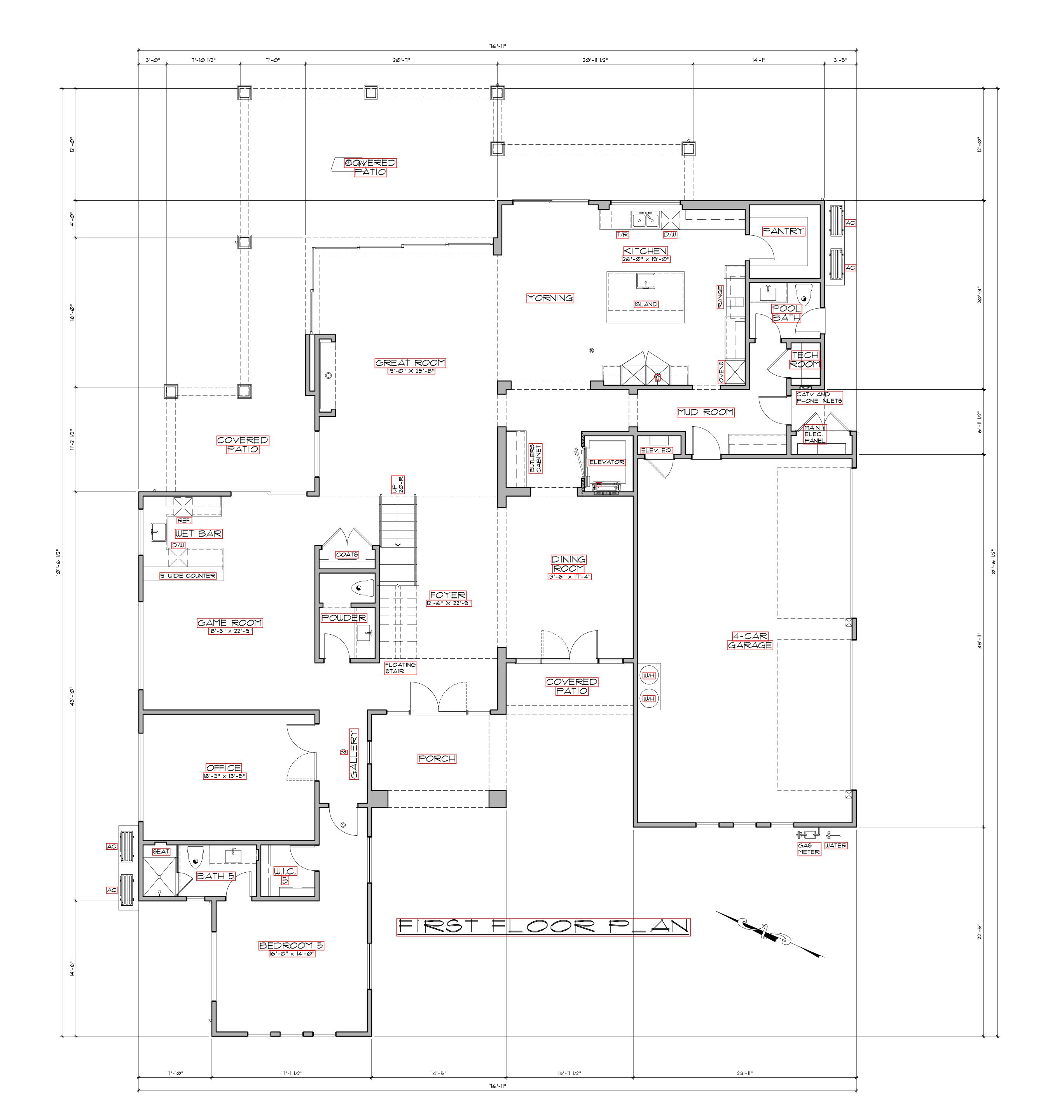
OWNER:

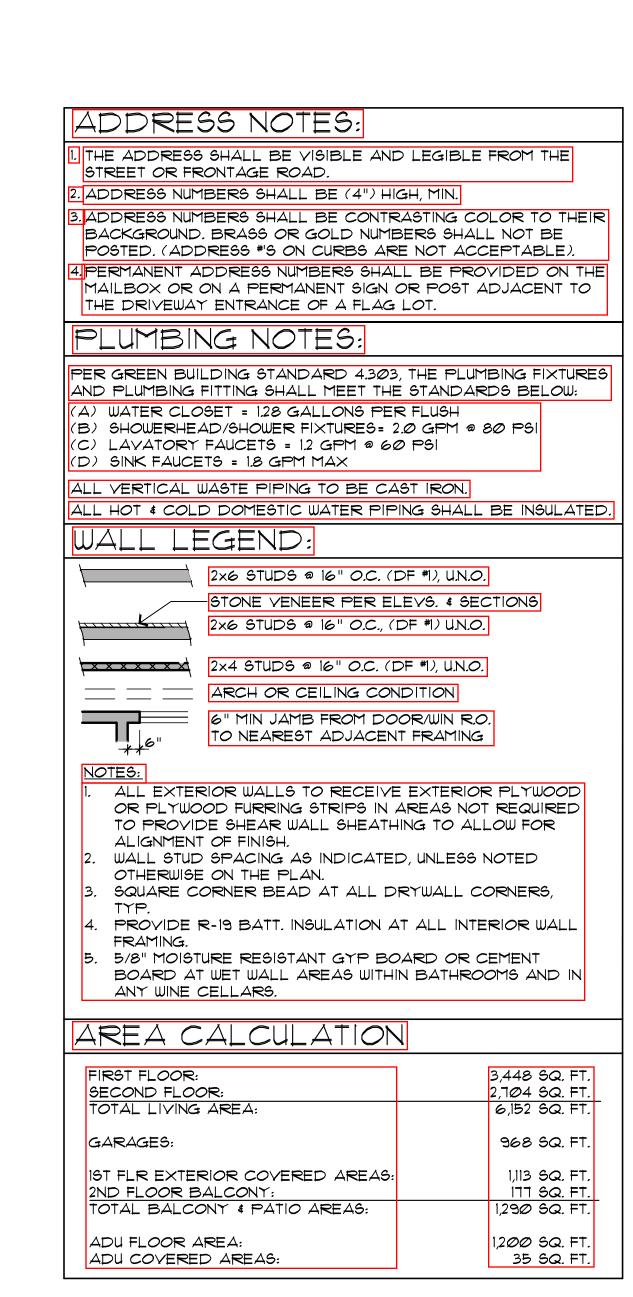
SHERWOOD

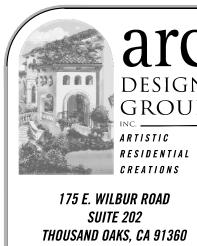
DEVELOPMENT CO. LP
2300 NORFIELD COURT
THOUSAND OAKS, CA
91361
(805) 496-1833











ENGINEER:

JT ENGINEERING
ASSOCIATES, INC.

107 N REINO ROAD, SUITE #15
NEWBURY PARK, CA
91320-3110
805 480 9450

805 484 4277

OWNER:

SHERWOOD

DEVELOPMENT CO. LP
2300 NORFIELD COURT
THOUSAND OAKS, CA
91361
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OOR PLAN

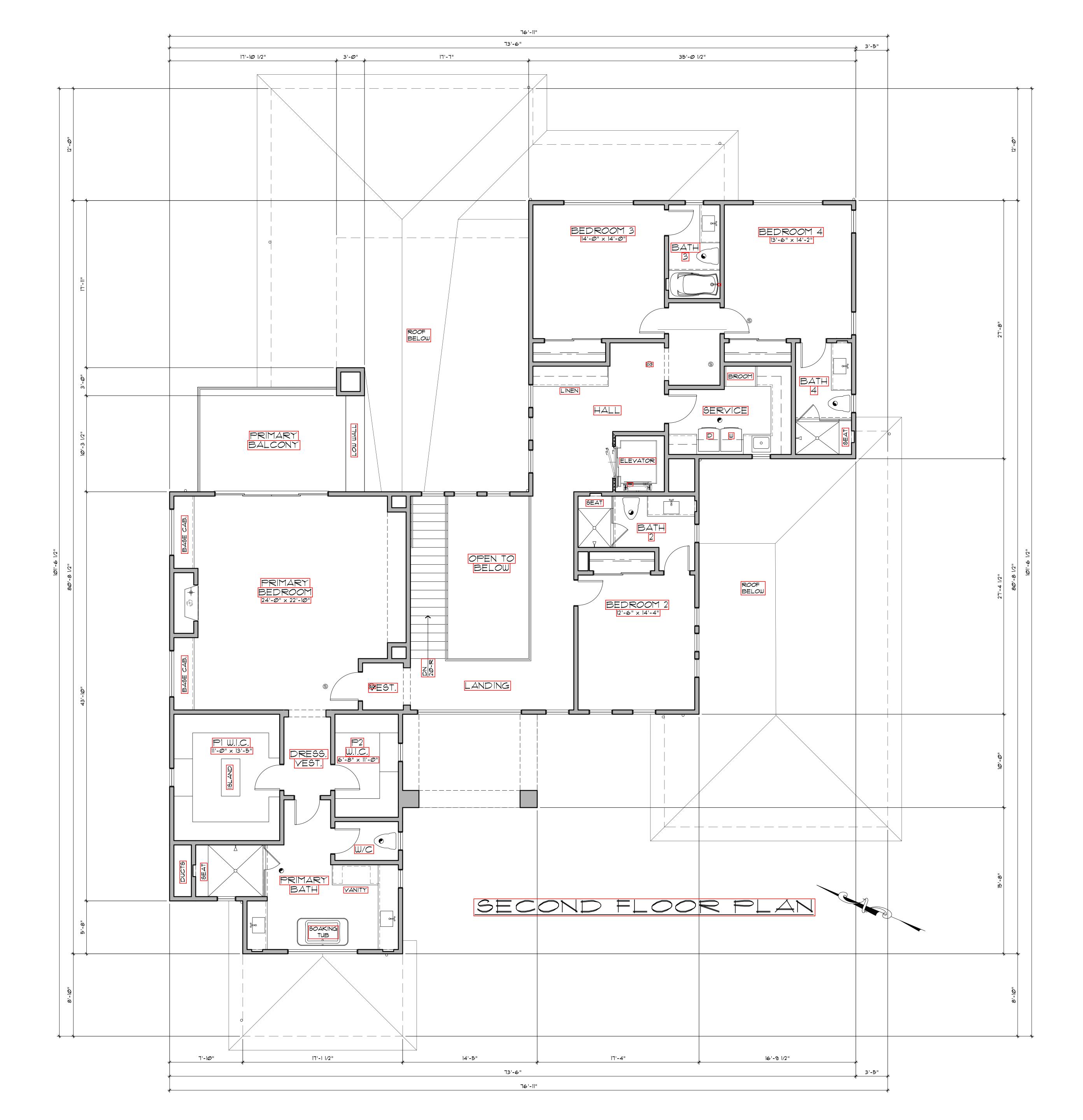
PROJECT:

10T 76

939 WEST STAFFORD ROAD
THOUSAND OAKS, CA 91361



SHEET NO. **A2.2**



968 SQ. FT.

1,113 SQ. FT. 177 SQ. FT. 1,290 SQ. FT.

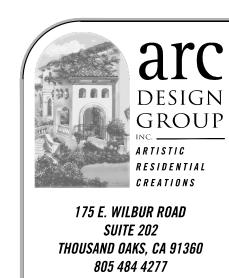
1,2*00* SQ. FT. 35 SQ. FT.

ADDRESS NOTES:

GARAGES:

ADU FL*oo*r Area: ADU Covered Areas:

IST FLR EXTERIOR COVERED AREAS: 2ND FLOOR BALCONY: TOTAL BALCONY & PATIO AREAS:



ENGINEER: JT ENGINEERING ÁSSOCIATES, INC. 107 N REINO ROAD, SUITE #15 NEWBURY PARK, CA 91320-3110

805 480 9450

OWNER: SHERWOOD DEVELOPMENT CO. LP 2300 NORFIELD COURT THOUSAND OAKS, CA 91361 (805) 496-1833

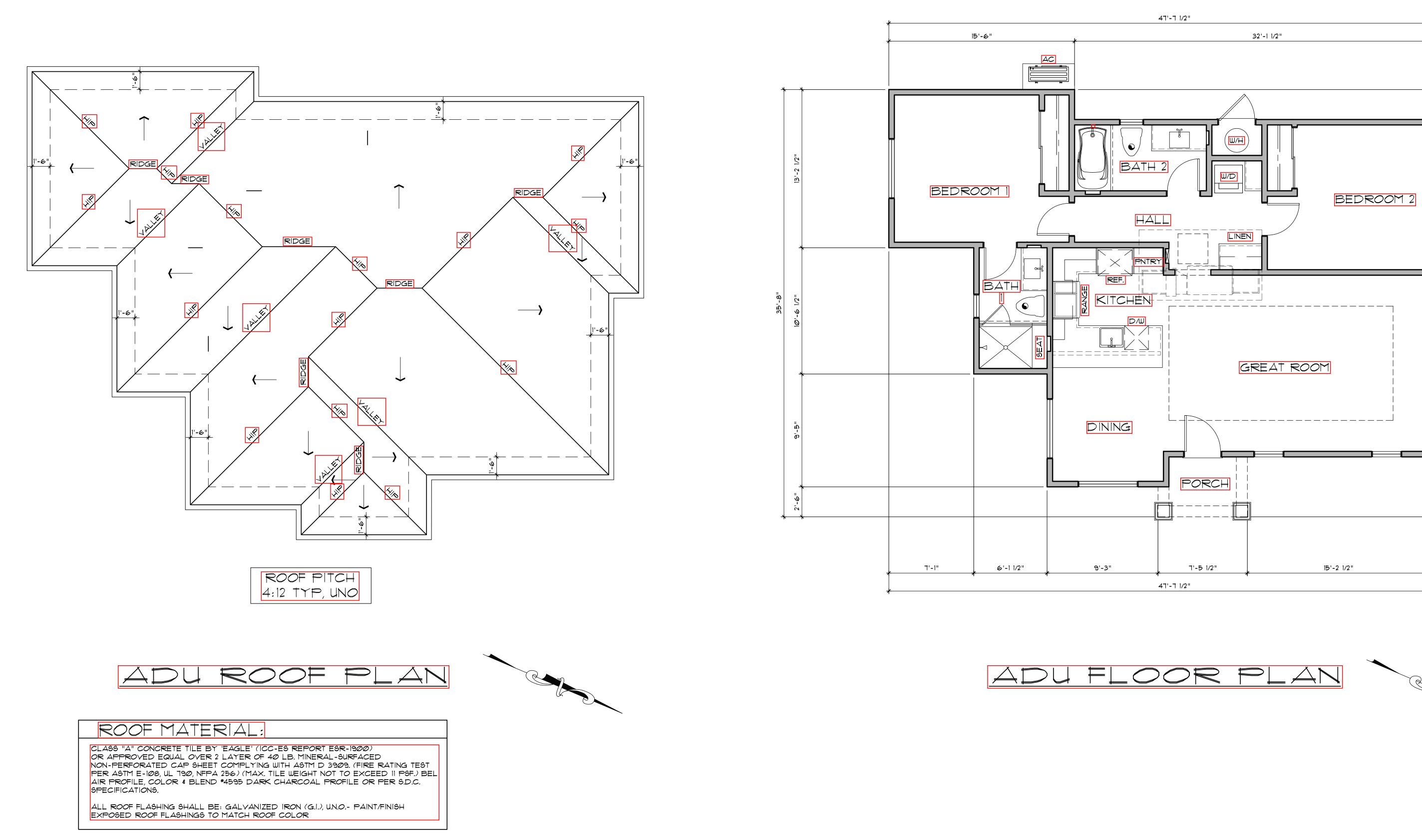
2'-6"

DRAWING SCALE:

1/4" = 1'-0"

AUGUST 18, 2023

REVISIONS:



Lot 76

ROOF MATERIAL:

SPECIFICATIONS.

CLASS "A" CONCRETE TILE BY 'EAGLE' (ICC-ES REPORT ESR-1900)
OR APPROVED EQUAL OVER 2 LAYER OF 40 LB. MINERAL-SURFACED
NON-PERFORATED CAP SHEET COMPLYING WITH ASTM D 3909. (FIRE RATING TEST
PER ASTM E-108, UL 190, NFPA 256) (MAX. TILE WEIGHT NOT TO EXCEED 11 PSF.) BEL
AIR PROFILE, COLOR & BLEND #4595 DARK CHARCOAL PROFILE OR PER S.D.C.

PROVIDE FULL SIZE ROOF MATERIAL SAMPLES FOR S.D.C. DESIGN DEPT. APPROVAL PRIOR TO PLACING ORDER FOR MATERIAL

PROVIDE TORCH-DOWN WATERPROOFING UNDER ROOFING MATERIAL AT PITCH OF 3:12 OR LESS

ALL ROOF FLASHING SHALL BE: GALVANIZED IRON (G.I.), U.N.O.- PAINT/FINISH EXPOSED ROOF FLASHINGS TO MATCH ROOF COLOR

SPARK ARRESTOR NOTE:

THE NET FREE AREA OF THE SPARK ARRESTOR SHALL NOT BE LESS THAN FOUR TIMES THE NET FREE AREA OF THE OUTLET OF THE CHIMNEY. THE SPARK ARRESTOR SCREEN SHALL HAVE HEAT AND CORROSION RESISTANCE EQUIVALENT TO 12-GAUGE WIRE, 19-GAUGE GALVANIZED WIRE, OR 24-GAUGE STAINLESS STEEL. OPENINGS SHALL NOT PERMIT THE PASSAGE OF SPHERES HAVING A DIAMETER LARGER THAN 1/2 INCH AND SHALL NOT BLOCK THE PASSAGE OF SPHERES HAVING A DIAMETER OF LESS THAN 3/8 INCH.

LOT 76

arc
DESIGN
GROUP
INC.
ARTISTIC
RESIDENTIAL
CREATIONS

175 E. WILBUR ROAD SUITE 202 THOUSAND OAKS, CA 91360 805 484 4277

ENGINEER:

JT ENGINEERING
ASSOCIATES, INC.

107 N REINO ROAD, SUITE #153
NEWBURY PARK, CA
91320-3110
805 480 9450

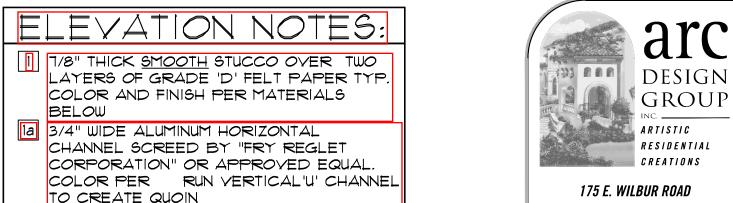
OWNER:

SHERWOOD

DEVELOPMENT CO. LP
2300 NORFIELD COURT
THOUSAND OAKS, CA
91361
(805) 496-1833

9/ DRAWING SCALE: 1/4" = 1'-0" AUGUST 18, 2023 **REVISIONS:**

A4.1



SUITE 202 THOUSAND OAKS, CA 91360 805 484 4277

ENGINEER: JT ENGINEERING ASSOCIATES, INC. 07 N REINO ROAD, SUITE #15 NEWBURY PARK, CA 91320-3110 805 480 9450

OWNER: SHERWOOD DEVELOPMENT CO. LP 2300 NORFIELD COURT THOUSAND OAKS, CA 91361

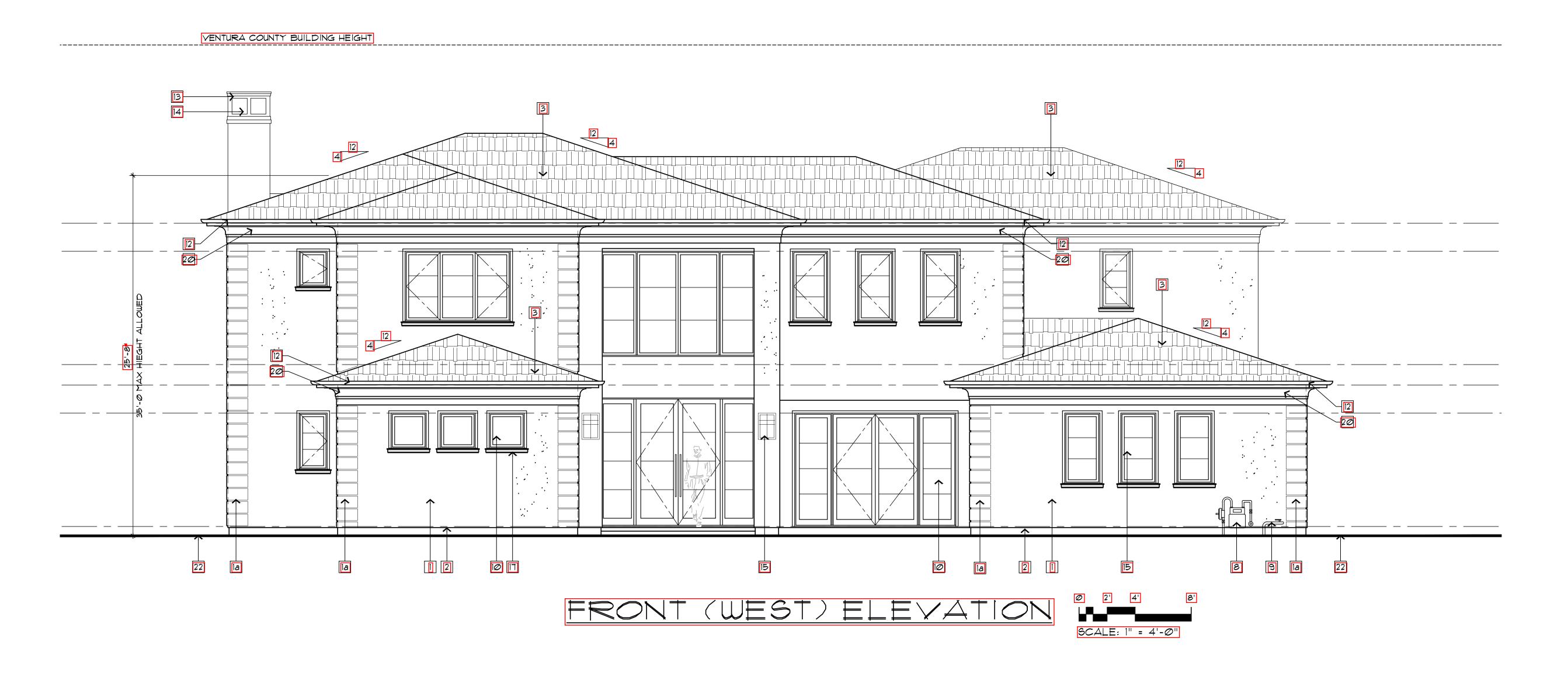
(805) 496-1833

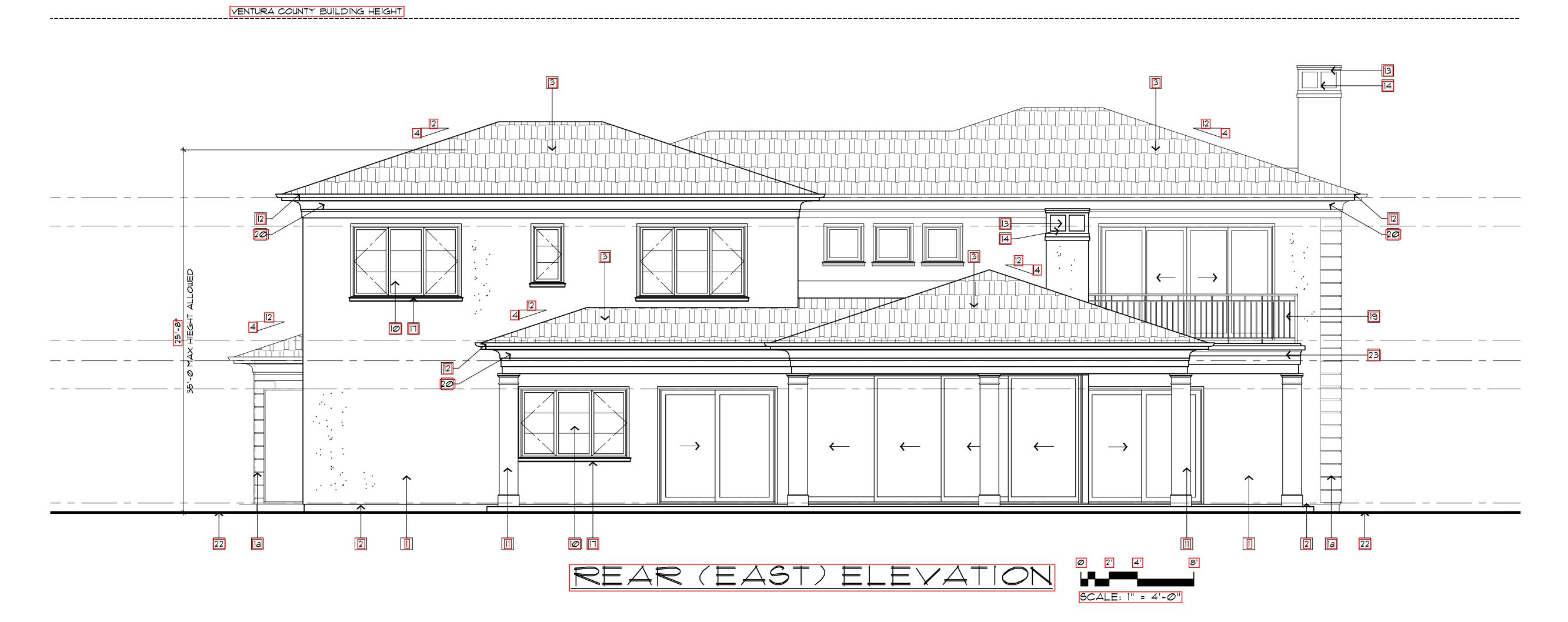
DRAWING SCALE: 1/4" = 1'-0"

DATE:

AUGUST 18, 2023

REVISIONS:





[a] 3/4" WIDE ALUMINUM HORIZONTAL

ELEVATION NOTES:

COLOR AND FINISH PER MATERIALS

SCREED TYPICAL, BY "AMICO" OR

TO CREATE QUOIN

APPROVED EQUAL

PER MATERIALS BELOW

HEIGHT IN FIELD

BASE AND CAPITAL BY "YENTURA CAST STONE" OR APPROVED EQUAL. VERIFY

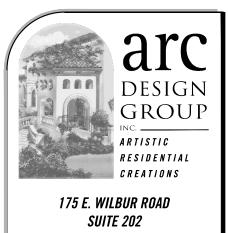
PANELS AT TOP, SEE SCHEDULE

W/ 1/4" MAX. OPENINGS

RELATED DETAIL

COLOR: SEE MATERIALS LIST BELOW

COORDINATE DESIGN W/ S.D.C. DESIGN SPECIFICATIONS



THOUSAND OAKS, CA 91360 805 484 4277

ENGINEER: JT ENGINEERING ASSOCIATES, INC. 07 N REINO ROAD, SUITE #15 NEWBURY PARK, CA 91320-3110 805 480 9450

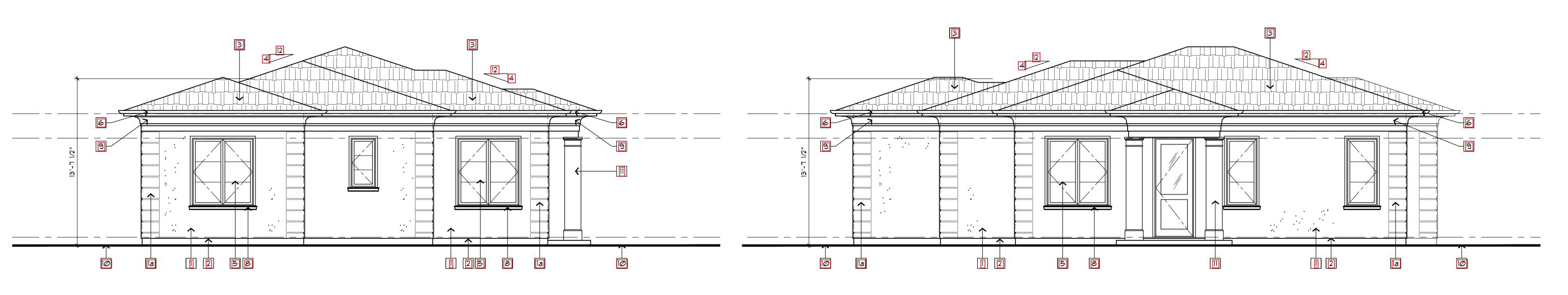
OWNER: SHERWOOD DEVELOPMENT CO. LP 2300 NORFIELD COURT THOUSAND OAKS, CA 91361 (805) 496-1833

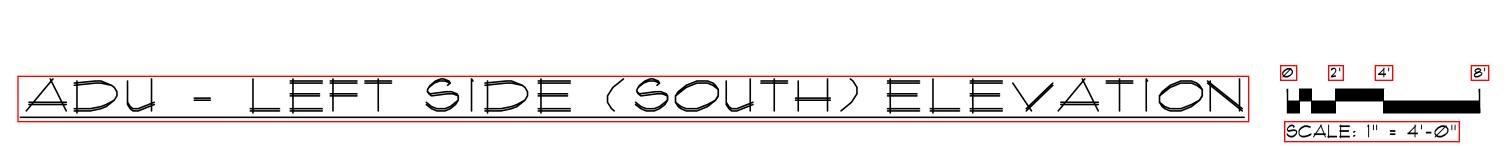
DRAWING SCALE: 1/4" = 1'-0"

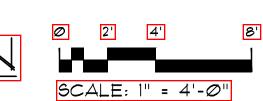
DATE: AUGUST 18, 2023

REVISIONS:

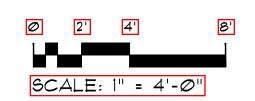


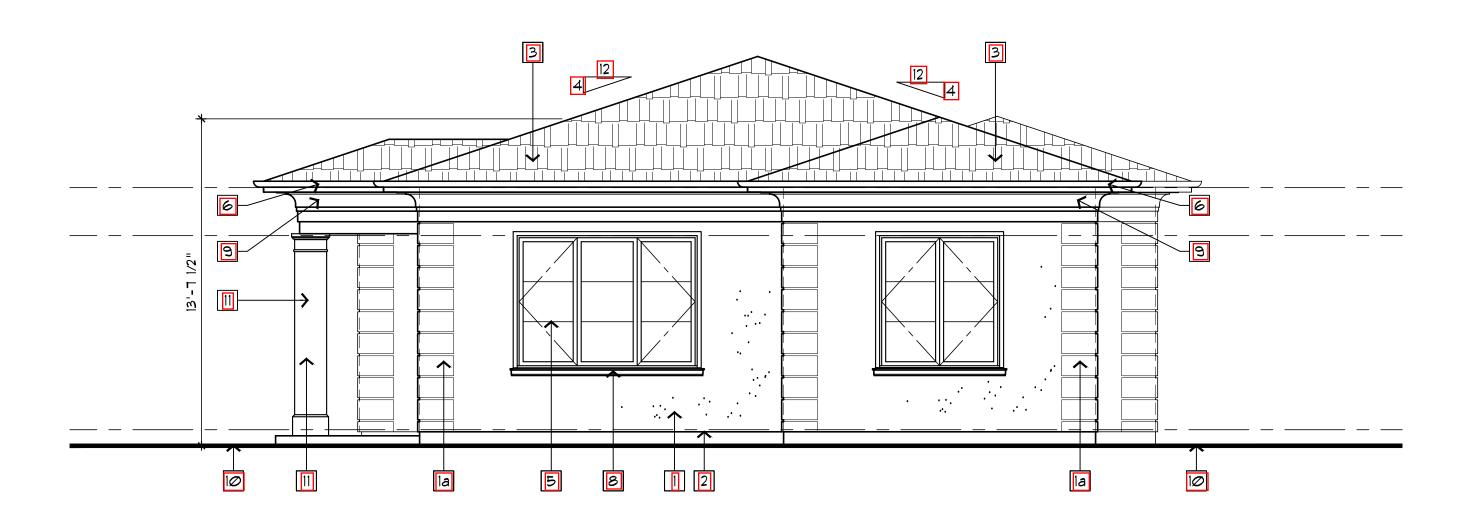


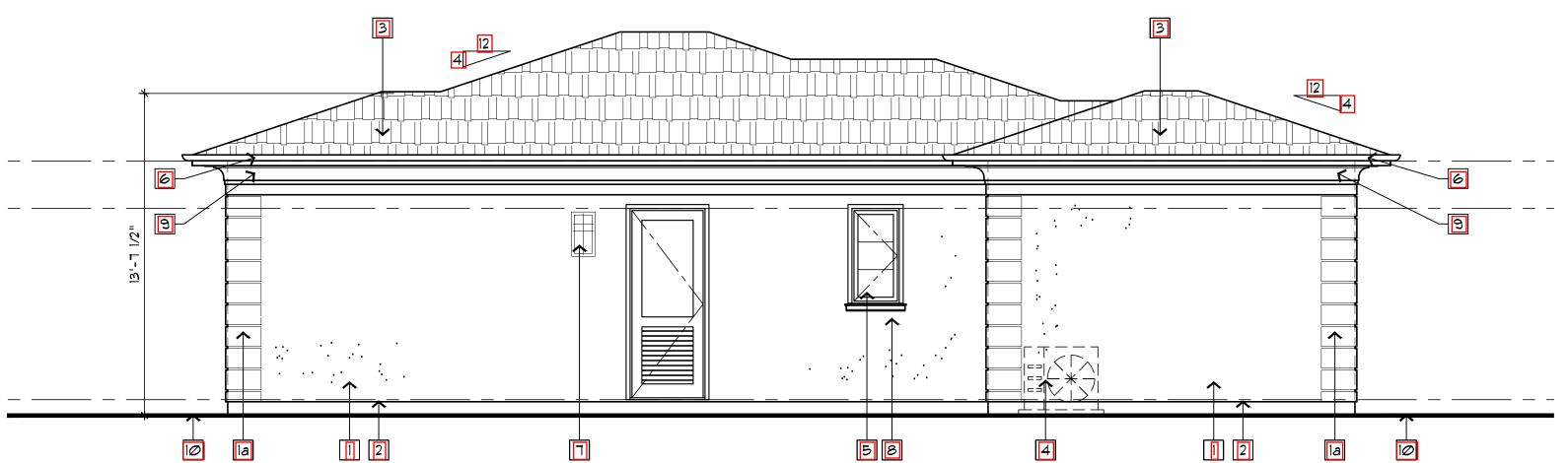




ADU - FRONT (EAST) ELEVATION PROMISSION

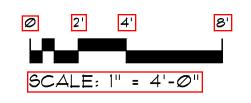




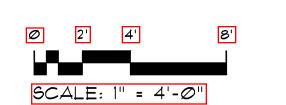


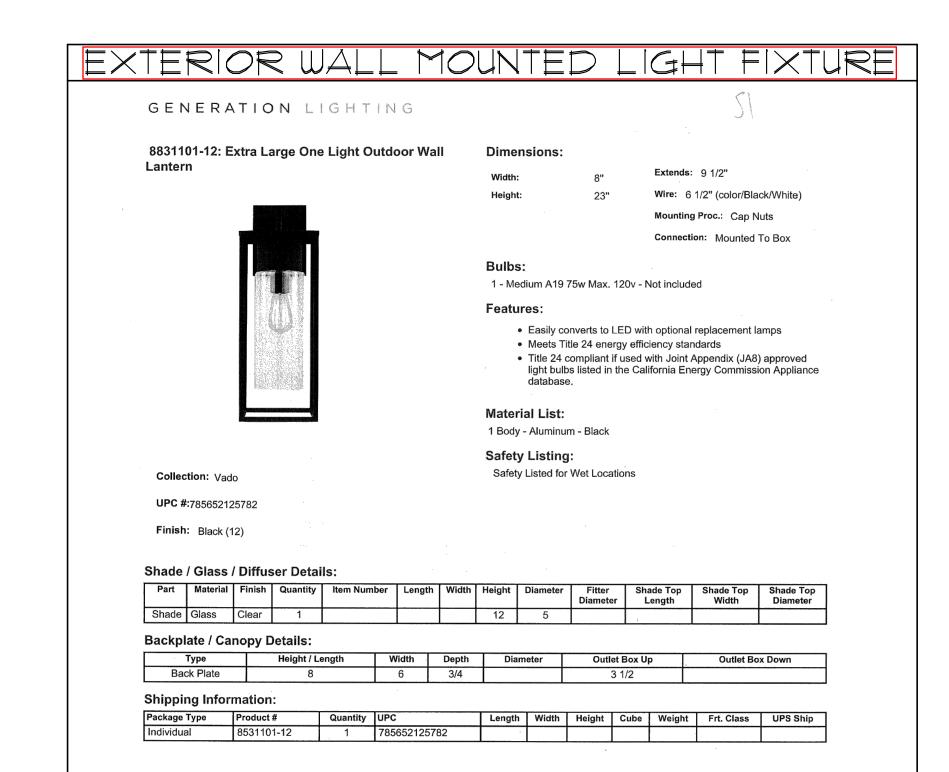
ADU - RIGHT SIDE (NORTH) ELEVATION

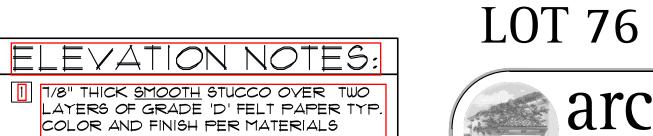
GCALE: 1" = 4'-0"



ADU - REAR (WEST) ELEVATION







13/4" WIDE ALUMINUM HORIZONTAL

TO CREATE QUOIN

APPROVED EQUAL

4 A/C CONDENSER LOCATION

PER MATERIALS BELOW

PER CUT SHEET BELOW

EXISTING/PROPOSED GRADE

8 PRECAST SILL

RELATED DETAIL

HEIGHT IN FIELD

CHANNEL SCREED BY "FRY REGLET CORPORATION" OR APPROVED EQUAL.

2 VINYL EXTENDED LEG STUCCO WEEP SCREED TYPICAL, BY "AMICO" OR

3 ROOFING MATERIAL PER ROOF PLAN

OVER TWO LAYERS OF 40 LB. FELT PAPER, PER MATERIALS BELOW

DOORS & WINDOWS PER SCHEDULE AND

6 GUTTER & DOWNSPOUT PER ELEVATION

TEXTERIOR, WALL MOUNTED LIGHT FIXTURE

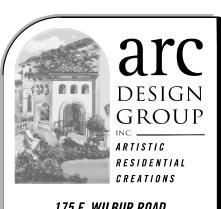
COLOR: SEE MATERIALS LIST BELOW

9 EXTERIOR PLASTERED CORNICE PER

11 16" SQUARE GFRC COLUMN W/ INTEGRAL BASE AND CAPITAL BY "VENTURA CAST

STONE" OR APPROVED EQUAL. VERIFY

COLOR PER RUN VERTICAL'U' CHANNEL



175 E. WILBUR ROAD *SUITE 202* THOUSAND OAKS, CA 91360 805 484 4277

ENGINEER: JT ENGINEERING ASSOCIATES, INC. 07 N REINO ROAD, SUITE #15 NEWBURY PARK, CA 91320-3110 805 480 9450

OWNER: SHERWOOD DEVELOPMENT CO. LP 2300 NORFIELD COURT THOUSAND OAKS, CA 91361

(805) 496-1833

MATERIALS

EXTERIOR WALLS:

SMOOTH FINISH PAINTED TO MATCH DUNN EDWARDS DEW#341 "SWISS COFFEE". VERIFY FINISH AND PAINT COLOR W/ S.D.C. DESIGN

CORNER QUOINS: SMOOTH FINISH STUCCO W/ FRY RIGLET, SEE ELEVATION NOTE FOR ADDITIONAL INFORMATION PAINT BY: DUNN EDWARDS DEW 341 "SWISS COFFEE"

PRECAST SILL WITH SMOOTH TEXTURE TO BE

PRECAST SILL

PAINTED TO MATCH WALL STUCCO COLOR. PROFILE TO BE PER RELATED DETAIL

ROOFING MATERIAL PER SHEET #A4.1 PROVIDE FULL SIZE SAMPLE FOR S.D.C. DESIGN DEPT. APPROVAL PRIOR TO ORDERING MATERIAL

DOORS & WINDOWS

FRENCH DOORS AND WINDOWS BY "WINDSOR" WINDOWS OR EQUAL AS APPROVED BY S.D.C. COLOR: BLACK (VERIFY COLOR WITH S.D.C. DESIGN SPECIFICATIONS VERIFY CASEMENT SWING DIRECTION W/ S.D.C. DESIGN SPECIFICATIONS

RAILING

METAL RAILING COLOR: BLACK GUTTERS/DOWNSPOUTS ALUMINUM RECTANGULAR GUTTER PROFILE

TO MATCH ADJACENT WALL COLOR

PREFINISHED OR PAINTED TO MATCH FASCIA DOWNSPOUTS RECTANGULAR AND PAINTED

DRAWING SCALE: 1/4" = 1'-0" DATE: AUGUST 18, 2023

REVISIONS:

SHEET NO.

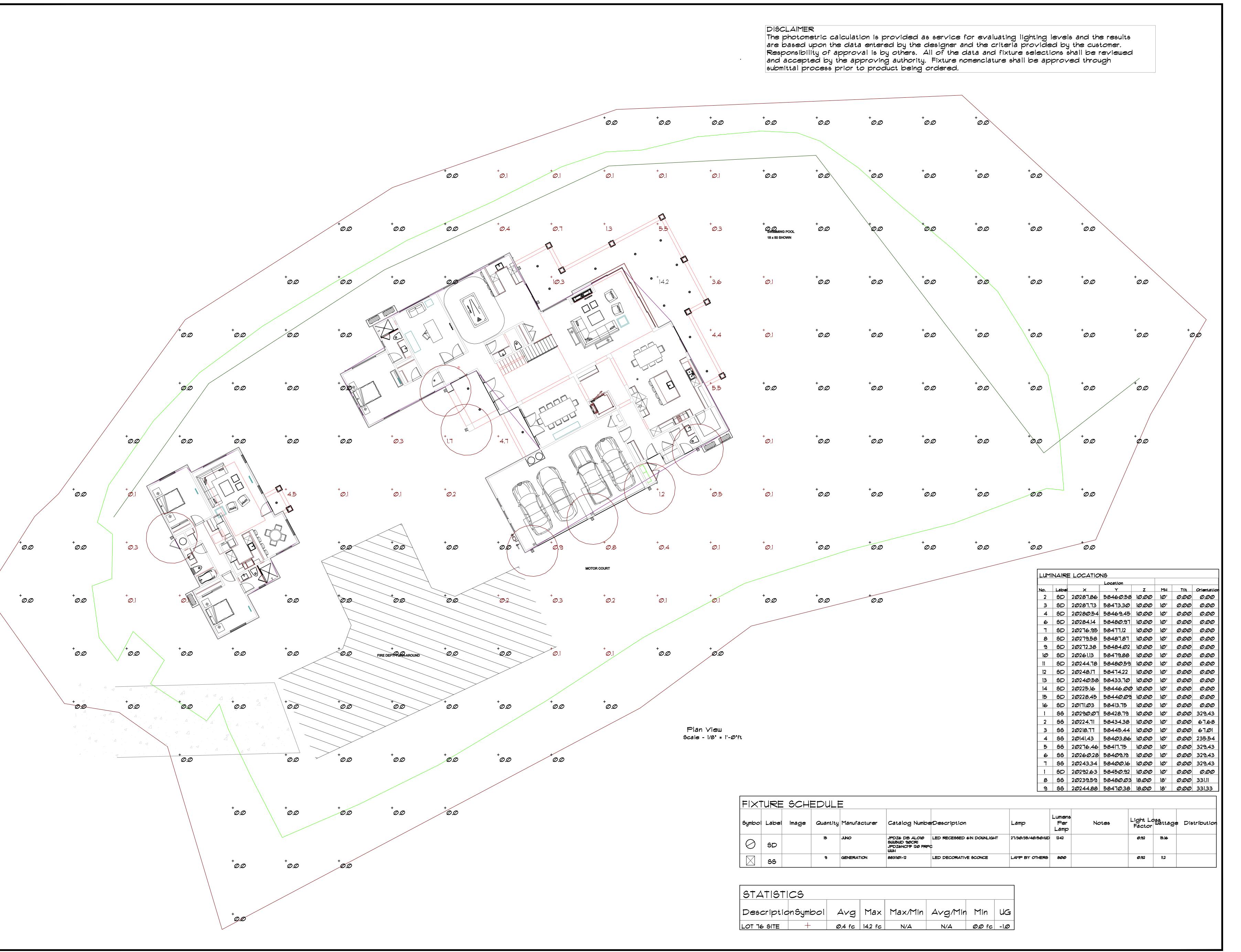
PLANS AND DESIGN BY



SHERWOOD DEVELOPMENT COMPANY

LOT 76 939 WEST STAFFORD ROAD THOUSAND OAKS, CA 91361

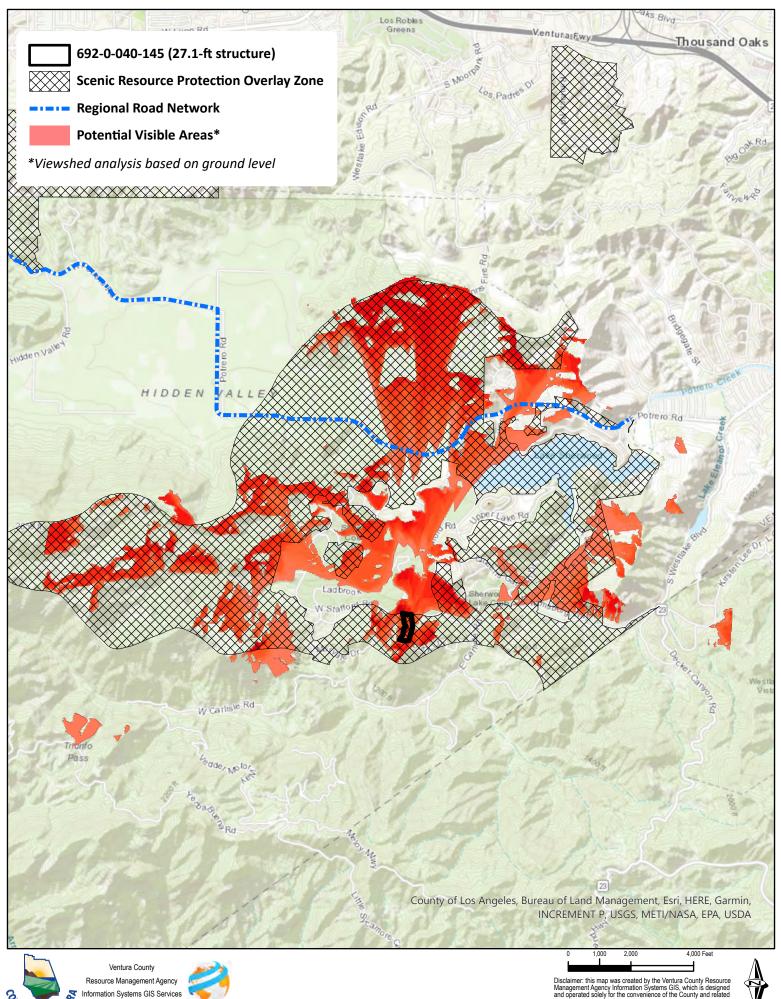






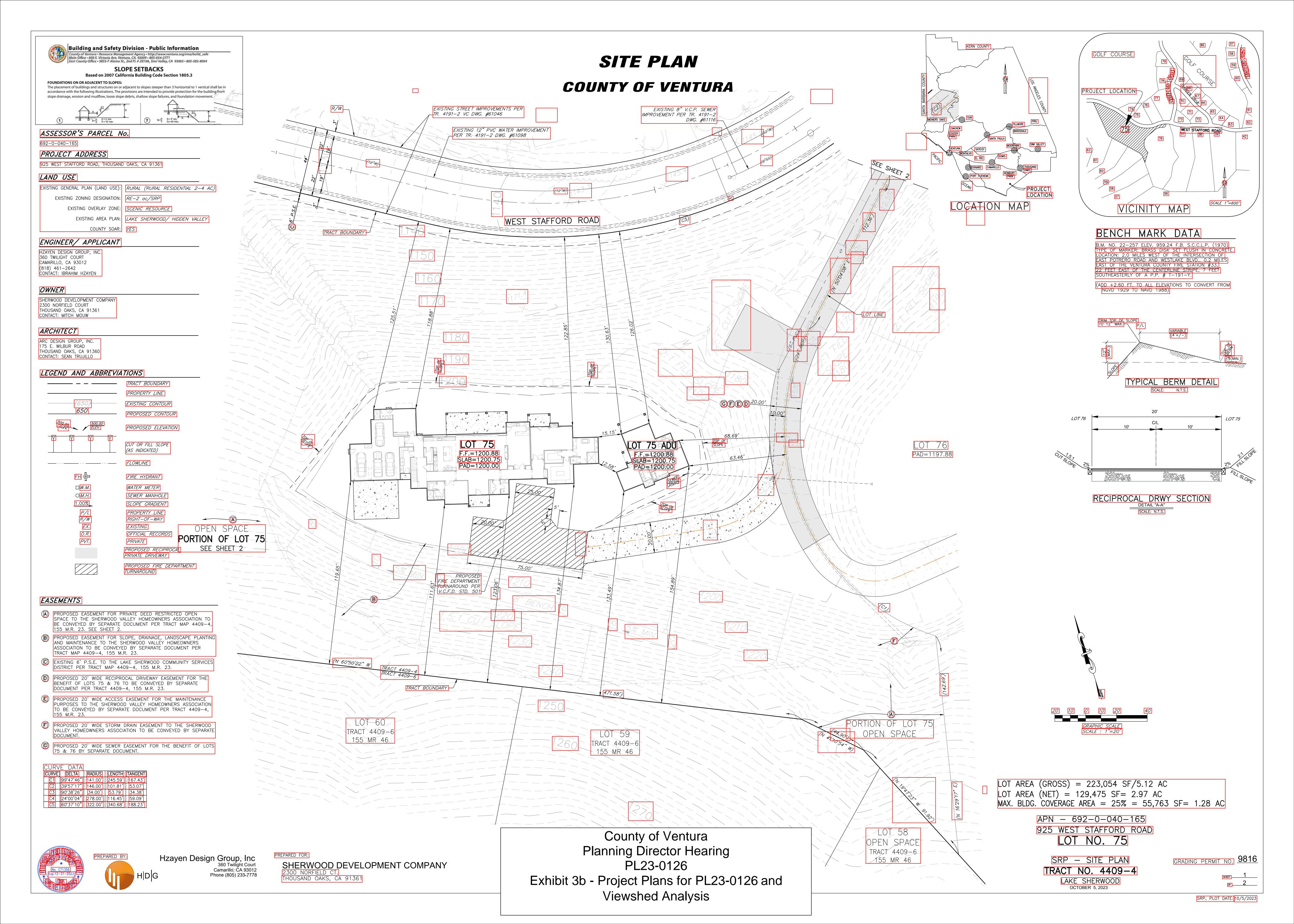
MECHANICAL AND ELECTRICAL ENGINEERS

PH-1.0





Disclaimer: this map was created by the Ventura County Resource Management Agency Information Systems 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 therein





VICINITY MAP PROJECT ADDRESS 949 WEŚT STAFFORD ROAD THOUSAND OAKS, CA 91361 (TRACT 4409-2 LOT 76) A.P.N. 692-0-040-145 **GOLF COURSE**

PROJECT LOCATION

SHERWOOD DEVELOPMENT COMPANY

2300 NORFIELD COURT THOUSAND OAKS, CA 91361 TELEPHONE: (805) 496-1833

CONSULTANTS

PLANS BY: arc design group, inc.

175 E. WILBUR ROAD, SUITE 202 THOUSAND OAKS, CALIFORNIA 91360 TELEPHONE: 805.484.4277

CIVIL ENGINEER: HZAYEN DESIGN GROUP, INC.

360 TWILIGHT COURT CAMARILLO, CA 93012 TELEPHONE: 805.233.7778

SOILS ENGINEER:

5251 VERDUGO WAY, SUITE J CAMARILLO, CA 93012 TELEPHONE: 805 484 5070

ENGINEER: JT ENGINEERING

107 N REINO RD, SUITE 153 NEWBURY PARK, CA 91320 TELEPHONE: 805.480.9450

MECHANICAL, ELECTRICAL, PLUMBING: CONSULTING WEST

> 31340 VIA COLINAS, SUITE 102 WESTLAKE VILLAGE, CA 91362 TELEPHONE: (818) 889-3383

TITLE 24 ENERGY CALCULATIONS **CONSULTING WEST**

> 31340 VIA COLINAS, SUITE 102 WESTLAKE VILLAGE, CA 91362 TELEPHONE: (818) 889-3383

AREA CALCULATIONS SHEET INDEX FIRST FLOOR: SECOND FLOOR: TOTAL LIVING AREA: SHEET DESCRIPTION SHEET DESCRIPTION 2,704 SQ. FT. 6,152 SQ. FT ARCHITECTURAL 968 SQ. F1 SHEET INDEX, VICINITY MAP, CONSULTANTS LIST SYMBOL LEGEND, & AREA CALCULATIONS IST FLR EXTERIOR COVERED AREAS: 1,113 SQ. F 2ND FLOOR BALCONY: TOTAL COVERED AREAS AND BALCONY FIRST FLOOR PLAN ADU FLOOR AREA: ADU COVERED AREAS: SECOND FLOOR PLAN ADU FLOOR PLAN AND ROOF PLAN BUILDING CODE DATA EXTERIOR ELEVATIONS OCCUPANCY CLASSIFICATION - DWELLING: "R-3" SINGLE FAMILY EXTERIOR ELEVATIONS DWELLING - GARAGE: "U" ATTACHED PRIVATE A5.3 ADU EXTERIOR ELEVATIONS NOTE: 1-HR FIRE RESISTIVE OCCUPANCY SEPARATION SHALL BE PROVIDED BETWEEN R-3 AND U OCCUPANCIES AS INDICATED ON THE FLOOR PLAN. CONSTRUCTION TYPE - "Y-B" NUMBER OF STORIES - TWO STORY BUILDING HEIGHT - MAX, ALLOWED 35'-0" ACTUAL BUILDING HEIGHT - 25'-8" (SEE ELEVATIONS) FIRE ZONE - VERY HIGH FIRE HAZARD SEVERITY ZONE IN COMPLIANCE WITH YOBO CHAPTER 14, YOFD ORD. 30 AN AUTOMATIC FIRE EXTINGUISHING

LOT 76

arc

ENGINEER: JT ENGINEERING ASSOCIATES, INC 107 N REINO ROAD, SUITE # NEWBURY PARK, CA 805 480 9450

OWNER: SHERWOOD DEVELOPMENT CO. L 2300 NORFIELD COURT THOUSAND OAKS, CA (805) 496-1833

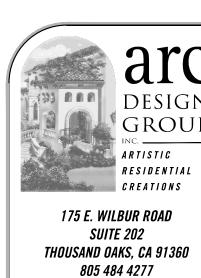
DRAWING SCALE: NO SCALE

AUGUST 18, 2023 **REVISIONS:**

Lot 76

SYSTEM SHALL BE PROVIDED

THROUGHOUT BOTH STRUCTURES.



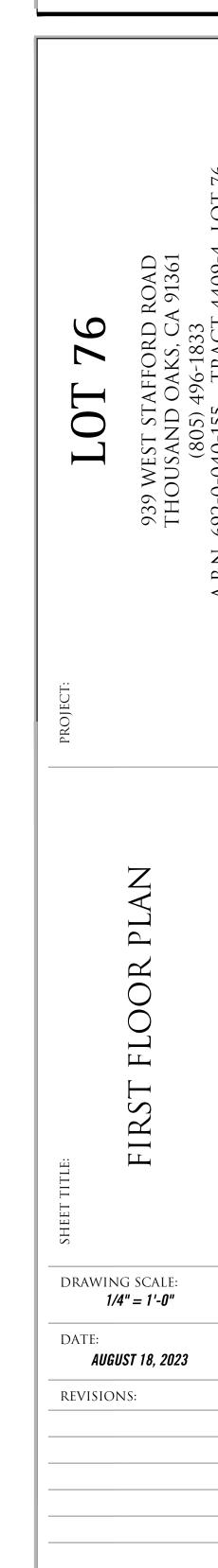
ENGINEER:

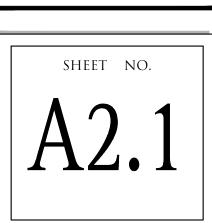
JT ENGINEERING
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107 N REINO ROAD, SUITE #15
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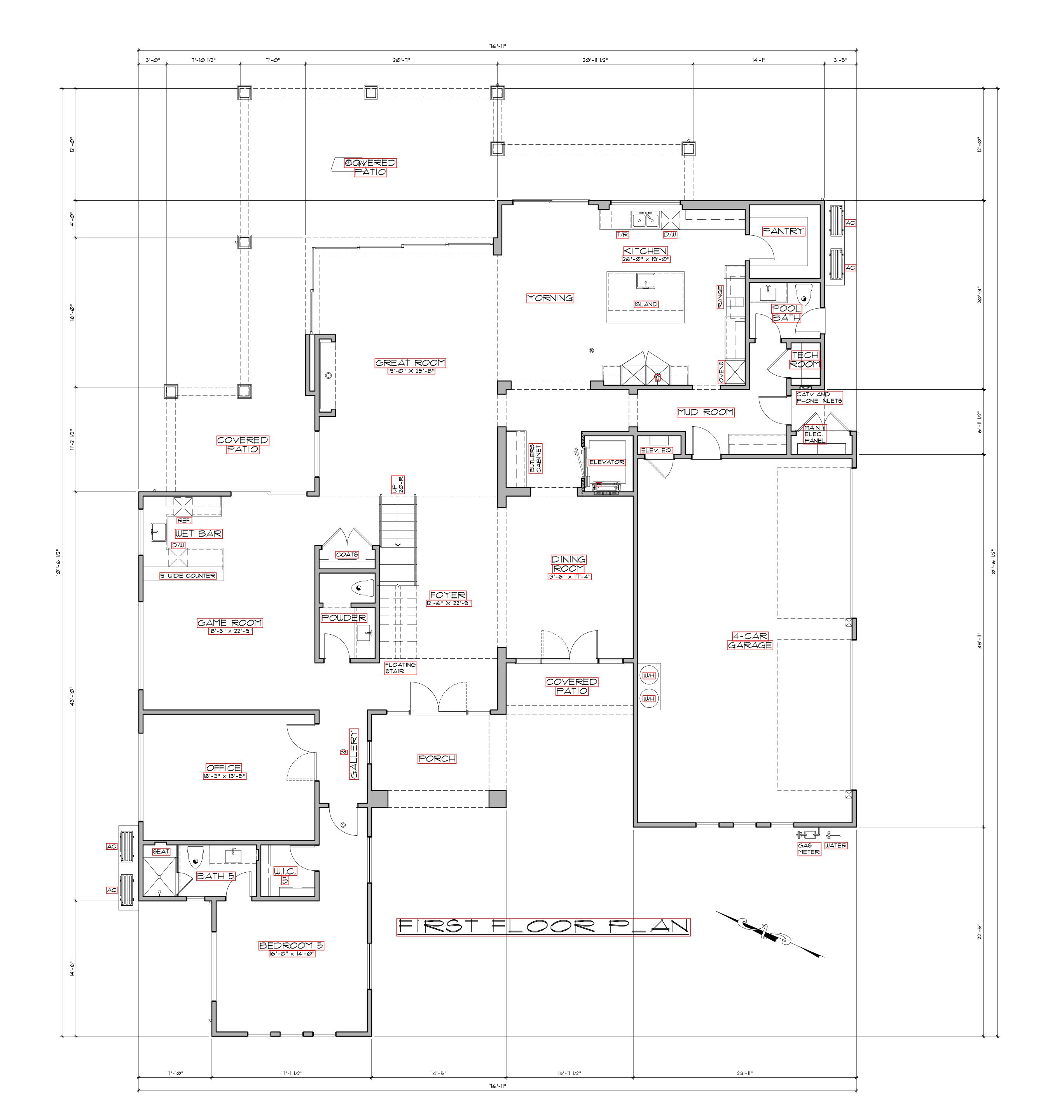
OWNER:

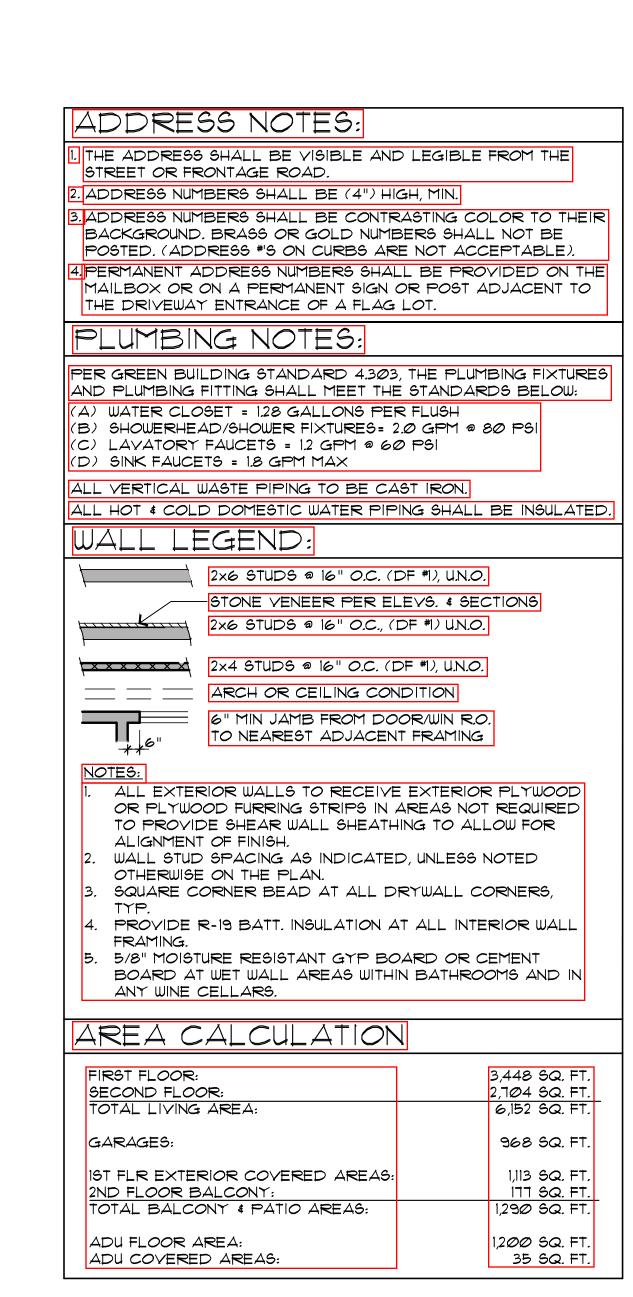
SHERWOOD

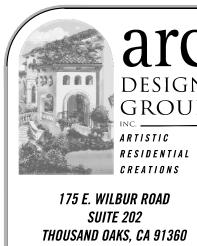
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ENGINEER:

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OOR PLAN

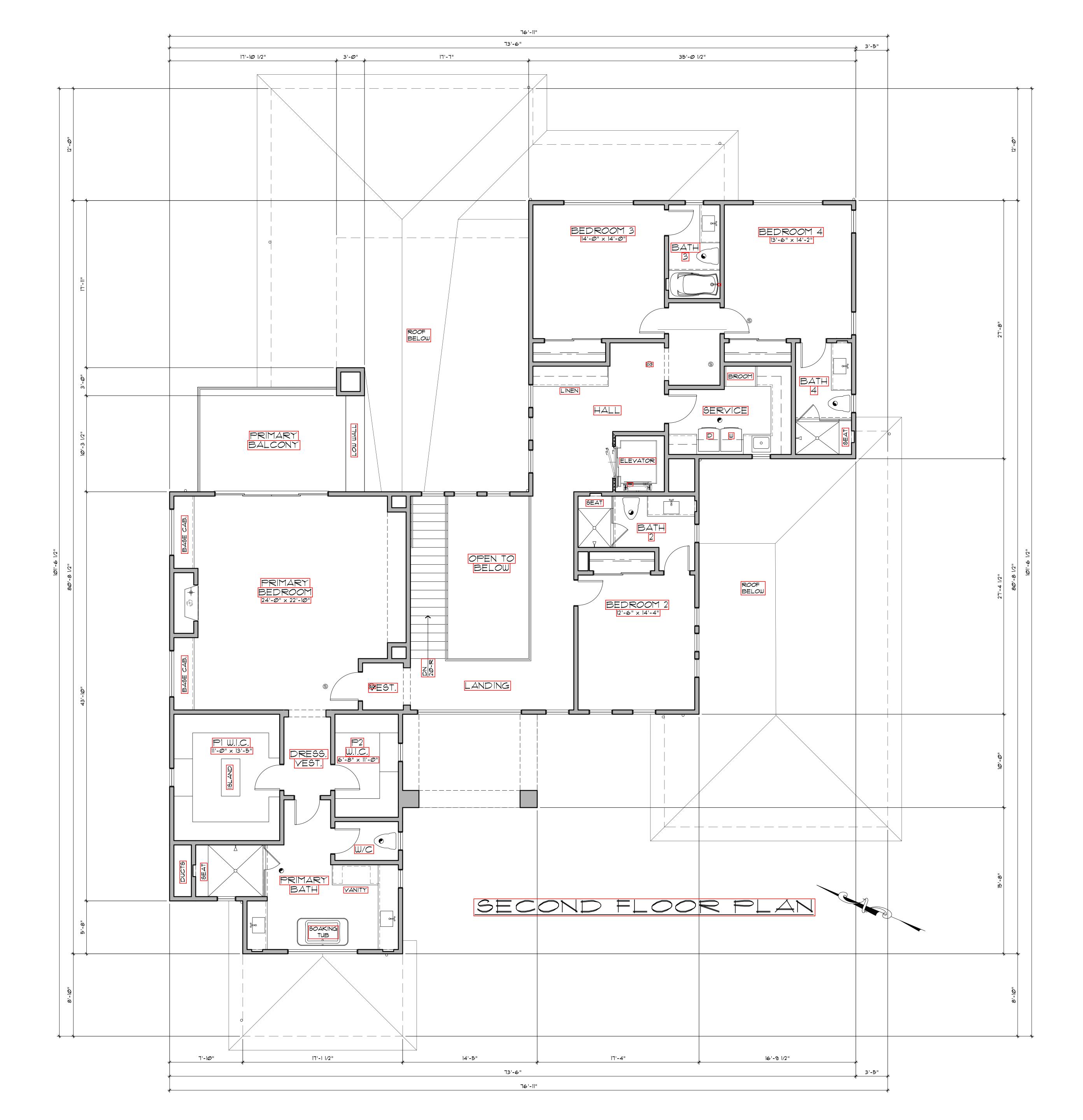
PROJECT:

10T 76

939 WEST STAFFORD ROAD
THOUSAND OAKS, CA 91361



SHEET NO. **A2.2**



968 SQ. FT.

1,113 SQ. FT. 177 SQ. FT. 1,290 SQ. FT.

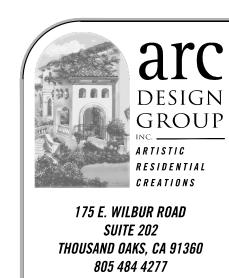
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ENGINEER: JT ENGINEERING ÁSSOCIATES, INC. 107 N REINO ROAD, SUITE #15 NEWBURY PARK, CA 91320-3110

805 480 9450

OWNER: SHERWOOD DEVELOPMENT CO. LP 2300 NORFIELD COURT THOUSAND OAKS, CA 91361 (805) 496-1833

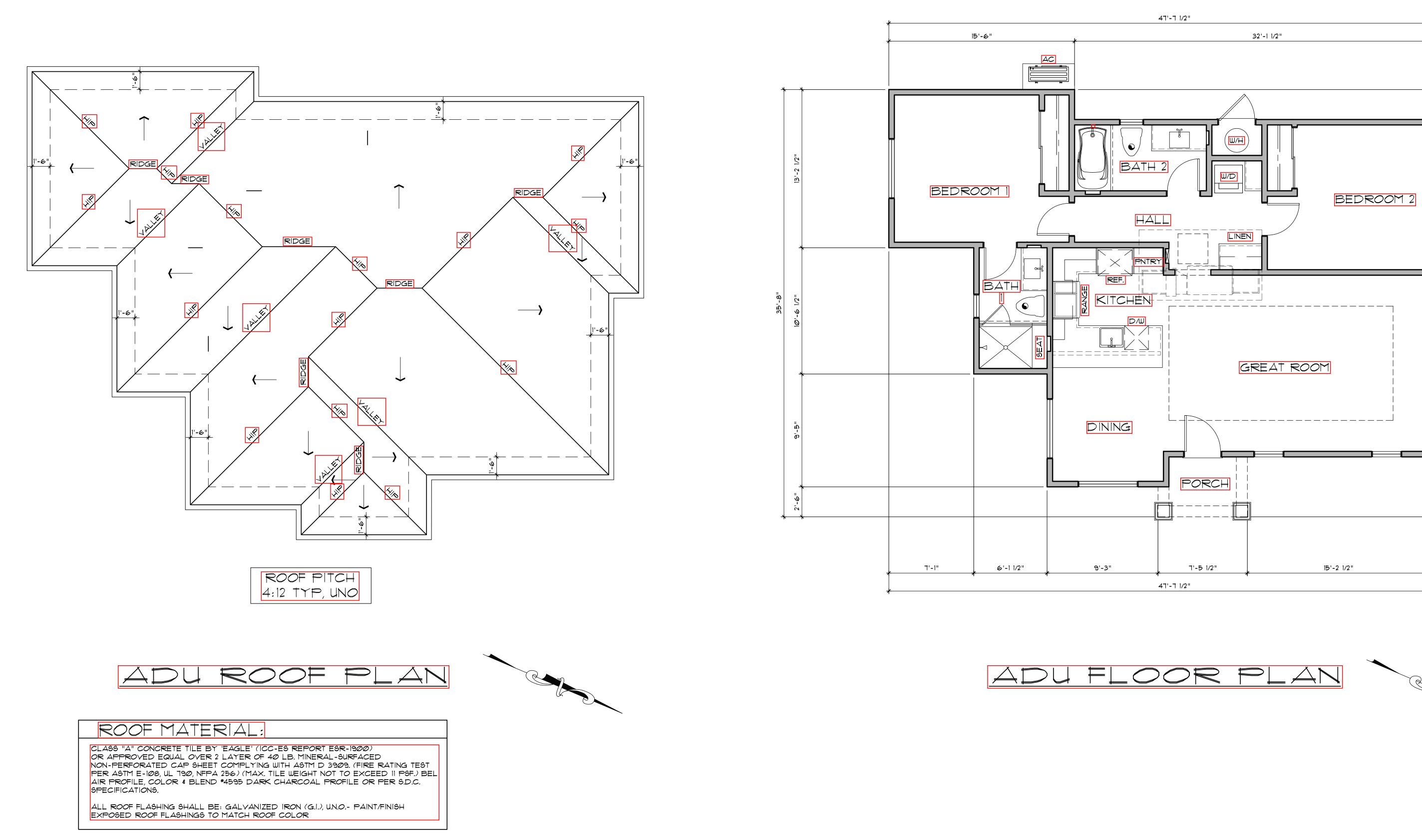
2'-6"

DRAWING SCALE:

1/4" = 1'-0"

AUGUST 18, 2023

REVISIONS:



Lot 76

ROOF MATERIAL:

SPECIFICATIONS.

CLASS "A" CONCRETE TILE BY 'EAGLE' (ICC-ES REPORT ESR-1900)
OR APPROVED EQUAL OVER 2 LAYER OF 40 LB. MINERAL-SURFACED
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LOT 76

arc
DESIGN
GROUP
INC.
ARTISTIC
RESIDENTIAL
CREATIONS

175 E. WILBUR ROAD SUITE 202 THOUSAND OAKS, CA 91360 805 484 4277

ENGINEER:

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ASSOCIATES, INC.

107 N REINO ROAD, SUITE #153
NEWBURY PARK, CA
91320-3110
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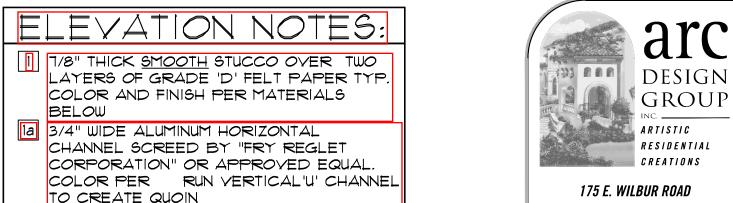
OWNER:

SHERWOOD

DEVELOPMENT CO. LP
2300 NORFIELD COURT
THOUSAND OAKS, CA
91361
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9/ DRAWING SCALE: 1/4" = 1'-0" AUGUST 18, 2023 **REVISIONS:**

A4.1



SUITE 202 THOUSAND OAKS, CA 91360 805 484 4277

ENGINEER: JT ENGINEERING ASSOCIATES, INC. 07 N REINO ROAD, SUITE #15 NEWBURY PARK, CA 91320-3110 805 480 9450

OWNER: SHERWOOD DEVELOPMENT CO. LP 2300 NORFIELD COURT THOUSAND OAKS, CA 91361

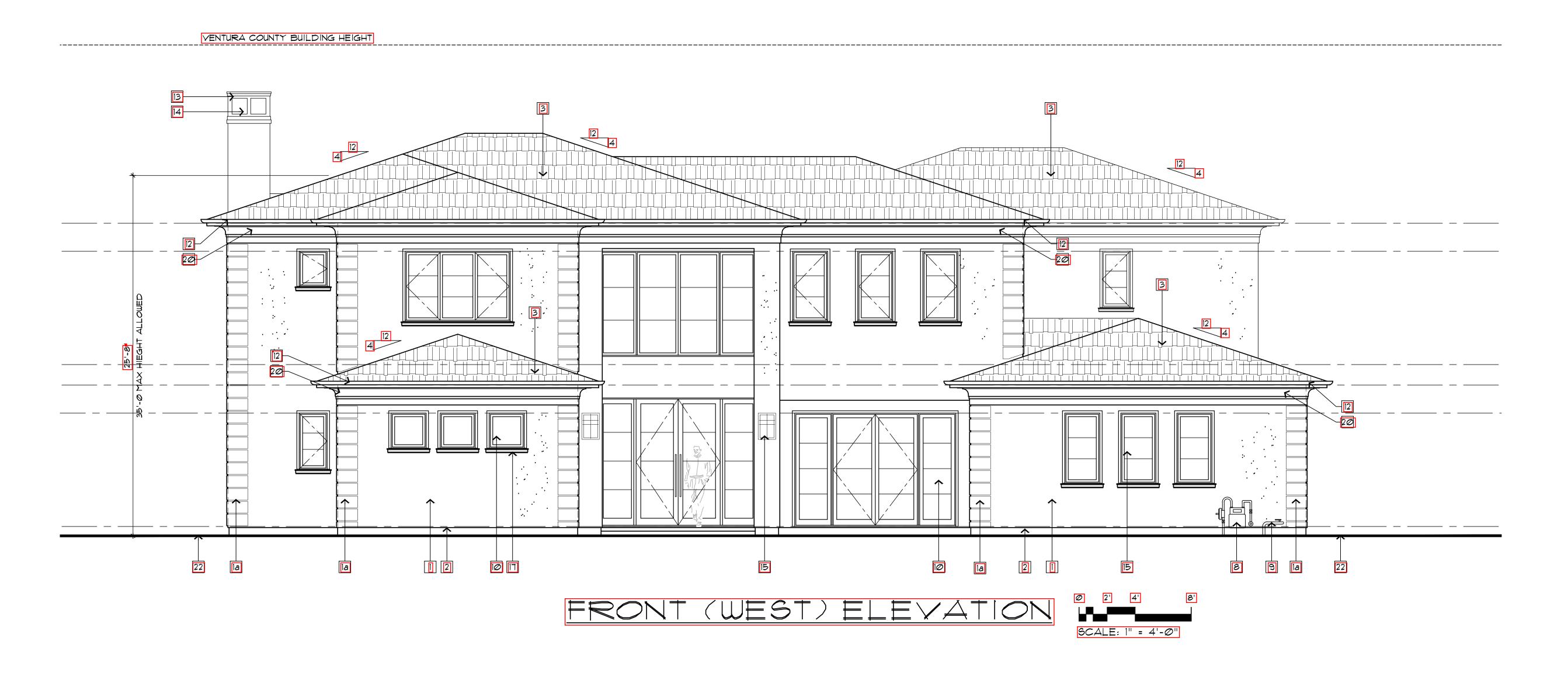
(805) 496-1833

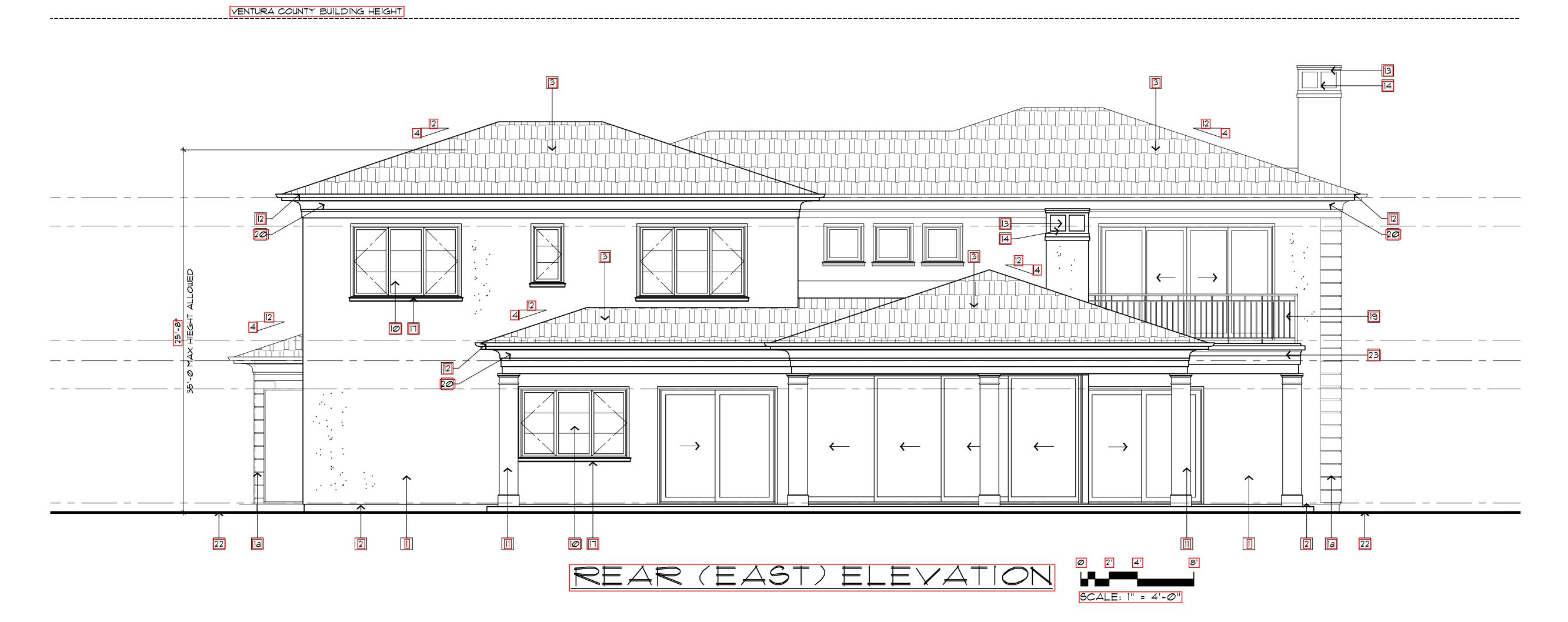
DRAWING SCALE: 1/4" = 1'-0"

DATE:

AUGUST 18, 2023

REVISIONS:





[a] 3/4" WIDE ALUMINUM HORIZONTAL

ELEVATION NOTES:

COLOR AND FINISH PER MATERIALS

SCREED TYPICAL, BY "AMICO" OR

TO CREATE QUOIN

APPROVED EQUAL

PER MATERIALS BELOW

HEIGHT IN FIELD

BASE AND CAPITAL BY "YENTURA CAST STONE" OR APPROVED EQUAL. VERIFY

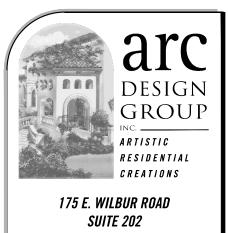
PANELS AT TOP, SEE SCHEDULE

W/ 1/4" MAX. OPENINGS

RELATED DETAIL

COLOR: SEE MATERIALS LIST BELOW

COORDINATE DESIGN W/ S.D.C. DESIGN SPECIFICATIONS



THOUSAND OAKS, CA 91360 805 484 4277

ENGINEER: JT ENGINEERING ASSOCIATES, INC. 07 N REINO ROAD, SUITE #15 NEWBURY PARK, CA 91320-3110 805 480 9450

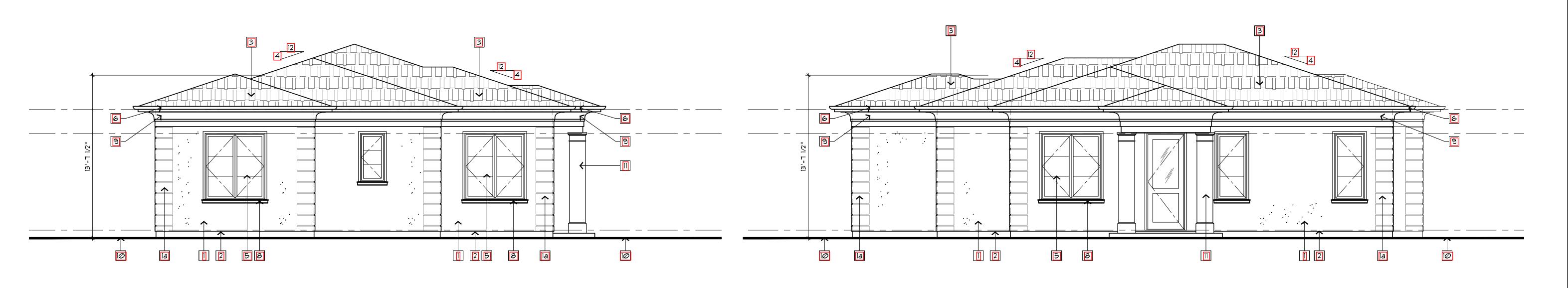
OWNER: SHERWOOD DEVELOPMENT CO. LP 2300 NORFIELD COURT THOUSAND OAKS, CA 91361 (805) 496-1833

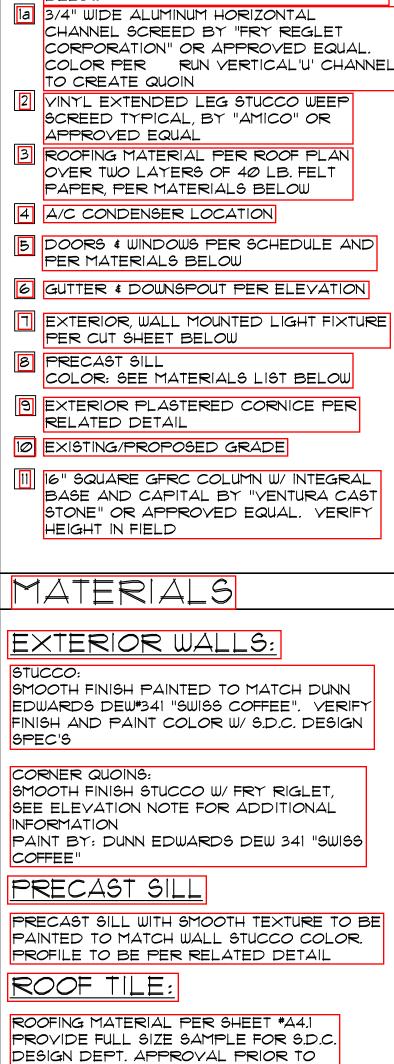
DRAWING SCALE: 1/4" = 1'-0"

DATE: AUGUST 18, 2023

REVISIONS:







ORDERING MATERIAL

DESIGN SPECIFICATIONS

RAILING

DOORS & WINDOWS

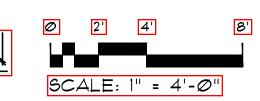
METAL RAILING COLOR: BLACK

VERIFY CASEMENT SWING DIRECTION W/ S.D.C. DESIGN SPECIFICATIONS

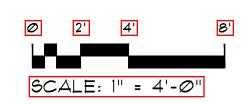
GUTTERS/DOWNSPOUTS

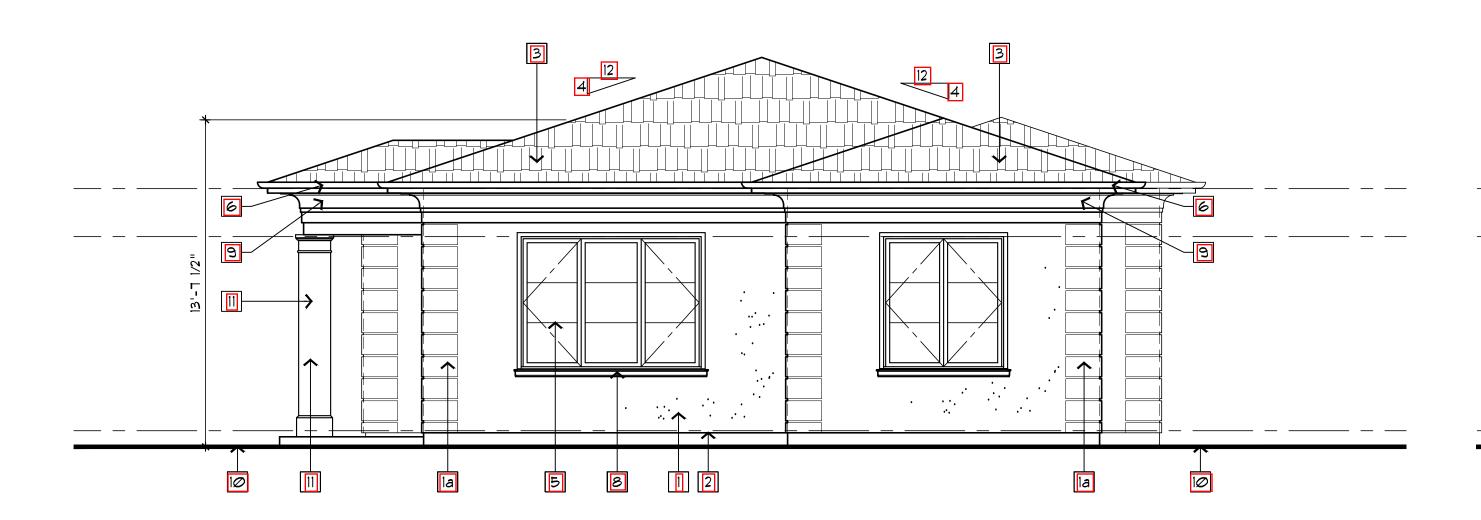
TO MATCH ADJACENT WALL COLOR

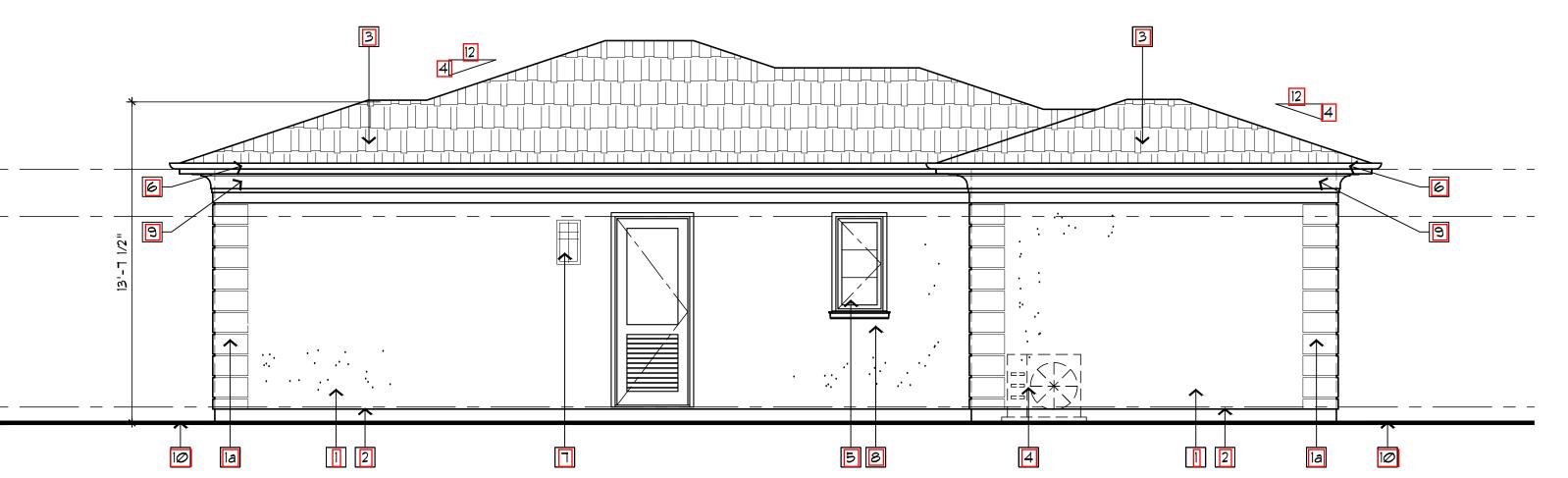




ADU - FRONT (EAST) ELEVATION PROMISSION

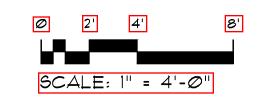




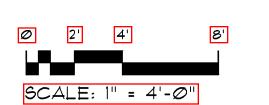


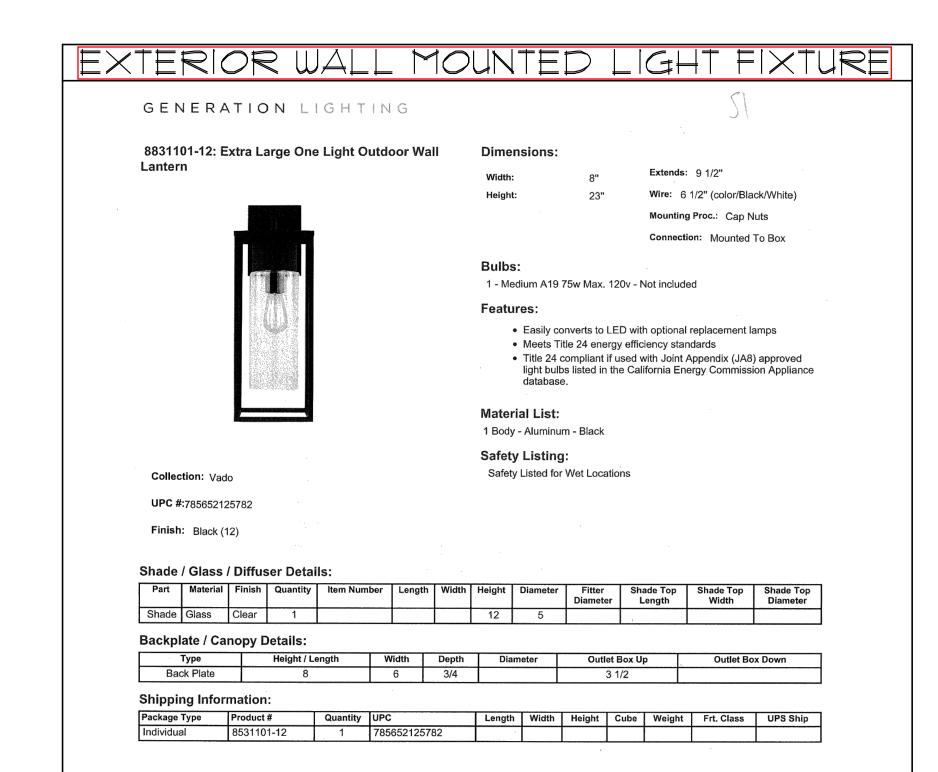
ADU - RIGHT SIDE (NORTH) ELEVATION

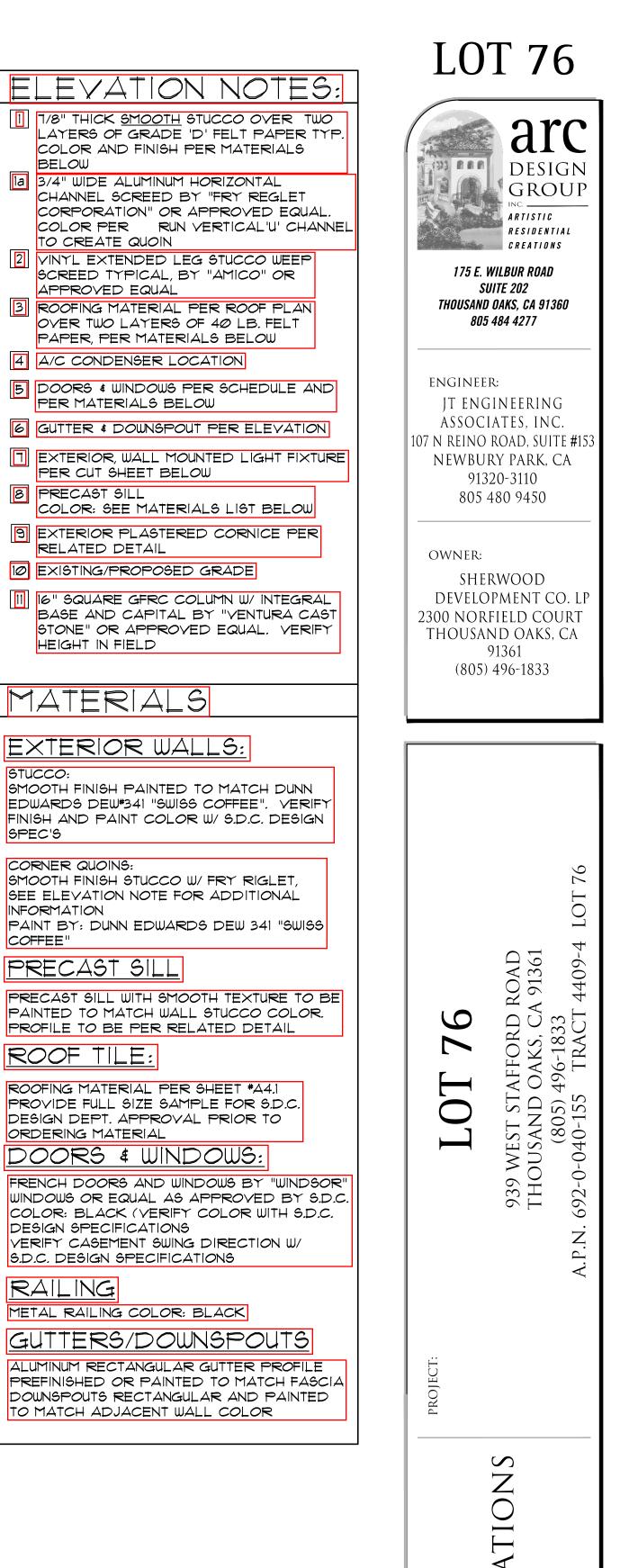
GCALE: 1" = 4'-0"

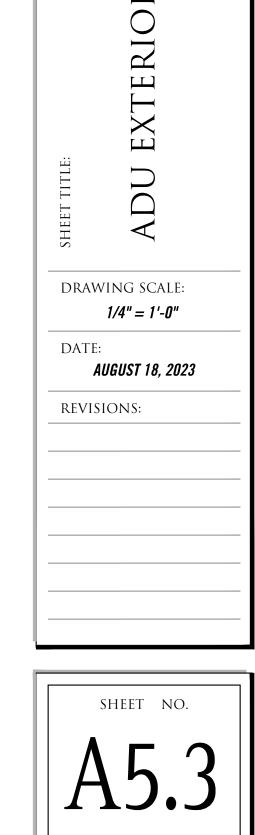


ADU - REAR (WEST) ELEVATION









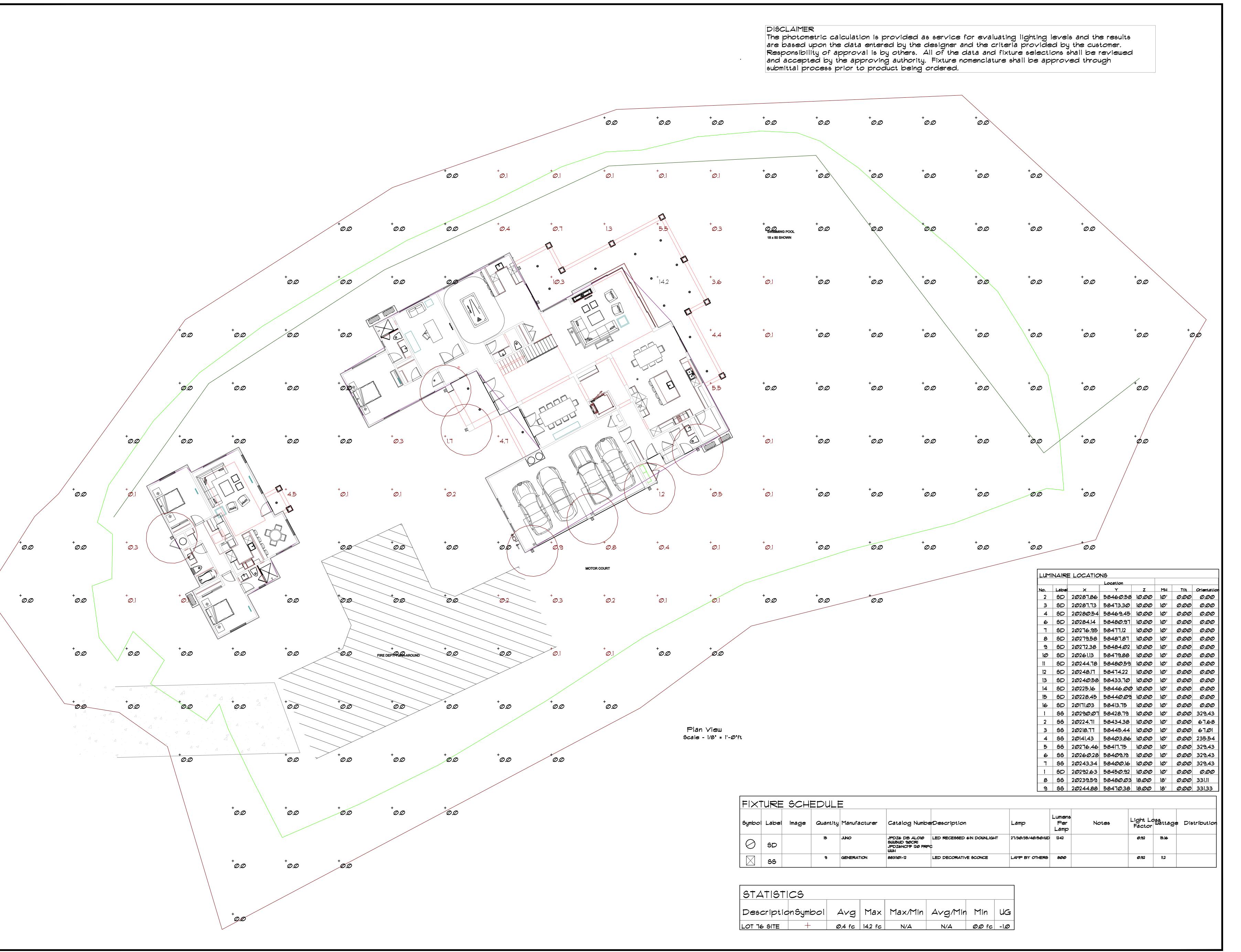
PLANS AND DESIGN BY



SHERWOOD DEVELOPMENT COMPANY

LOT 76 939 WEST STAFFORD ROAD THOUSAND OAKS, CA 91361

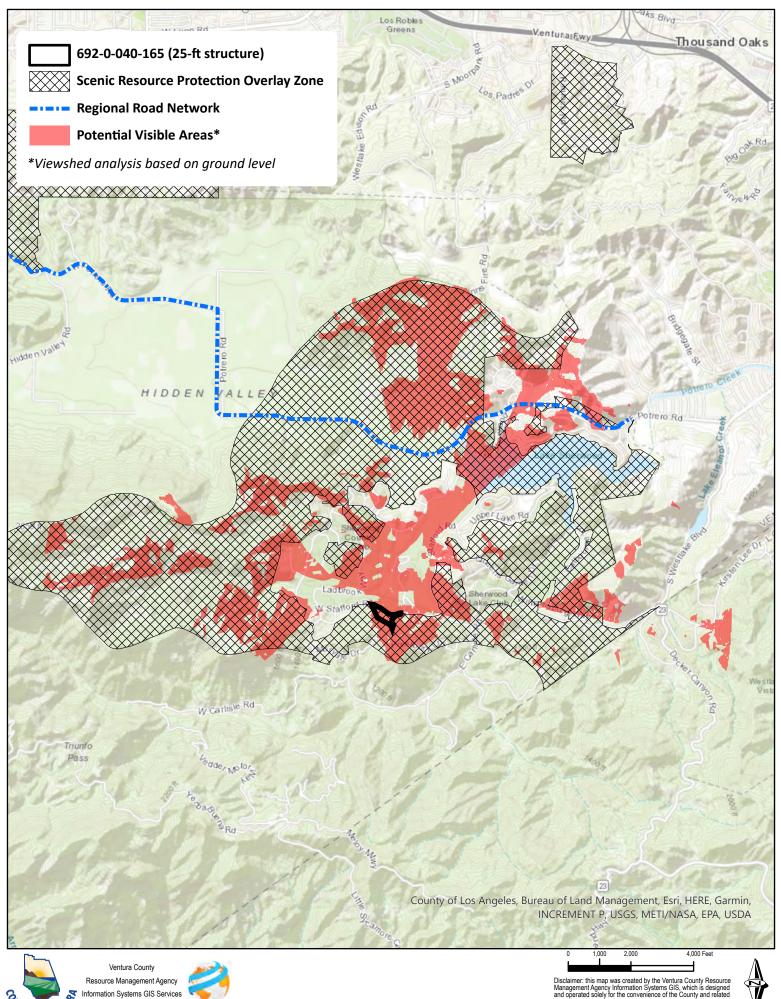






MECHANICAL AND ELECTRICAL ENGINEERS

PH-1.0





Disclaimer: this map was created by the Ventura County Resource Management Agency Information Systems 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 therein

RESOURCE MANAGEMENT AGENCY

county of ventura



NEGATIVE DECLARATION

SCH# 94041047

APR 21 1994 RICHARD D. DEAN, County Clerk By Deputy County Clerk

A. PROJECT DESCRIPTION:

- 1. <u>Entitlements</u>: General Plan Amendment to the <u>Lake Sherwood/Hidden Valley Area Plan</u> effecting: Tentative Tract No(s) TT-4934, and TT-4409-2; Residential Planned Development Permit No. RPD-1272-5; Parcel Map Waiver No. PMW-702; and Zone Change No. Z-2883
- 2. Applicant: L.S.R. Limited Partnership
- 3. <u>Location</u>: Lake Sherwood Community (see Exhibit "1")
- 4. Proposal: As a function of the Lake Sherwood/Hidden Valley Area Plan, the Lake Sherwood Community was divided into several Planning Units for development purposes. The General Plan Amendment to the Land Use Map will effect portions of Planning Units 1, and 2. The project also includes a Zone Change request (Z-2883) in order that the Zoning will be consistent with the proposed Land Use and the General Plan designations. For purposes of clarification, each of the above referenced entitlements have been outlined below by Planning Unit:

Planning Unit 1: A portion of this Planning Unit is represented by Tentative Tract No. TT-4934 (Exhibit "2"). The subdivision proposes to resubdivide a previously approved and recorded map, Tract 4191-4. Phase 4 of the original land division (Tract 4191-4) created 26 lots; the subsequent resubdivision (TT-4934), would reduce the number created to nine (9) lots, ranging in size from .62 acres to .99 acres in area. The resulting density reduction of 17 lots/units is proposed to be transferred to a single condominium lot, created by Tract 4191-5 and identified as "Trentwood Canyon" Townhomes.

Currently, "Trentwood Canyon" Townhomes has a total of 57 dwelling units. The proposed transfer of 17 units from Tract 4191, Lot 143; and one (1) unit from Lot 144 of the same subdivision (Exhibit "3"), will bring the proposed total number of condominium units to 75 for the "Trentwood Canyon" Townhomes, as proposed by Modification No. 5 to RPD-1272 (Exhibit "4").

The area of TT-4934 is identified by Assessors Parcel Numbers (APN) 695-0-300-01 thru 260, while the "Trentwood Canyon" (Tract 4191-5) is identified by APN's 695-0-010-15 (ptn) and 695-0-030-07, 08, and 10 (ptn).

The proposed change to the Land Use Map for the <u>Lake Sherwood/Hidden Valley Plan</u> would: a) relocate the Planning Unit Boundary Line between Planning Units (PU) 1 and 2 in order to include approximately 7.36 acres of Tentative Tract No. TT-4409-2 from PU 2 to PU 1, thereby, increasing the size of the "Trentwood Canyon" development; and b) change the Land Use designation on "Trentwood Canyon" (Tract 4191-5) from "Residential 1-2" (1-2 Du/Ac.) to "Residential 2-4" (2-4 Du/Ac.) see (Exhibit "4").

The proposed change in density is necessary to accommodate the above referenced transfer of dwelling units to the "Trentwood Canyon" development; and the subject transfer will not increase the overall number of dwelling units allowed for the Lake Sherwood Ranch (LSR) development.

<u>Planning Unit 2:</u> Planning Unit 2 represents a portion of approved Tentative Tract No. TT-4409. Specifically, Lot 1, and portions of Lots 2 and 3, representing approximately 7.36 acres. The proposed change in area will be accomplished by means of Parcel Map Waiver No. PMW-702 because of pre-existing legal lot lines within the project boundary (Exhibit "5").

A 1 2 | 1 94 . 5 1 2 1 54
RICHARD D. DEAN, County Clerk

County of Ventura
Planning Director Hearing
PL23-0125 & PL23-0126
Exhibit 4 - ND for TM 4409-2

Negative Declaration Lake Sherwood Area General Plan Amendments Page 2

> The proposed change to the Land Use designation of TT-4409-2 will be from "Rural Residential 3" (5-10 Ac. Min.) to "Residential 2-4" (2-4 Du/Ac.) see (Exhibit "4"). This proposed change is necessary to reflect the above referenced density transfer and will not increase the overall number of dwelling units allowed for the LSR project. The subject area of TT-4409-2 is identified by portions of APN's 695-0-031-09 and 10.

Responsible Agency: County of Ventura - Planning Division

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

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

C. PUBLIC REVIEW:

- 1. <u>Legal Notice Method:</u> Direct mailing to property owners within 300 feet of the proposed project boundary and a legal notice in a newspaper of general circulation.
- Document Posting Period: April 25, 1994 to May 16, 1994
- The public is encouraged to submit written comments regarding this Negative Declaration no later than 5:00 p.m. on the last day of the above posting period to the Case Planner listed below, RMA/Planning, 800 So. Victoria Avenue, Ventura, CA 93009. The Planning Division's FAX number is (805) 654-2509.
- D. CONSIDERATION AND APPROVAL OF THE NEGATIVE DECLARATION:

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

Prepared by: Ron Allen Case Planner, Phone No. (805) 654-2403 1.

Reviewed for Release to the Public by: MS Wanas 2.

Nancy Butler Francis , Manager, Residential Land Use Section

Recommended for Approval by the Lead Agency by: 3.

Turner, Director, Planning Division

Exhibit "1" - Location Map

Exhibit "2" - Tentative Tract Map No. TT-4934

Exhibit "3" - Tract Map No. 4191, Density Transfer

Exhibit "4" - Modification No. 5, RPD-1272 Exhibit "5" - Parcel Map Waiver No. PMW-702

f:nd2gpa

Section B INITIAL STUDY CHECKLIST

| | Ī | SSUE | (Responsible Departme | nt) | PR DEG N | OJECT REE (| I IMP. OF EF | ACT FECT* U | CUR DEC N | TULATI GREE O | VE IM F EFF S | PACT ECT* U |
|-----------|-------|----------------|--|------------------|---------------------------|----------------|-----------------|-------------------|---------------------------|-----------------------------------|---------------------|-------------------|
| GENERAL: | 1. | Ger | neral Plan Environment | al | | | | | | | | |
| LAND USE: | 2. | Goa | als and Policies (Plng nd Use (Plng.) | .) | _ | <u> X</u> | - | | | χ | | |
| | | a. | community character | | X | | | | V | | | |
| | | ъ. с. | housing growth inducement | | X | | | _ | 文 | | _ | |
| | | | | | <u>X</u> | - | - | | <u> </u> | | _ | |
| RESOURCES | : 3 | . <u>Ai</u> | r Quality (APCD) regional | | | | | | | | | |
| | | Ъ. | local | | | <u>X</u> X | | - — | | $\frac{\mathcal{X}}{\mathcal{X}}$ | | |
| | 4 | . Wat | ter Resources (PWA) groundwater quantity | | 14 | | | | | | _ | |
| | | | groundwater quality | | $\frac{\chi}{\chi}$ | | _ | _ | $\frac{\lambda}{\lambda}$ | | | |
| | | c. d. | " deeper | У | 文 | _ | _ | | $\frac{\lambda}{\lambda}$ | | | |
| | 5. | | surface water quality meral Resources (Plng.) | 7 1 | X | _ | | | × | _ | | _ |
| | | a. | aggregate | | | X | | | | X | | |
| | 6. | | petroleum logical Resources | | | Y | | _ | _ | X | _ | |
| | | a. | endangered, threatene | d, | | | ` | | | | | |
| | | b . | or rare species wetland habitat | | $\frac{\lambda}{\lambda}$ | | - | | X | | | |
| | | c. | coastal habitat | | T | | | | / | | _ | |
| | | d. e. | 0 | | V | _ | | _ | X | _ | _ | · <u> </u> |
| | | | species/communities | | <u>X</u> | | | | × | | | |
| | 7 | | icultural Resources . Dept.) | | | _ | | | | | | |
| | | a. | soils | | X | | | | V | | | |
| | | b. c. | water | | X | | _ | _ | 文 | | _ | |
| | | d. | 1// | mate | $\frac{\chi}{\chi}$ | | _ | | <u>X</u> | | | _ |
| | Q | e. Vie | land use incompatibil: | ity | X | _ | _ | _ | <u>x</u> <u>x</u> | | _ | |
| | 0. | a. | ual Resources scenic highway (Plng.) |) | , | X | | | 7— | <u></u> | | |
| | a | b. | scenic area/feature | | | X | _ | = | 区 | <u>次</u> | | |
| | 10. | Cult | eontological Resources tural Resources | · | x | _ | _ | | X | | _ | |
| | | a. | archaeological | - | X | | | _ | × | | | |
| | | c. | historical (GSA) ethnic, social or | - | <u>x</u> _ | _ | | | $\frac{x}{x}$ | | _ | _ |
| | 11 | | religious | - | X | | | | _X_ | | | |
| | 12. | Coas | gy Resources stal Beaches & Sand Dur | es - | <u></u> | \overline{x} | | = | <u>X</u> | X | _ | _ |
| HAZARDS: | | | | | ~_ | | _ | | _ | | | |
| mining. | 13. | a. | fault rupture | | k | 12 | | | V | | | |
| | | b. | ground shaking | - | <u>~</u> | X | _ | | <u>X</u> | $\overline{\searrow}$ | _ | — |
| | | | tsunami seiche | - | <u>X</u> | — | _ | | <u>X</u> X X | _ | _ | |
| | 1/4 | e. Cool | liquefaction | 7 | <u>X</u> | | | | X | | _ | |
| | 14. | a. | ogic Hazards (PWA) subsidence | | | | | | | | | |
| | | b. | expansive soils | _ | <u>X</u> | | _ | = | $\frac{x}{x}$ | _ | _ | |
| | 15. | c. Hydr | landslides/mudslides aulic Hazards (PWA/FCD | , - | <u>X</u> | | | _ | X | _ | _ | _ |
| | | a. | erosion/siltation | , _ | x | | | | X | | | |
| | | b. Avia | flooding tion Hazards (Airports |) - 3 | <u>X</u> | _ | | | \S ' | <u></u> | ; | _ |
| | 17. | Fire | Hazards (Fire) | , <u>,</u> | ~ | <u>×</u> | _ | _ | _ | $\overline{\otimes}$ | ; | , - |
| | ıs. | naza a. | rdous Materials/Waste above-ground hazardous | | £ | | | | | | | |
| | | 1 | mtl's. (Fire) | , | <u>\o</u> | _ | | | X | | | |
| | • | b. 1 | below-ground hazardous mtl's. (EH) | | <u> </u> | | | | \ | | | |
| | | c. 1 | hazardous waste (EH) | 7 | X X | | | | X | | | |
| | 19. 🛚 | Noise Glare | e and Vibration | _ | _ | 文 | | _ | | <u>X</u> | _ | |
| • | | STALL | = | _ | _ | X | _ | _ | _ | <u> </u> | | |

| PUBLIC | |
|-------------|----|
| FACILITIES/ | , |
| SERVICES: | 21 |

| 21 | . Tr | ansporta | ation/Circulation | | | | | | | |
|------------|----------|-----------|---------------------|-----------------------------------|---------------|---|------|---------------------------|------------|-------|
| | a. | public | roads and highways | S | | | | | | |
| | | (1) | level of service | | | | | | | |
| | | | (PWA) | × | | | | × | | |
| | | (2) | safety/design (PWA) | X | | | | \ | _ | |
| | | (3) | tactical access | /- | | _ | | | | |
| | | | (Fire) | X | | | | V | | |
| | b. | privat | e roads and | | _ | _ | ==== | \sim | | |
| | | | ays (Fire) | | | | | | | |
| | | | safety/design | Χ. | | | | \searrow | | |
| | | | tactical access | \langle | | | | / | | |
| | c. | | rian/bicycle | | _ | | | X | | |
| | • | | public facilities | | | | | | | |
| | | (1) | (PWA) | V | | | | ١. | | |
| | | (2) | private facilities | X | — | | | X | | |
| | d. | | g (Plng.) | $\frac{1}{\sqrt{\chi}}$ | — | | | × | | |
| | e. | bus tr | | $\frac{\mathcal{L}}{\mathcal{L}}$ | | | | X | | |
| | | railro | | Z | | | | × | | |
| | | | | * | | | | 7 | | |
| | g. h. | | ts (Airports) | <u>×</u> | | | | X | | |
| | i. | pipeli | s (GSA) | X X X X X X X | | | | XXXXX XXXXX | | |
| 22 | | er Supp | | <u>x</u> | _ | _ | | $\frac{\lambda}{\lambda}$ | | |
| | a. | | | | | | | | | |
| | ъ. | qualit | | $\underline{\infty}$ | 70 | | | <u>X</u> | | _ |
| | c. | | ty (PWA/EH) | 16 | X | | | | ∞ | - |
| 23. | | | low (Fire) | <u>x</u> | | | | $\underline{\times}$ | | |
| 43. | | T-diesi | tment/Disposal | | | | | | | |
| | a. | | dual Sewage | V | | | | | | |
| | h | | al System (EH) | $\frac{1}{\infty}$ | | | | \mathcal{L} | | |
| | b. | | collection/ | 10 | | | | \ | | |
| | _ | | ent facilities | <u>x</u> | | | | | | |
| | c. | | waste facilities | V | | | | V | | |
| 24 | T74.2 | (SWMD) | | $\overline{\chi}$ | | | | <u>X</u> | | |
| 24. | | lities | E-mil | 400 | | | | | | |
| | a. | electri | re | X | | | | <u> </u> | | |
| | Ъ. | gas | N=34-4-51 | X | | _ | | X | | |
| 25 | C. | | ication | _X_ | | | | $\underline{\mathcal{Y}}$ | | |
| 23. | 110 | ECD CONTI | col/Drainage | | | | | | | |
| | | rw rac | cility (FCD) | X | | _ | _ | \searrow | | |
| 26 | b. | Other I | facilities (PWA) | X | | | - | <u>\(\chi_{\chi} \)</u> | | |
| 20. | (Ch | eriff) | ement/Emergency Svs | _ | | | | | | |
| | | | | ١. | | | | | | |
| | a. b. | facilit | mel/equipment | y _ | | | | X | | |
| 27 | | | | <u>X</u> | | | | X | | |
| 27. | | | tion (Fire) | ١. | | | | | | |
| | a. | | e/response time | X | | | | \overline{x} | | |
| | b. | facilit | nel/equipment/ | 10 | | | | ١. | | |
| 29 | F.4 | | iles | <u>k</u> | | | | <u>X</u> | | _ |
| 40. | | cation | | | | | | | | _ |
| | a. b. | schools | | | *** | | | | <u>x</u> _ | |
| 20 | | TIDLUL | es (Lib. Agency) | | | | | | × | |
| 43. | | reation | | | V | | | | | _ |
| | a. | | arks/facilities | F | <u>X</u> | | | | \times | |
| | b. | regiona | l parks/facilities | | <u>\delta</u> | | | | <u>×</u> | |
| | c. | regiona | l trails/corridors | <u>o</u> | | | | X | | |
| atio | n: | Degree | of Effect | | | | | | | |
| _ | | - | | | | | | | | |

*Explana

N = No Effect

LS = Less Than Significant Effect

S = Significant Effect; MND or EIR Required. U = Unknown; EIR Required.

APCD - Air Pollution Control District PWA - Public Works Agency Plng. - Planning Division GSA - General Services Agency Ag. Dpt. - Agricultural Department FCD - Flood Control District

Airports - Department of Airports Fire - Fire Protection District ' Sheriff - Sheriff's Department EH - Environmental Health Division SWMD - Solid Waste Management Dept. Lib. Agency - Library Services Agency

| | | | Yes/Maybe | _No_ |
|----|----------------|--|--------------------------|---------------|
| D. | MAN | DATORY FINDINGS OF SIGNIFICANCE | | |
| | Bas wit | ed on the information contained hin Sections B and C: | | |
| | 1. | Does the project have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | ī | |
| | 2. | Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future). | | > |
| | 3. | Does the project have impacts which are individually limited, but cumulatively considerable? (Several projects may have relatively small individual impacts on two or more resources, but the total of those impacts on the environment is significant). | | > |
| | 4. | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | | <i>></i> ∞ |
| E. | DETE | RMINATION OF ENVIRONMENTAL DOCUMENT | | |
| | On th | he basis of this initial evaluation: | | |
| | [X] | I find the proposed project COULD NOT have a environment, and a NEGATIVE DECLARATION should be | significant of prepared. | effect on the |
| | [] | I find that although the proposed project could have environment, there will not be a significant entitle mitigation measure(s) described in Section C be applied to the project. A MITIGATED NEGATION prepared. | effect in this | case because |
| | [] | I find the proposed project, individually and/or significant effect on the environment and an ENVI required.* | RONMENTAL IMP | ACT REPORT is |
| | Signa for A | ture of Person Responsible administering the Project | 14 199. | 4 : |
| | *EIR | Issues of Focus: | | |

SECTION B

TO INITIAL STUDY CHECKLIST

DISCUSSION OF RESPONSES FOR GENERAL PLAN AMENDMENT TO THE LAKE SHERWOOD/HIDDEN VALLEY AREA PLAN EFFECTING: TT-4934; TT-4409-2; RPD-1272-5; PMW-702; AND Z-2883

Pursuant to Section 15183 of the CEQA Guidelines, the environmental review for residential projects consistent with a community plan for which an EIR was prepared need only evaluate site specific impacts. The <u>Lake Sherwood/Hidden Valley Area Plan</u> was the subject of a Master EIR which evaluated the impacts of a community of 630 dwelling units and a golf course. Cumulative and specific impacts were identified during the environmental review. Mitigation measures were developed and these measures are being and will be implemented as development occurs consistent with the Area Plan. This Initial Study addresses the impacts peculiar to the proposed project, a General Plan Amendment to the <u>Land Use Map</u> effecting: Tentative Tract No(s) TT-4934, TT-4409-2, RPD-1272-5, PMW-702; and Zone Change No. Z-2883, as delineated in the foregoing Project Description.

GENERAL:

1. GENERAL PLAN ENVIRONMENTAL GOALS AND POLICIES:

The Ventura County General Plan designates the subject properties in the Lake Sherwood Community as "Rural", and "Urban" and the <u>Lake Sherwood/Hidden Valley Area Plan</u> designates the properties as "Rural Residential 3" (5-10 Ac. Min.); and "Residential 1-2" (1-2 Du/Ac.). The project as proposed is consistent with the applicable General Plan Environmental Goals and Policies, and inconsistent with the General Plan Land Use and Zoning Designations. Approval of the proposed General Plan Amendment and Zone Change request (Z-2883) will bring the project into conformance.

LAND USE:

2. Land Use:

a. Community Character:

The project as proposed is consistent with existing and future land use patterns for the Lake Sherwood Community and; therefore, has a less than significant impact on the land use of this area. The County does not have any design/architectural criteria in place. However, the Lake Sherwood Homeowner's Association has the authority to review any building plans and designs, as specified in the CC & R's for the Lake Sherwood project. Therefore, the project will not have a significant effect on the Community character of this area.

b. Housing:

The proposed subdivision, TT-4934, is a resubdivision of a previously approved and recorded map, Tract 4191-4. The original land division (Tract 4191-4) created a total of 26 lots, while the subsequent resubdivision (TT-4934), would create nine (9) lots. The resulting density reduction of 17 lots/units as proposed will be transferred to a single condominium lot, identified as "Trentwood Canyon" Townhomes.

Currently, "Trentwood Canyon" Townhomes (RPD-1272-4) has a total of 57 dwelling units. The proposed transfer of 17 units from Tract 4191, Lot 143; and one (1) unit from Lot 144 of the same subdivision, will bring the proposed total number of condominium units to 75 for the "Trentwood Canyon" Townhomes.

The requested density transfers for the above referenced development is within the 630 dwelling units permitted by the Lake Sherwood/Hidden Valley Area Plan. Therefore, the project is not expected to have any effect on the use of existing housing or create a long-term demand for additional new housing for the area because historically construction work is short-term and the work force will be generated from the local labor pool.

c. Growth Inducement:

As referenced in Item 1b above, the proposed subdivision is within an area planned for "Single-Family" residential uses and will not have any significant growth inducing impacts on critical public facilities (e.g. roads, water supply, sewers, etc.).

RESOURCES:

3. Air Quality:

a. Regional Air Quality Impacts:

Based upon criteria contained in the Ventura County's <u>Guidelines for the Preparation of Air Quality Analyses</u>, the proposed project will have a project specific adverse impact on air quality. However, the subject project impact will not be significant.

b. Localized Air Quality Impacts: Project

Construction activities on the resulting lots may generate dust. The amount of dust generated will depend on such factors as soil type, soil moisture content, wind speed and amount of on-site activity. Therefore, compliance with APCD Rules 50 (Opacity) and 51 (Nuisance) should be sufficient to minimize the project's local air quality impacts to less than significant.

4. Water Resources:

a. thru d.: Groundwater/Surfacewater Quantity and Quality:

The proposed project would not adversely impact the quantity nor quality of ground and surface water. This decision was based on reference data previously reviewed by the Public Works Agency; material submitted with the application; and that the proposed project does not contain evidence that any unique contaminate would be associated with future development. Ventura County Regulations will be enforced upon the filing of subsequent applications on the newly created lots.

5. Mineral Resources:

a. & b. Aggregate and Petroleum:

The project will not have a significant impact on aggregate resources because there are sufficient resources to meet local needs for the next 50 years. Oil resources are considered a world-wide, national and state-wide resource, which is beyond the scope of local governments to effectively manage or control (Resource Appendix of the General Plan).

6. Biological Resources:

a. Endangered, Threatened or Rare Species, d. Migration Corridors, and e. Locally Important Species/Communities:

These issues have been previously addressed as part of the environmental analysis for preparation of the Mitigated Negative Declaration (MND) for Tentative Tract 4191 and the Negative Declaration (ND) for Tentative Tract 4409. The proposed Mitigation Measures resulted in the adoption of appropriate Conditions of Approval for both subdivisions. Therefore, the current proposal will not cause any adverse effects on biological resources.

b. Wetland Habitat, and c. Coastal Habitat

Based upon review of Planning Division records and the Unified Mapping System (UMS), the proposed project is not within or located adjacent to the above referenced environmental concerns, and therefore has no effect.

7. Agricultural Resources:

a. Soils, b. Water, c. Air Quality/Micro-Climate, d. Pests/Diseases, and e. Land Use Compatibility:

As previously discussed in Section 1 above, the project is located within an existing urban setting. Furthermore, the Lake Sherwood area is not suitable for agricultural production and is not contiguous to any agricultural uses. Therefore, there are no effects on these resources mentioned above.

8. Visual Resources:

a. Scenic Highway, b. Scenic Area/Feature:

Tentative Tract No. TT-4934 is located entirely within the Lake Sherwood Ranch development. The proposed project is adjacent to the golf course and not visible from Potrero Road, which is designated "Eligible County Scenic Highway" in the Scenic Resources Section of the Resources Appendix of the Ventura County General Plan. Eligible County Scenic Highways are for future study and consideration as meeting the criteria for a scenic highway. The project description for TT-4934 incorporates measures to enhance the scenic qualities of the proposed development.

Due to the major and secondary ridgelines identified within the Final EIR for the Area Plan, there is the potential for significant adverse visual impacts caused by pad and road grading necessary for construction of the "Trentwood Canyon" Townhomes (RPD-1272-5). However, the Final EIR discussed mitigation measures such as architectural design, landscaping, irrigation, and the grading design approach that would alleviate these visual impacts (pgs. V-175 thru V-177).

Consequently, the 18 condominium dwelling units proposed to be transferred to the "Trentwood Canyon" Townhomes will cause a less than significant adverse impact because the project description incorporates landscaped berms, slopes, and the planting of oak trees in visually sensitive locations. Therefore, the mitigation measures previously identified in the Final EIR and adequate conditioning will alleviate these potentially significant impacts.

9. <u>Paleontological Resources</u>:

The project area constitutes a portion of the Conejo Volcanics Formation, which are not generally known to have fossil remains. Therefore, the project area has no known significant impact on paleontological resources.

10. <u>Cultural Resources</u>:

a. Archaeological, b. Historical, and c. Ethnic, Social, or Religious:

The entire Lake Sherwood area has undergone extensive archaeological research and testing in the preparation of the Final EIR. According to the <u>Archaeological Test Investigation</u>, prepared by W&S Consultants, dated August 10, 1989; there have been fifteen prehistoric sites identified in the Lake Sherwood area. The above referenced report concludes that the specific sites for TT-4934 and TT-4409-2 do not contain significant cultural resources. Therefore, no known cultural resources are present to be adversely effected by the proposed project.

11. Energy Resources:

The project alone and cumulatively will have less than a significant impact on the renewable resources of solar, wind, and hydraulic power. The Uniform Building Code regulates construction of structures with regard to energy efficiency. Therefore, the energy necessary to maintain a residence would not be used in wasteful manner.

12. Coastal Beaches & Sand Dunes:

This project is not located within the Coastal Zone of the County's Local Coastal Program. Therefore, this project has no effect on the coastal beaches and sand dunes.

HAZARDS:

13. Seismic Hazards:

a. Fault Rupture:

Pursuant to the <u>Response to Geology and Soils Review</u>, prepared by Geolabs-Westlake Village, dated December 1, 1993, no known active faults were observed transecting the subject property and no indications of faulting were observed. As no known active or potentially active faults project into or appear to cross through the property, the potential for fault rupture on the proposed project site is considered very low. Therefore, there will be no adverse impacts relative to fault rupture.

b. Ground Shaking:

The primary geologic hazard relative to site development is ground shaking from earthquakes originating outside of the site area. The site is located within an active seismic area where past earthquakes have caused considerable ground-shaking. Based on the low probability of shaking occurring during the economical life of the structures, and the type of construction anticipated, it is recommended that Uniform Building Code (UBC) Guidelines for structural design be followed or considered as minimum requirements. Therefore, the adverse impacts relating to ground shaking would be considered to be less than significant.

c. Tsunami, d. Seiche:

Due to the inland location and elevation of the site, hazards from tsunamis and seiches are not considered likely. Therefore, there will be no adverse impacts relating to tsunamis, seiches.

e. Liquefaction:

The proposed project site, TT-4934, has been determined to be within a Liquefaction Zone as identified by the County General Plan. There is little that can feasibly be done to reduce the regional liquefaction hazard. Small buildings or equivalent sized structures are not likely to suffer major damage.

Pursuant to the County's General Plan, the proposed development is not considered a critical or essential facility requiring special evaluation for the liquefaction potential. However, special designs to alleviate the effects of the hazard can be utilized where necessary. Therefore, the adverse impact relating to liquefaction, would be less than significant.

14. Geological Hazards:

a. Subsidence, b. Expansive Soils:

If subsidence is to take place, the majority of settlement would occur during construction and will be minimal. During the commencement of construction, the expansive nature of the soils would be taken into consideration for the design of the structure and foundation. Therefore, there will be no adverse impacts relating to subsidence and expansion.

c. Landslides/Mudslides:

Based upon the data obtained in the aformentioned geology reports, the proposed project does not contain evidence that a landslide and/or mudslide were observed on or trending into the subject area. Therefore, there would be no adverse impacts relative to landslides/mudslides.

15. Hydraulic Hazards:

a. Erosion/Siltation:

During grading, erosion and increased siltation will occur. However, when construction is completed, the proposed project will have no erosion or siltation. Also, pursuant to the Ventura County Building Code storm damage prevention measures, there will be no adverse impacts relating to erosion/siltration.

b. Flooding:

Due to the inland location and elevation of the site, and since all the proposed building sites are at a sufficient relative elevation to mitigate potential storm induced flooding, there will be no adverse impact relating to flooding.

16. <u>Aviation Hazards</u>:

Since the proposed project is not located within two miles of any County public airport, there will not be any adverse impacts, alone and cumulatively, relative to air traffic safety.

17. Fire Hazards:

Portions of the project is located in a HIGH FIRE HAZARD area. However, potential impacts can be mitigated by the Fire Department Weed Abatement Program and Building and Safety Construction requirements. Therefore, the potential impacts will be less than significant.

18. Hazardous Materials/Waste:

a. Above-ground Hazardous Materials, b. Below-ground Hazardous Materials

The project is considered Residential in nature and will not utilize any above-ground and/or underground hazardous materials storage tanks. Therefore, there would be no adverse impacts relative to storage of above-ground or below-ground hazardous materials.

c. Hazardous Waste:

The proposed project will not involve activities that are considered to be significant producers of hazardous wastes. However, State regulations have been adopted to address the handling, storage, and disposal of household hazardous wastes. Compliance with these regulations will reduce any potential impact from household hazardous wastes to a level considered less than significant.

19. Noise/Vibration:

The construction of homes and grading of building pads and roads could result is an increase in noise and vibration during these activities. However, these increases will occur in an Urban environment and would be temporary during construction. Once the homes are completed and occupied, no significant construction noise or vibrations will occur.

20. Glare:

The project would increase the amount of light and glare in the area. The increased light and glare has the potential to adversely impact area wildlife. However, the Final EIR for the Lake Sherwood Community addressed this impact by requiring adequate conditioning of subsequent residential development to reduce the light and glare associated with the project to a less than significant effect.

PUBLIC FACILITIES/SERVICES:

21. Transportation/Circulation:

a. Public Roads & Highways:

(1) Level of service, (2) Safety/Design:

The proposed project will not generate additional traffic on the local public roads, Potrero Road & Lake Sherwood Drive. The existing roads in the area were developed in accordance with the County of Ventura's Road Standards and/or the State Department of Transportation (CALTRANS). Consequently, the Level of Service and safety of the existing and proposed roads are consistent with the County's General Plan. Therefore, there would be no adverse impacts relating to level of service & safety/design.

(3) Tactical Access:

Public road access is adequate for tactical response and private onsite access meets Fire Department Standards; and therefore, will not effect public roads for safe tactical response.

b. Private Roads and Driveways:

Access to the proposed project will be by means of adequately designed public roads and private driveways.

c. Pedestrian/Bicycle:

(1) Public, (2) Private Facilities:

Existing roads in proximity and within the development have provided adequate provisions for pedestrian and bicycle facilities pursuant to the County's Road Standards and CALTRANS Design Manual. Therefore, there will be no adverse impacts relating to pedestrian/bicycle facilities.

d. Parking:

The County's Zoning Ordinance regulates the number, location, and size of off-street parking. This project will not warrant any additional off-street parking. Therefore, the project will have no effect.

e. Bus Transit, f. Railroads, g. Airports, h. Harbors:

The Lake Sherwood Community is not served by a public transportation system because of the rural nature of the area. Therefore, the project will have no impact on the services of these transportation facilities.

i. Pipelines:

No gas of oil pipelines are located in the Lake Sherwood Community. Therefore, the project will have no effect on these facilities.

22. Water Supply:

a. Quality:

The Lake Sherwood Community Services District, a public water purveyor, receives water from the Calleguas Municipal Water District, which is regulated by the State Department of Health Services. The quality of domestic water must be in compliance with applicable state drinking water standards. The proposed project will not involve any activities that will contaminate the quality of imported water that is purveyed by the water company. Therefore, the project will not have an impact on water quality.

b. Quantity:

A Water Availability letter has been issued for this project from the Lake Sherwood Community Services District. The letter is evidence that the project will be adequately provided with a "permanent domestic water supply". Therefore, there will be a less than significant adverse impact relating to water supply.

c. Fire Flow:

Required fire flow for this project is 1000 gpm at 20 psi and will be provided by the Lake Sherwood Community Services District.

23. Waste Treatment/Disposal:

a. Individual Sewage Disposal System, b. Sewage Collection/Treatment Facilities:

Individual on-site sewage disposal will not be used because public sewer service is available from the Triunfo Sanitation District. The district has issued a Sewer Availability letter indicating that adequate sewer capacity is available for this project. Therefore, the project will have no effect on individual sewage disposal systems.

c. Solid Waste Facilities:

The Simi Valley Landfill and the Calabasas Landfill are the designated repositories for solid waste generated from the proposed project. The amount of solid waste generated from this project can be handled by both sites, due to the life expectancy of these facilities. Therefore, this project is not expected to have a significant incremental effect on these facilities.

24. <u>Utilities</u>:

a. Electric, b. Gas, c. Communications:

The proposed project will be adequately served by existing electrical, natural gas, and communication facilities along Potrero Road and within the Lake Sherwood Community. Therefore, the project will have no effect on these facilities.

25. Flood Control/Drainage:

a. FCD Facility, b. Other Facilities:

The proposed project site is not within the flood plain of any drainage facility under the jurisdiction of the Flood Control District Additionally, the proposed project will not alter existing drainage patterns, or the route of the surface water run-off for the ultimate development will be accomplished in accordance with the County of Ventura Building Code, Chapter 70 of the Uniform Building Code. Therefore, there will be not adverse impacts relating to drainage facilities, regardless of jurisdiction.

26. <u>Law Enforcement/Emergency Services</u>:

a. Personnel/Equipment, b. Facilities:

The Sheriff's Department has determined that the project will not have a significant effect on the services provided for the area.

27. Fire Protection:

a. Distance/Response Time, b. Personnel/Equipment/Facilities:

The project is located approximately 1 1/2 miles from County Fire Station No. 33 (Lake Sherwood Drive and Potrero Road). Additional equipment and personnel can be dispatched from County Fire Station No. 32 (Reino Road) and Station 31 (Duesenburg Road) in the City of Thousand Oaks. Therefore, there are adequate facilities and personnel for fire protection.

28. Education:

a. Schools, b. Libraries:

The Conjeo Valley Unified School District serves the Lake Sherwood Community. This project would have an impact on the school district. However, the impact would not be significant due to the standard requirement for subdivisions, that developer fees be provided for relocation of portable classrooms to meet individual conditions of crowding and to finance added personnel and equipment.

The Thousand Oaks Library and Oak Park Library serve the Lake Sherwood Community. This project would have no significant incremental impact on the services of these facilities.

29. Recreation:

a. Local Parks/Facilities, b. Regional Parks/Facilities, c. Regional Trails/Corridors:

This project lies within the Conejo Valley Recreation and Park District, which administers public parks for the City of Thousand Oaks and the Lake Sherwood area. It has been determined that the project would have no significant effect on the need for recreation facilities, due to the existing golf course, tennis facilities and Maid Marion Park (a local private park) located within the adjacent area. Therefore, the project will not significantly affect local/regional parks because the facilities have been master planned for the Lake Sherwood Community.

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NEGATIVE DECLARATION (ND) ADDENDUM FOR PLANNED DEVELOPMENT PERMIT NOS. FOR PL23-0125 AND PL23-0126

A. BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

- Entitlement: Planned Development (PD) Permits for the construction of two single-family dwellings and two accessory dwelling units on separate legal lots within the Scenic Resource Protection (SRP) Overlay Zone (Case Nos. PL23-0125 and PL23-0126)
- 2. Applicant / Property Owner: Mitch Mouw c/o Sherwood Development Company, 2300 Norfield Court, Thousand Oaks, CA 91361
- **3. Applicant's Representative:** Ibrahim Hzayen c/o Hzayen Design Group, Inc. 2300 Norfield Court, Thousand Oaks, CA 91361
- **4. Location:** 929 and 925 West Stafford Road, west of the intersection of Elderoak Road and West Stafford Road, in the community of Lake Sherwood
- **5. Tax Assessor's Parcel Numbers:** 692-0-040-160 (Lot 75) and 692-0-040-150 (Lot 76)
- **6.** Lot Sizes: 5.12 acres (PL23-0125) and 5.73 acres (PL23-0126)
- 7. General Plan Land Use Designation: Rural
- **8. Lake Sherwood / Hidden Valley Area Plan Land Use Designation:** Rural Residential 2-4 dwelling units per acre
- **9. Zoning Designation:** Rural Exclusive 2 acre minimum lot size / Scenic Resource Protection Overlay Zone (RE-2 ac / SRP)
- 10.Responsible and/or Trustee Agencies: None

11. Project Description:

<u>PL23-0125 (Lot 75)</u>: The applicant requests a PD Permit to authorize the construction of a two-story single-family dwelling (4,886 square feet (sq. ft.)) with an attached four-car garage (1,050 sq. ft.). The single-family dwelling includes an attached covered patio area (808 sq. ft.) and a 2nd floor balcony area (37 sq. ft.). A detached single story accessory dwelling unit (1,200 sq. ft.) with a covered patio (170 sq. ft.) is also proposed on the vacant parcel referenced as Lot 75 of Tract Map (TM) 4409-2 in Lake Sherwood.

Water will be provided by the Ventura County Waterworks District 38 and sewer service will be provided by Triunfo Sanitation District. Access to Lot 75 is provided by a reciprocal driveway to the east of the proposed pad location from West Stafford Road.

<u>PL23-0126 (Lot 76)</u>: The applicant requests a PD Permit to authorize the construction of a two-story single-family dwelling (3,448 sq. ft.) with an attached four-car garage (968 sq. ft.). The single-family dwelling includes an attached covered patio area

County of Ventura
Planning Director Hearing
PL23-0125 & PL23-0126
Exhibit 4A – ND Addendum

(1,113 sq. ft.) and a 2nd floor balcony area (177 sq. ft.). A detached single story accessory dwelling unit (1,200 sq. ft.) with a covered patio (35 sq. ft.) is also proposed on the vacant parcel referenced as Lot 76 of TM 4409-2 in Lake Sherwood.

Water will be provided by the Ventura County Waterworks District 38 and sewer service will be provided by Triunfo Sanitation District. Access to Lot 76 is provided by a reciprocal driveway to the west of the proposed pad location from West Stafford Road.

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

On June 7, 1994, the Board of Supervisors adopted a Negative Declaration for Tentative Tract. No(s). TM 4934, and TM 4409-2; Residential Planned Development Permit No. RPD 1272-5; Parcel Map Waiver No. 702; and Zone Charge Z-2883. As a function of the Lake Sherwood / Hidden Valley Area Plan, the Lake Sherwood community was divided into several planning units for development purposes. Planning Unit 2 (which includes the tract for the subject PD Permit request), the ND evaluated the environmental impacts resulting from a General Plan Amendment that changed the land use designation of TM 4409-2 from Rural Residential 3 (5-10 dwelling units per acre) to Residential 2-4 (2-4 dwelling units per acre). This ND is attached as Exhibit 4.

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

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

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

Development of the proposed projects would involve approximately 46,173 sq. ft. of site disturbance for Lot 75 and approximately 55,756 sq. ft. of site disturbance for Lot 76, as needed to accommodate the proposed dwellings, ADUs, driveway, retaining walls, utility trenching, and fuel modification. The building pads were previously graded in the spring of 2022, as authorized by CUP 4635 (Planning GIS, November 2022). The proposed projects will comply with the development standards of the RE-2 ac ac/SRP zone (Ventura County Non- Coastal Zoning Ordinance, Sections 8106-1.1 and 8109-4.1.5) that are designed to minimize the visual impacts associated with new development within the SRP Overlay Zone.

No additional grading or vegetation removal beyond what was set forth in the ND will occur as a result of the proposed project. The November 17, 2023, Oak Tree Monitoring Report prepared by Envicom for TM 4409, concluded that all mitigation measures and tree offset requirements required by the February 5, 2004, Oak Tree Relocation Plan were completed to the satisfaction of the Planning Division. Based on the above discussion, the proposed PD Permits would not involve any new significant environmental impacts that were not identified in the ND. No major revisions to the ND are required.

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

The existing baseline conditions that were used to analyze potential impacts to the environment have not changed to the extent that the proposed revisions to the project description would require major revisions to the ND.

The Board of Supervisors evaluated the impacts from TM 4409-2 and CUP 4635, along with past, present, and reasonably foreseeable projects, as part of the analysis of cumulative impacts in the ND. The analysis in the ND focused particularly on the cumulative impacts to endangered, threatened, and rare species, and impacts from noise and vibration. The analysis concluded that the subdivision and development of single-family dwellings will not make a cumulatively considerable contribution to a significant impact to environmental resources.

As stated in Item No. 1 (above), the development will occur on previously approved building pads. CUP 4635 permitted grading within the tract to create roads and pads for the residential development on these lots that are subject to the regulations of the SRP Overlay Zone. No additional grading will occur. Based on the above discussion, the proposed project would not result in any new potentially significant impacts that were not previously analyzed in the ND.

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

The projects will not have any significant effects that were not discussed in the previous ND documents. The environmental conditions that currently exist onsite are either: (1) substantially the same as those that existed at the time at which the NDs were prepared and adopted; or (2) developed in compliance with the

project that was the subject of the ND for TM 4409-2 and CUP 4635. No new information that was unknown and could not have been known when the ND was adopted, has become available.

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

C. PUBLIC REVIEW:

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

Prepared by:

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

Jennifer Trunk, Manager Residential Permits Section Ventura County Planning Division

EXHIBIT 5 General Plan Consistency Determination

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

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

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

The proposed projects would result in the construction of two single-family dwellings and two accessory dwelling units (ADUs) on separate legal lots within the Lake Sherwood community.

Evaluated below is the consistency of the proposed projects with the applicable policies of the General Plan Goals, Policies, and Programs and the Lake Sherwood / Hidden Valley Area Plan (LSHVAP).

1. Land Use and Community Character

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

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

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

LSHVAP Policy LS-5.2 (Maximum Dwelling Units): The County shall require that the total number of dwelling units in the Lake Sherwood Community, excluding Planning Units 8 and 9 (excepting Lots 14, 15, 17 [portion], 151 and "I" of the Upson Tract Addition #1), does not exceed 630, and the total in Planning Unit 2 does not exceed 51 dwelling units exclusive of second dwelling units, farmworker housing, and low-income housing density bonuses as defined and regulated in the County Zoning Ordinance.

County of Ventura
Planning Director Hearing
Case Nos. PL23-0125 & PL23-0126
Exhibit 5 – General Plan Consistency Analysis

LSHVAP Policy LS-9.1 (Design Standards for Discretionary Development): The County shall condition discretionary development to incorporate good design standards including, open areas, landscaping, circulation, off-street parking, energy efficiency, architectural compatibility with the surroundings, etc.

LSHVAP Policy LS-9.3 (Architectural Design Compatibility): The County shall require architectural design of buildings and structures to use colors, forms and materials that blend with the environment and/or the character of the community.

The proposed projects are located on two separate legal lots zoned Rural Exclusive with a two-acre minimum parcel size and is within the Scenic Resource Protection Overlay Zone (RE-2 ac. / SRP). The purpose and intent of the RE zone is "to provide for and maintain rural residential areas in conjunction with horticultural activities, and to provide for a limited range of service and institutional uses which are compatible with and complementary to rural residential communities. (Ventura County NCZO Section 8104-2.2). The purpose and intent of the SRP Overlay Zone is to preserve and protect visual quality within the viewshed of selected County lakes, along the County's adopted scenic highways, and at other locations as determined in the applicable area plan. Additionally, the SRP Overlay Zone seeks to minimize development that conflicts with the value of scenic resources (Ventura County NCZO Section 8104-7.1).

Lake Sherwood is a residential community and includes the Lake Sherwood Country Club and Golf Course. Lots north of Stafford Road are developed with single-family dwellings, lots south of Stafford Road, including Lots 75 and 76 are undeveloped. Lake Sherwood is located to the northeast, and open space is to the south of the project sites.

Tract Map (TM) 4409 created 49 lots for the development of single-family dwellings on 640 acres. TM 4409-2, of which Lots 75 and 765 are a part, did not change the number of dwelling units in the tract. CUP 4635 permitted grading within the tract to create roads and pads for the residential development on lots subject to the regulations of the SRP Overlay Zone, including Lots 75 and 76.

The proposed development is compatible with the overall development pattern and architectural styles in the Lake Sherwood area. Proposed building coverage for Lot 75 is 0.22 percent and for Lot 76 is 0.19 percent, which is below the 25 percent maximum allowed. The proposed development plans indicate that the residences and ADUs have a low-pitched shed style roof. Exterior materials will consist of stucco with stone veneer for accents. Selected colors are dark earth-toned to help blend structures into the natural surroundings. Pursuant to 2022 California Energy Code subchapter 8 Section 150.1(c).14, to meet building code requirements for prescriptive design, solar panels will be required at the building permit stage, which will contribute towards energy efficiency.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policies LU-16.1, LU-16.8, and LU-16.9, and LSHVAP Policies LS-5.2, LS-9.1 and LS-9.3.

2. Circulation, Transportation, and Mobility

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

General Plan Policy CTM-1.4 (Level of Service Evaluation) County General Plan land use designation changes and zone changes shall be evaluated for their individual (i.e., project-specific) and cumulative effects, and discretionary developments shall be evaluated for their individual effects, on Level of Service (LOS) on existing and future roads, to determine whether the project:

- Would cause existing roads within the Regional Road Network or Countymaintained roadways that are currently functioning at an acceptable LOS to function below an acceptable LOS;
- b. Would add traffic to existing roads within the Regional Road Network or County-maintained roadways that are currently functioning below an acceptable LOS; and
- c. Could cause future roads planned for addition to the Regional Road Network or County maintained roadways to function below an acceptable LOS. d. The Level of Service (LOS) evaluation shall be conducted based on methods established by the County.

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

The California Natural Resource Agency has adopted new CEQA Guidelines that require an analysis of vehicle miles travelled (VMT). Based on guidance provided by the Office of Planning and Research (OPR), certain projects may be screened out of requiring VMT analysis, because their impacts are known to be less than significant. Screened projects include those that generate fewer than 110 average

Lake Sherwood Planned Development Permits
Case Nos. PL23-0125 & PL23-0126
Exhibit 5 – General Plan Consistency Analysis
Page 4 of 23

daily vehicle trips. As proposed, the projects will generate approximately 20 average daily trips (based on the Institute of Transportation Engineers rate of approximately 10 daily trips per single-family dwelling unit). Therefore, the projects are exempt from a VMT analysis.

The projects will connect with the public road system at Potrero Road by way of West Stafford Road, a paved private road. Based on Table 6-10 of the 2040 General Plan Background Report for Transportation and Mobility, approval of the project would not result in the degradation of Level of Service (LOS) for any identified roadway segments or intersections in the area. In accordance with Ventura County Ordinance 4246, prior to building permit issuance, the property owner will be required to pay a Traffic Impacts Mitigation Fee (TIMF) to offset any cumulative contribution of additional traffic to the Regional Road Network, resulting from the proposed residential development.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policies CTM-1.1, CTM-1.4, and CTM-1.7.

General Plan Policy CTM-2.18 (Complete Streets Standards in Existing Communities): The County shall require discretionary development in designated Existing Communities to construct roadways to urban standards and Complete Streets principles, including curb, gutter, sidewalks, and bike lanes when there is a nexus for improvement. The County shall rely on the guidelines and design standards for Complete Streets design established by the California Manual on Uniform Traffic Control Devices (CAMUTCD), Caltrans in the Highway Design Manual, and Complete Streets Guidelines (pursuant to Deputy Directive-64-R2), Federal Highway Administration, American Association of State Highway and Transportation Officials (AASHTO).

LSHVAP Policy LS-16.3 (County Public Road Standards Conformance): The County shall require all new private and public roads to be constructed to meet minimum County Public Road Standards, unless higher standards are deemed necessary by the Public Works Agency.

The Lake Sherwood area is comprised of large estate homes on lots 0.5 acres to more than 5 acres in size. There are curbs, gutters, sidewalks in the area. Existing street improvements, as required by TT 4409, included a French drain and rolled curb and gutter along Stafford Road. These improvements meet the "complete street" standards. Bike paths are not required for private roads.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policy CTM-2.18 and LSHVAP Policy LS-16.3.

3. Public Facilities, Services, Infrastructure, and Water Resources

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

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

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

LSHVAP Policy LS-22.5 (Sewer Facility Ownership): The County shall require all sewers to be owned and operated by a publicly operated sewering entity.

The Lake Sherwood Community Services District will provide water to the project sites (October 9, 2023, Will Serve Letter). The Triunfo Sanitation District will provide wastewater service to the project sites (September 25, 2023, Will Serve Letter). The proposed single family dwelling and ADUs will be subject to the standards of the California Plumbing Code and California Building Code. These standards include requirements for water conservation, low flow plumbing fixtures, and efficient appliances. Project landscaping is expected to exceed 500 sq. ft. and the applicant will be required to comply with the water efficiency requirements in the California Model Water Efficient Landscape Ordinance (MWELO).

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policies PFS-1.7, WR-1.11 and WR-3.2; and LSHVAP Policy LS-22.5.

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

The proposed projects would not result in a significant generation of waste. E.J. Harrison and Sons will provide curbside garbage and recycling pickup services to the project sites.

Lake Sherwood Planned Development Permits
Case Nos. PL23-0125 & PL23-0126
Exhibit 5 – General Plan Consistency Analysis
Page 6 of 23

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

Ventura County Ordinance 4421 requires all applicants for discretionary permits that include construction and/or demolition to reuse, salvage, recycle, or compost a minimum of 65 percent of solid waste generated by their project. The Integrated Waste Management Division's (IMWD) waste diversion program (Form B Recycling Plan / Form C Report ensures that the 65 percent diversion goal is met prior to Building and Safety Division's issuance of a certificate of occupancy, consistent with the General Plan. The projects have been conditioned to address recycling during the construction phase of the project (Exhibits 6a and 6b, Condition Nos. 25 and 26).

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policy PFS-5.9.

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

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

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

Lake Sherwood Planned Development Permits
Case Nos. PL23-0125 & PL23-0126
Exhibit 5 – General Plan Consistency Analysis
Page 7 of 23

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

General Plan Policy HAZ-2.5 (Recordation of a Notice of Flood Hazard): The County shall require the recordation of a Notice of Flood Hazard with the County Recorder for all new discretionary entitlements (including subdivisions and land use permits) within areas subject to flooding as determined by the Federal Emergency Management Agency on the latest available Digital Flood Insurance Rate Maps (DFIRMs).

LSHVAP Policy LS-50.4 (Water Runoff): The County shall require all discretionary development to include measures to control water runoff.

LSHVAP Policy LS-50.6 (Hydrology Study Requirement for Discretionary Development): The County shall require a detailed hydrology study showing flowrates after the completion of construction of any proposed project shall be done before approval of any discretionary development permits. The study must indicate that there will be no increase in peak runoff downstream of Lake Sherwood. The County shall require flood flow attenuation techniques, such as the design of retention basins that are indicated to be necessary by this study, before grading permits are approved.

As shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 06111C0969F effective April 4, 2018, and Panel 06111C113SE effective January 20, 2010, the project sites are in a location identified as Zone X, Area of Minimal Flood Hazard. The project sites are not located within an identified 100-year or 500-year floodplain. The projects will not require the development of new flood control facilities or contribute funds towards the development and/or maintenance of flood control facilities.

Drainage from the project sites is currently conveyed as sheet flow. The applicant has provided a Geotechnical Report analysis (Gold Coast Geoservices, Inc.; April 2022) to analyze pre- and post-development conditions. As discussed in this analysis, all post-development drainage will be collected and transferred away in a non-concentrated manner from the footings and away from slope areas to an approved drainage disposal site. This will distribute drainage and prevent erosive conditions. Drainage improvements are included in Grading Permit 9903 and include installation of a terrace drain, concrete "V" ditch, concrete splash wall and rip rap pad.

The analysis concludes that, due to the site's location in a hillside area with steep slopes, the proposed project sites will require periodic maintenance to assure

working condition of drainage devices. As such, the projects will not have an adverse effect on drainage and will not impact downstream facilities.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policies PFS-6.1, PFS-6.5, WR-2.2, WR-3.3, HAZ-2.5; and LSHVAP Policies LS-50.4 and LS-50.6.

4. Conservation and Open Space

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

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

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

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

Lake Sherwood Planned Development Permits
Case Nos. PL23-0125 & PL23-0126
Exhibit 5 – General Plan Consistency Analysis
Page 9 of 23

significant impact on a wetland habitat on land within a designated Existing community may be approved in conjunction with the adoption of a statement of overriding considerations by the decision-making body.

LSHVAP Policy 35.1 (Biological Field Investigation for Discretionary Development): The County shall require a biological field investigation, subject to the approval of the Planning Division, be conducted in the spring prior to or during subsequent environmental documentation for future discretionary entitlements. The purpose of the survey will be to identify the presence or absence of threatened or endangered or sensitive species within the boundary of actual development and to establish additional mitigation measures as needed. The County shall implement these mitigation measures prior to approval of any discretionary permit.

LSHVAP Policy LS-35.3 (Discretionary Development Near Marshes and Bodies of Water): Discretionary development that is proposed to be located within 300 feet of a marsh, small wash, intermittent lake, intermittent stream, spring, or perennial stream as identified on the latest USGS 7 1/2 minute quad map shall be evaluated by a qualified biologist, approved by the County, for potential impacts on "wetland" habitats. Discretionary development that would have a significant impact on significant "wetland" habitats shall be prohibited, unless mitigation measures are adopted that would reduce the impact to a less than significant level, or for lands designated "Urban" or "Existing Community", a statement of overriding considerations is adopted by the decision-making body.

Envicom Corporation prepared a rare Plant Survey Report dated August 1, 1990, for TM 4192 and TM 4409. The report identified several populations of Lyon's Pentacheata, a State-listed rare and endangered plant species in TM 4192; however Lyon's Pentacheata was not found within TM 4409.

The certified EIR for the LSHVAP and for TM 4409 set forth the impacts and mitigation measures related to habitat, sensitive species, and wetlands. These mitigation measures do not affect Lots 75 and 76.

On February 5, 2004, the Planning Division approved an Oak Tree Relocation Plan for the loss of oak trees from residential development of the lots in TM 4192 and a portion of TM 4409. The November 17, 2023, Tree Monitoring Report prepared by Envicom for TM 4409, concluded that all mitigation measures and tree offset requirements were completed to the satisfaction of the Planning Division.

Most native birds are protected under the federal Migratory Bird Treaty Act. Native birds are most vulnerable to impact during the nesting season, when chicks have not yet fledged the nest. To avoid any potential for impact, the projects are conditioned to require nesting bird surveys be conducted if ground disturbance and construction activities would occur during the nesting season. Where active nests

Lake Sherwood Planned Development Permits
Case Nos. PL23-0125 & PL23-0126
Exhibit 5 – General Plan Consistency Analysis
Page 10 of 23

are located, a buffer area will be established where construction activities will be halted (Exhibits 6a and 6b, Condition No. 21).

Riverine wetlands south of the graded pads are located on Lot 75 (approximately 170 feet south of the graded pad) and Lot 76 (approximately 136 feet south of the graded pad). The Subdivider was required to provide retention basins and obtain a Streambed Alteration Agreement to mitigate the impacts to significant wetland habitats, prior to the start of grading for residential development. The Waters, Wetlands, and Riparian Habitat Report for TM 4192 and TM 4409 (Envicom Corporation; dated January 17, 2000), concluded that based on the location the proposed pads for these lots, there would not be any significant impacts to wetlands that would result from the development of the tract map.

The proposed single-family dwellings and ADUs are located more than 4,500 feet northeast of the Lake Sherwood inlet. The proximity of the proposed residences on Lots 75 and 76 to the Lake Sherwood Inlet would not create the potential for impacts on significant wetland habitats.

Although there are no mapped wildlife corridors in this area, the open space areas south of the project sites provides habitat for animals. The projects are conditioned to require the applicant to submit a lighting plan to minimize night light spillover into these areas (Exhibits 6a and 6b, Condition No. 19).

Development of the proposed project would involve approximately 46,173 sq. ft. of site disturbance for Lot 75 and approximately 55,756 sq. ft. of site disturbance for Lot 76, to accommodate the proposed dwellings, ADUs, driveway, retaining walls, utility trenching, and fuel modification. Impacts from fuel modification were considered as a part of CUP 4635.

County staff referred this project to the National Parks Service and Santa Monica Conservancy for review and comment. As of the date of publication, no response has been received from any of these agencies.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policies COS-1.1, COS-1.4, COS-1.10, COS-1.11 and with LSHVAP Policies LS-35.1 and LS-35.3.

5. Scenic Resources

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

General Plan Policy COS-1.6 (Discretionary Development on Hillsides and Slopes): The County shall require discretionary development on hillsides and slopes, which have an average natural slope of 20 percent or greater in the area where the proposed development would occur, to be sited and designed in a manner that will minimize grading, alteration of natural landforms, and vegetation removal to avoid significant impacts to sensitive biological resources to the extent feasible.

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

LSHVAP Policy LS-9.2 (Minimize Impacts to Natural Scenic Topographical Features): The County shall require discretionary development/grading to be designed as much as practicable to minimize the alteration or degradation of natural scenic topographical features (such as ridgelines, natural slopes, rock outcroppings). The reshaping of the natural terrain to permit access and construction shall be kept to the absolute minimum. Where possible, grading shall employ landform grading techniques to emulate natural landforms and shall comply with the following: a. Transition Design: The angle of the graded slope shall be gradually adjusted to the angle of the natural terrain. b. Angular Forms: Angular forms shall generally not be permitted. The graded form shall reflect the natural rounded terrain, unless exposed rock faces can be used as a desirable visual element. c. Exposed Slopes: Graded slopes shall be concealed by landscaping, berms or other measures wherever possible. d. The toe and crest of all cut and fill slopes in excess of five (5) feet vertical height shall be rounded. e. Long, uniform slopes with severe grade breaks, which result in an unnatural, manmade appearance, shall be avoided. Where cut or fill slopes exceed 100 feet in horizontal length, the horizontal contours of the slope shall be curved in a continuous, undulating fashion so as to emulate natural slopes. f. Where cut and fill slopes in excess of five feet are created, detailed landscape and irrigation plans shall be submitted to and approved by the Planning Division and Public Works Agency prior to the issuance of any grading conditional use permit or building permit. The plans will be reviewed for type and density of ground cover, seed-mix, hydromulch mix, plant sizes and irrigation systems.

LSHVAP Policy LS-41.1 (Public Views of Natural Ridgelines): The County shall prohibit discretionary development and grading which will significantly obscure or alter public views of the natural ridgelines.

LSHVAP Policy LS-41.4 (Slope Planting and Irrigation): The County shall require all planting and irrigation of slopes to be completed and approved by the Planning Division prior to final inspection.

Lake Sherwood Planned Development Permits
Case Nos. PL23-0125 & PL23-0126
Exhibit 5 – General Plan Consistency Analysis
Page 12 of 23

LSHVAP Policy LS-41.5 (Slope Planting and Irrigation System Management): The County shall require the applicant and/or developer to be responsible for the maintenance and upkeep of all slope planting and irrigation systems within a planning unit until such time as these operations are the responsibility of other parties.

LSHVAP Policy LS-41.7 (Ventura County Landscape Design Criteria Compliance): The County shall require discretionary development to meet or exceed Ventura County Landscape Design Criteria standards.

LSHVAP Policy LS-41.8 (Night Lighting): The County shall require all night lighting within proposed development to be shielded and directed to the ground. The County shall require that transient light from lighting not exceed one footcandle at 100 feet from the lightpole, except for tennis court areas.

The project sites are located in the community of Lake Sherwood and within the SRP Overlay Zone. The proposed dwellings are each located on previously graded pads on a hillside, approximately 798 feet (Lot 75) and 997 feet (Lot 76) below the ridgeline. The SRP Overlay Zone is intended to discourage development from compromising scenic public views. The SRP Overlay Zone specifically focuses on preservation of views from eligible County scenic highways, lakes, and scenic locations identified in an area plan.

The Viewshed Analysis submitted by the applicant indicates that the project sites are partially visible from Potrero Road and Lake Sherwood, which are north of the project site. Though the sites are visible from these locations, a distance of more than 0.94 miles reduces the visual prominence. Additionally, development on the property is expected to blend in with surrounding hillside residential development when viewed from this distance and perspective. The project sites are not visible from any other identified eligible scenic highway or any roadway in the Regional Road Network. Though the LSHVAP identifies Potrero Road as a scenic road, the project sites are not prominently visible from Potrero Road, as existing development, and the hillside southeast of the project sites blocks the view. Based on site topography, only the higher portions of the two-story residences would be partially visible from Potrero Road.

The proposed development plans indicate that the residences and ADUs are designed with a low-pitched shed style roof. Exterior materials will consist of stucco with stone veneer for accents. Selected colors are dark earth-toned to help blend structures into the natural surroundings. The projects have been conditioned to require utilities to be placed underground (Exhibits 6a and 6b, Condition No. 18).

The SRP Overlay Zone requires that applicants "Minimize alteration of the natural topography, physical features, and vegetation" (NCZO § 8109-4.1.5(a)(2)). In 2022, site disturbance, as needed to accommodate the proposed dwellings, ADUs,

Lake Sherwood Planned Development Permits
Case Nos. PL23-0125 & PL23-0126
Exhibit 5 – General Plan Consistency Analysis
Page 13 of 23

driveway, retaining walls, and utility trenching, was conducted on both lots pursuant to Grading Permit No. 9903. This resulted in removal of approximately 46,173 sq. ft. of native vegetation for Lot 75 and approximately 55,756 sq. ft. of native vegetation for Lot 76. The area where site disturbance occurred is not prominently visible from a public location (e.g., Potrero Road) and is not considered a significant alteration of the public viewshed.

Lighting Photometric Calculation Floor Plans, dated July 10, 2023 (Exhibits 3a and 3b), were submitted for the two single-family dwellings and ADUs. The lighting photometric calculations indicate minimal night lighting with all exterior lighting directed downwards. The projects have been conditioned to require the applicant submit a final Lighting Plan to ensure all exterior night lighting is the minimum necessary and lighting is shielded and directed downwards (Exhibits 6a and 6b, Condition No. 19).

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Public Policies PFS-7.4, COS-1.6 and COS-3.1 and LSHVAP Policies LS-9.2, LS-41.1, LS-41.4, LS-41.5, LS-41.7 and LS-41.8.

6. Landscaping

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

The proposed projects do not require any additional grading or vegetation removal beyond what has been previously approved.

The proposed projects will be subject to conditions of approval to require that the landscaping of the project sites include drought tolerant resistant native plant species to the maximum extent possible. The applicant will be required to submit a Landscape Plan that will be reviewed and approved by the County of Ventura Resource Management Agency and Ventura County Fire Protection District (VCFPD) for compliance with the California Model Water Efficiency Landscape Ordinance (MWELO) and to assure adequate fire-resistant vegetation and clearance areas are provided (Exhibits 6a and 6b, Condition No. 20).

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policy COS-1.12.

7. Cultural Resources

General Plan Policy COS-4.2b (Cooperation for Tribal Cultural Resource Protection): For discretionary projects, the County shall request local tribes contact information from Native American Heritage Commission, to identify known tribal cultural resources. If requested by one or more of the identified local tribes, the County shall engage in consultation with each local tribe to preserve, and determine appropriate handling of, identified resources within the county.

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

LSHVAP Policy LS-42.3 (Archaeological Requirements for Discretionary Development): The County shall condition discretionary development to submit an archaeological literature search and walkover survey by a qualified archaeologist approved by the County. The County shall require further testing to determine the significance and boundaries of sites, if determined to be necessary by the archaeologist. The County shall require appropriate mitigation of impacts to identified sites, as recommended by the archaeologist and approved by the County. The County shall monitor grading within those areas determined by the field survey to be of moderate or higher likelihood to yield buried artifacts. The County shall empower monitors to halt construction in the immediate vicinity of unburied artifacts until adequate mitigation can be implemented.

The entire Lake Sherwood area has undergone extensive archaeological research and testing, as required by the LSHVAP. All recommended studies have been completed and site protection is in effect where required. W & S Consultants prepared an archeological report (dated August 10, 1989) for the Lake Sherwood / Hidden Valley Area Plan EIR. The report concluded that Lots 75 and 76 do not contain cultural resources. The project areas constitute a portion of the Conejo Volcanics Formation which is unlikely to contain paleontological resources.

While proposed development is not expected to impact paleontological or archaeological resources, standard conditions for unexpected archaeological and paleontological resources have been applied to the projects (Exhibits 6a and 6b, Condition Nos. 23 and 24).

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policies COS-4.2b and COS-4.4, and LSHVAP Policy LS-42.3.

8. Fire Safety

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

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

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

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

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

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

LSHVAP Policy LS-31.1 (Fire Protection District Conformance): The County shall require discretionary development to comply with the requirements of the Fire Protection District and Sheriff's Department by providing adequate access for fire, law enforcement and emergency equipment and personnel.

- **LSHVAP Policy LS-31.2 (Water Supply and Delivery Systems for Firefighting):** The County shall require that adequate water supplies and delivery systems for firefighting purposes serve any discretionary development in accordance with the standards of the Fire Protection District.
- LSHVAP Policy LS-47.1 (Water and Access Conditions for Firefighting): The County shall condition discretionary development permits to provide adequate water and access for firefighting purposes as determined by the Fire Protection District.
- **LSHVAP Policy LS-47.2 (Road Standards Conformance):** The County shall require all roads to conform to the standards of the Fire Protection District.
- **LSHVAP Policy LS-47.3 (P.U. 2, 3, 4 Homesite Location):** The County shall require all homesites within Planning Units 2, 3, and 4 to be located within 200 feet of proposed main access roads, unless homesites can be established which would protect biological resources, allow for adequate tactical fire access and prescriptive burning, and protect visual resources
- LSHVAP Policy LS-47.6 (Adequate Access and Fire Flow Improvements for Combustible Construction): The County shall require adequate access and fire flow improvements to be completed prior to combustible construction.
- **LSHVAP Policy LS-47.7 (Construction in High Fire Hazards Areas):** The County shall require all residences located in High Fire Hazard Areas to be constructed with non-combustible roof and siding materials.
- LSHVAP Policy LS-47.8 (Species Requirements for Landscape Plans): The County shall require landscape plans to use non-invasive, fire-resistant native species, to the maximum extent feasible.
- **LSHVAP Policy LS-47.9 (Landscape Plan Requirement for High Fire Hazard Areas):** The County shall require discretionary development in High Fire Hazard Areas to develop landscape plans utilizing fire-retardant plant material, cleared areas or other acceptable means of reducing fire hazards consistent with other policies.
- **LSHVAP Policy LS-47.10 (Fuel Modification Zone Planting):** The County shall require fuel modification zones as required by the Fire Prevention District to be planted with fire-retardant native plants and irrigated until vegetation is well established.
- **LSHVAP Policy LS-47.11 (Emergency Vehicle Access):** The County shall require discretionary development to provide adequate, direct access for the accommodation of emergency vehicles.

LSHVAP Policy LS-47.12 (Fuel Modification Program Requirement): The County shall require discretionary development to cooperate with the Fire Protection District in designing and implementing a fuel modification program in the immediate area of residential structures.

Emergency access will be provided via West Stafford Road to a reciprocal driveway easement to the west of the proposed pad location on Lot 75, and a reciprocal driveway easement to the east of the proposed pad location on Lot 76. The driveways have been designed to meet fire safety standards, including maximum grade and minimum width. West Stafford Road intersects with Potrero Road, a public road, approximately 1.09 miles northeast of the project sites. West Stafford Road and Potrero Road are both built to urban standards and provide sufficient access to meet fire safety requirements.

Water will be provided by the Ventura County Waterworks District 38. The District's facilities are adequate to provide the needed fire flow to the properties.

Ventura County Fire Station 33, addressed as 33 Lake Sherwood Drive, is located, approximately two miles northeast from the project sites. No new fire stations or personnel will be required for the proposed projects. The applicant will be required to construct all structures to meet hazardous fire area building code requirements. All new construction will be required to comply with all applicable VCFPD requirements, including access, hazard abatement, fire department clearance, and inspection authority. The applicant will be required to submit a fuel modification plan for review and approval, and to ensure adequate fire department access is provided, prior to building permit issuance.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policies CTM-2.28, PFS-11.4, PFS-12.3, PFS-12.4, HAZ-1.1 and HAZ-1.2; and with LSHVAP Policies LS-31.1, LS-31.2, LS-31.2, LS-47.1 to LS-47.3, LS-47.7 to LS-47.12.

9. Geologic and Seismic Hazards

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

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

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

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

LSHVAP Policy LS-51.1 (Seismic and Geologic Hazards): The County shall require developers to provide all necessary information relative to seismic and geologic hazards which may affect their project. The County shall require developers to specify how they intend to alleviate identified hazards.

The proposed projects have been sited and designed in a manner that ensures stability and structural integrity. Site design would neither create nor contribute significantly to geologic instability or destruction of the site or surrounding areas. The nearest fault appears to run parallel to the Lake Sherwood golf course, approximately 1,021 feet north of the project site. The nearest earthquake fault hazard zone is approximately 9.0 miles northwest of the project site. The project site is not within 50 feet of an Alquist-Priolo Special Fault Hazard Area. The sites will be subject to moderate ground shaking caused by regionally active faults.

The applicant has provided a geotechnical report (Gold Coast GeoServices, Inc.; April 19, 2022), which concluded that the proposed site design, using retaining walls and engineered fill, would improve slope stability. No indications of faulting were observed on the properties. The geotechnical report concludes that the sites are suitable for the development of the proposed projects. Through the building permit process, the County's Building and Safety Division will ensure that proposed construction techniques are based on the recommendations contained in the geotechnical report.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policies HAZ-4.1, HAZ-4.3, HAZ-4.8, and HAZ-4.13, and LSHVAP Policy LS-51.1.

10. Soil Erosion and Water Quality

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

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

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

General Plan Policy HAZ-4.12 (Slope Drainage): Drainage plans that direct runoff and drainage away from slopes shall be required for construction in hillside areas.

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

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

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

The proposed projects include retaining walls and engineered fill for the dwellings and ADUs. This approach to site work confines earth disturbance to the previously approved grading activities authorized under Grading Permit 9903 / CUP 4635.

Lake Sherwood Planned Development Permits
Case Nos. PL23-0125 & PL23-0126
Exhibit 5 – General Plan Consistency Analysis
Page 20 of 23

As discussed in Section 6, above, the project sites presently discharge drainage as sheet flow. All post-development drainage will be collected and transferred away in a non-concentrated manner from the footings and away from slope areas to an approved drainage disposal site. This will distribute drainage and prevent erosive conditions. Drainage improvements are included in Grading Permit 9903 and include installation of a terrace drain, concrete "V" ditch, concrete splash wall and rip rap pad.

These projects are required to comply with the County Stormwater Program and the County Stormwater Development Construction Program. Both programs are intended to enhance water quality by preventing pollutants from being discharged during the construction phase and for the life of the project. During construction, the applicant will be required to implement Best Management Practices (BMPs) for high-risk sites to reduce the potential for erosion and sedimentation. Typical BMPs include fiber rolls and sandbag barriers around drainage inlets.

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

The proposed projects would result in an increase in impervious surface area within the subject properties. To achieve compliance with stormwater standards, the project's stormwater drainage systems must be designed so that the impacts from the proposed increase in impervious area will be insignificant. Drainage plans were reviewed for compliance with Appendix J of the Ventura County Building Code by the County of Ventura Public Works Agency's Land Development Services Engineering Services Department to ensure that runoff from the project sites will not be released at a greater rate than the undeveloped flow. Public Works Agency review also ensures that project runoff would not change peak flow, velocity, or duration in such a way as to create an adverse impact to downstream properties. The Public Works Agency and Watershed Protection District have concluded that the project's drainage plan sufficiently addresses any potential direct or indirect impacts on flood control facilities and watercourses.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policies HAZ-4.5, HAZ-4.6, HAZ-4.7, HAZ-4.12, WR-1.2, WR-1.12, and WR-2.2.

11. Noise

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

- 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.
- 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).

LSHVAP Policy LS-52.1 (Hazards and Safety Element Compliance): The County shall require development proposals to be subject to the policies and standards of the Noise section (Section 7.9) of the Hazards and Safety Element of the Ventura County General Plan. The County shall require noise levels for noise-sensitive uses proposed to be located near continuous noise sources, and for noise generators proposed to be located near noise-sensitive uses, to conform to the specific noise standards of said section.

LSHVAP Policy LS-52.2 (Outdoor Construction Hour Limitations): The County shall limit outdoor construction and grading operations to take place only during the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday.

Development on the project sites are located over 2,560 feet from Potrero Road, the nearest transportation noise source. Because of this distance, the single-family dwellings are outside of the 60 dB(A) Community Noise Equivalent Level (CNEL). There are no airports, railroads, or stationary noise sources within 5 miles of the project sites.

Development on the project sites will be done in compliance with the 2022 California Building Code. Energy standards in the building code include requirements such as insulation and double-paned windows, which help to reduce interior noise levels. Compliance with the building code typically attenuates 20 to 25 dB(A) of noise. As a result, the interior habitable space will not exceed a CNEL of 45 dB(A).

The nearest neighboring development, single-family dwellings, are located on the north side of West Stafford Road. Despite this distance, construction on the properties could potentially disturb the residents of nearby homes. To avoid such disturbance, the projects have been conditioned to limit construction hours (Exhibits 6a and 6b, Condition No. 22).

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policies HAZ-9.1 and HAZ-9.2; and LSHVAP Policies 52.1 and 52.2.

12. Air Quality

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

General Plan Policy HAZ-10.12 (Conditions for Air Quality Impacts): The County shall require that discretionary development that would have a significant adverse air quality impact shall only be approved if it is conditioned with all feasible mitigation measures to avoid, minimize or compensate (offset) for the air quality impact. The use of innovative methods and technologies to minimize air pollution impacts shall be encourage in project design.

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

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

LSHVAP Policy LS-56.2 (Air Pollutant Mitigation Measure Requirement): The County shall require all air pollutant mitigation measures deemed appropriate by the APCD for all discretionary development.

LSHVAP Policy LS-56.3 (Air Pollution Control District Compliance): The County shall require projects subject to Air Pollution Control District (APCD) permit authority to comply with all applicable APCD rules and permit requirements, including using the best available control technology as determined by the APCD. The County shall encourage developers to employ innovative technology in order to minimize are pollution impacts

Pursuant to APCD Rules 51 and 55, the applicant will be required to implement best practices to control fugitive dust onsite during construction of the dwellings.

Based on the above discussion, the proposed project is consistent with Ventura County General Plan Policies HAZ-10.11 through HAZ-10.14, and LSHVAP Policies LS-56.2 and LS-56.3.

Planning Director Hearing Date: June 13, 2024

Planning Director Decision Date: TBD

Planning Director Decision Date: TBD

Page 1 of 19

Page 1 of 19

EXHIBIT 6A - DRAFT CONDITIONS OF APPROVAL FOR PLANNED DEVELOPMENT PERMIT CASE NO. PL23-0125

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

Project Description

This Planned Development (PD) Permit is based on and limited to compliance with the project description stated in this condition below. Exhibit 3a of the Planning Director hearing on June 13, 2024, and conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

This PD Permit authorizes the construction of a two-story single-family dwelling (4.886) square feet (sq. ft.)) with an attached four-car garage (1,050 sq. ft.). The single-family dwelling includes an attached covered patio area (808 sq. ft.) and a 2nd floor balcony area (37 sq. ft.). A detached single story accessory dwelling unit (1,200 sq. ft.) with a covered patio (170 sq. ft.) is also authorized on the vacant parcel referenced as Lot 75 of Tract Map 4409-2 in Lake Sherwood.

Water is provided by the Ventura County Waterworks District 38 and sewer service is provided by Triunfo Sanitation District. Access to Lot 75 is provided by a reciprocal driveway to the east of the proposed pad location from West Stafford Road (Exhibit 3a).

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

Required Improvements for PD

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, undergrounding of utilities, paving,

> County of Ventura Planning Director Hearing PL23-0125 & PL23-0126 Exhibit 6A – Draft Conditions for PL23-0125

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 2 of 19

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

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

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

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.

3. Site Maintenance

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

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

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

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

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

4. PD 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

Planning Director Pecision Date: TBD Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 3 of 19

determine if the proposed activity requires a modification of this PD. 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 PD modification is required. If a PD modification is required, the modification shall be subject to:

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

Construction Activities

Prior to any construction, the Permittee shall obtain a Zoning Clearance for construction from the Planning Division, and a Building Permit from the Building and Safety Division.

6. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this PD Permit and/or commencement of construction and/or operations under this PD Permit shall constitute the Permittee's formal agreement to comply with all conditions of this PD Permit. Failure to abide by and comply with any condition of this PD Permit 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 PD Permit conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Revocation of this PD Permit.

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

7. Time Limits

- a. Use inauguration:
 - 1. The approval decision for this PD Permit becomes effective upon the expiration of the 10 day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Location: 939 W. Stafford Road, Lake Sherwood

Page 4 of 19

decision becomes effective, the Permittee must obtain a Zoning Clearance for construction in order to initiate the land uses set forth in Condition No. 1.

- 2. This PD Permit shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for construction within one year from the date the approval decision of this PD becomes effective, pursuant to 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 construction, any final billed processing fees must be paid within 30 days of the billing date, or the County may revoke this PD Permit.
- 8. <u>Documentation Verifying Compliance with Other Agencies' Requirements Related</u> to this PD Permit

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

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

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

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

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

Conditions of Approval for Flaming Director Hearing Date: June 13, 2024

Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 5 of 19

9. Notice of PD Permit Requirements and Retention of PD Permit Conditions On Site Purpose: To ensure full and proper notice of these PD Permit conditions affecting the use of the subject property.

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

Documentation: The Permittee shall present to the Planning Division staff copies of the conditions, upon Planning Division staff's request.

Timing: Prior to issuance of a Zoning Clearance for construction and throughout the life of the Project.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 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 PD Permit with the deed for the subject property that notifies the current and future Property Owner(s) of the conditions of this PD Permit.

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 PD Permit, with the deed of the property that is subject to this PD Permit.

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

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

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

11. Financial Responsibility for Compliance Monitoring and Enforcement

i. 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

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 6 of 19

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

ii. <u>Billing Process</u>: 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 PD Permit. The Permittee shall have the right to challenge any charge or penalty prior to payment.

12. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board 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 PD Permit. 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

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 7 of 19

out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this PD Permit, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.

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

13. <u>Invalidation of Condition(s)</u>

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

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this PD Permit, 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 PD Permit may be revoked.

14. Consultant Review of Information and Consultant Work

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

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this PD Permit, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such work. Whenever feasible, the County will use the lowest responsible bidder or proposer.

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 8 of 19

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 PD 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 PD Permit condition contained herein is in conflict with any other PD Permit condition contained herein, when principles of law do not provide to the contrary, the PD Permit condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

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

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 PD Permit.

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

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall provide the Planning Division the contact information of the Permittee's field agent(s) for the Project file. If the address or phone number of the Permittee's field agent(s) should

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 9 of 19

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. 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, and email addresses of the new owner(s), lessee(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), and/or lessee(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this PD Permit.

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

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.

18. Materials and Colors in the SRP Overlay Zone

Purpose: In order to ensure that buildings and structures comply with the development standards of the Scenic Resource Protection Overlay Zone § 8109-4.1.5 of the Ventura County Non-Coastal Zoning Ordinance and blend in with the Project site's surroundings.

Requirement: The Permittee shall utilize building materials and colors compatible with surrounding terrain (earth tones and non-reflective paints) on exterior surfaces of all structures, including but not limited to the dwelling, water tanks, walls, and fences.

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 10 of 19

Documentation: A copy of the approved plans denoting the building materials and colors.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall submit the building plans with the colors and materials noted on all structures for review and approval by the Planning Division. Prior to occupancy, the Permittee shall paint the structures according to the approved plans.

Monitoring and Reporting: The Planning Division maintains the approved plans in the Project file. Prior to occupancy, the Planning Division has the authority to inspect the site to ensure that the exterior of the structures were treated as approved. The Permittee shall maintain these materials and colors throughout the life of the Project. The Planning Division has the authority to inspect the site to confirm on-going compliance with the approved plans consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

19. Lighting Plan

Purpose: To ensure lighting on the subject property is provided in compliance with § 8109-4.1.5 of the Ventura County Non-Coastal Zoning Ordinance and to ensure the following objectives are met that lighting:

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

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

- a. the lighting plan shall be prepared by an electrical engineer registered by the State of California;
- b. the lighting plan shall include a photometric plan and manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs);
- the lighting plan shall provide illumination information for all exterior lighting such as parking areas, walkways/driveways, streetscapes, and open spaces proposed throughout the development;

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 11 of 19

d. in order to minimize light and glare on the project property, all parking lot lighting, exterior structure light fixtures, and freestanding light standards must be a cut-off type, fully shielded, and downward directed, such that the lighting is projected downward onto the property and does not cast light on any adjacent property or roadway; and,

e. light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels directed at any neighboring uses. Lighting shall be kept to a minimum to maintain the normal night-time light levels in the area, but not inhibit adequate and safe working light levels.

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

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

Timing: The Permittee shall obtain the Planning Division's approval of the lighting plan prior to the issuance of a Zoning Clearance for construction. The Permittee shall maintain the lighting as approved in the lighting plan for the life of the Project.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved lighting plan in the Project file. The Permittee shall ensure that the lighting is installed according to the approved lighting plan prior to occupancy. The Building and Safety Inspector and Planning Division staff have the authority to ensure that the lighting plan is installed according to the approved lighting plan. Planning Division staff has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Non-Coastal Zoning Ordinance.

20. Landscaping and Screening

Purpose: To comply with the County's landscaping and screening requirements in § 8106-8.2 (General Landscaping and Water Conservation Requirements) of the Non-Coastal Zoning Ordinance.

Requirement: The Permittee shall install and maintain all landscaping on the Project sites pursuant to the following requirements:

a. Provides visual integration. Since the projects are located in the SRP Overlay zone, landscaping must be provided that blends with the natural environment and includes native vegetation.

Conditions of Approval for Planneu Development

Planning Director Hearing Date: June 13, 2024

Planning Director Decision Date: TBD

Permittee: Sherwood Development Company

Location: 939 W. Stafford Road, Lake Sherwood

Page 12 of 19

b. Ensures compatibility with community character. Landscaping must be provided that visually integrates the development with the character of the surrounding community.

- c. Re-vegetates slopes. Re-vegetation must be provided for cut slopes in excess of 5 feet and fill slopes in excess of 3 feet. Should additional grading occur in the open space easement area, the land must be re-vegetated with drought tolerant native plants.
- d. Compliance with the California Department of Water Resources Model Water Efficient Landscape Ordinance. The Permittee must install landscaping that complies with the requirements of the California Department of Water Resources' Model Water Efficient Landscape Ordinance, which is available on-line at: http://www.water.ca.gov/wateruseefficiency/landscapeordinance/.

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

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

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 13 of 19

h. In accordance with § 8109-4.1.5 of the Ventura County Non-Coastal Zoning Ordinance, plants used to revegetate graded slopes must be native plants indigenous to the area, where appropriate considering the surrounding conditions.

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

Timing: The Permittee shall submit the landscape plan to the Planning Division for review and approval prior to issuance of a Zoning Clearance for construction. Landscaping installation and maintenance activities shall occur according to the timing requirements set forth in § 8106-8.2.8 of the Non-Coastal Zoning Ordinance.

Monitoring and Reporting: Landscaping shall be maintained for the life of the permit. Landscaping approval/installation and verification shall occur after the Permittee submits the Certificate of Completion for the landscape installation. County staff shall then conduct an onsite inspection to verify that the landscaping was installed as required by the approved landscape plan as set forth in § 8106-8.2.3(a) of the Non-Coastal Zoning Ordinance. Monitoring activities, and enforcement activities shall occur according to the procedures set forth in § 8106.8.2.8 of the Non-Coastal Zoning Ordinance. The Planning Division maintains the landscape plans and statement by the landscape architect in the Project file.

21. Avoidance of Nesting Birds

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

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

a. <u>Timing of land clearing or construction</u>: Prohibit land clearing or construction activities during the breeding and nesting season (February 1 – September 1), in which case the following surveys are not required; or

Conditions of Approval for Planned Development Permit No. PL23-0125
Planning Director Hearing Date: June 13, 2024
Planning Director Decision Date: TBD
Permittee: Sherwood Development Company
Location: 939 W. Stafford Road, Lake Sherwood
Page 14 of 19

b. Surveys and avoidance of occupied nests: Conduct site-specific surveys prior to land clearing or construction activities during the breeding and nesting season (February 1 – September 1) and avoid occupied bird nests. A County-approved biologist shall conduct surveys to identify any occupied (active) bird nests in the area proposed for disturbance. Occupied nests shall be avoided until juvenile birds have vacated the nest.

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

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

Timing: If land clearing or construction activities will occur between (February 1 – September 1), the County-approved biologist shall conduct the nesting bird surveys 30 days prior to initiation of land clearing or construction activities, and weekly thereafter. The last survey for nesting birds shall be conducted no more than 3 days prior to initiation of land clearing or construction activities. The Permittee shall submit the Survey Report documenting the results of the first nesting bird survey and the signed contract to the Planning Division prior to issuance of a zoning clearance for construction. The Permittee shall submit the Mitigation Monitoring Report within 14 days of completion of the land clearing or construction activities.

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 15 of 19

Monitoring and Reporting: The Planning Division reviews the Survey Report and signed contract for adequacy prior to issuance of a Zoning Clearance for construction. The Planning Division maintains copies of the signed contract, Survey Report, and Mitigation Monitoring Report in the Project file.

22. Construction Noise

Purpose: In order for this project to comply with the Ventura County General Plan *Goals, Policies and Programs* Noise Policy 2.16.2-1(5) and the County of Ventura Construction Noise Threshold Criteria and Control Plan (Amended 2010).

Requirement: The Permittee shall limit construction activity for site preparation and development to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday, and State holidays. Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions.

Documentation: The Permittee shall post a sign stating these restrictions in a conspicuous location on the Project site, in order so that the sign is visible to the general public. The Permittee shall provide photo documentation showing posting of the required signage to the Planning Division, prior to the commencement of grading and construction activities. The sign must provide a telephone number of the site foreman, or other person who controls activities on the jobsite, for use for complaints from the public. The Permittee shall maintain a "Complaint Log," noting the date, time, complainant's name, complaint, and any corrective action taken, in the event that the Permittee receives noise complaints. The Permittee must submit the "Complaint Log" to the Planning Division upon the Planning Director's request.

Timing: The Permittee shall install the sign prior to the issuance of a building permit and throughout all grading and construction activities. The Permittee shall maintain the signage on-site until all grading and construction activities are complete. If the Planning Director requests the Permittee to submit the "Complaint Log" to the Planning Division, the Permittee shall submit the "Complaint Log" within one day of receiving the Planning Director's request.

Monitoring and Reporting: The Planning Division reviews, and maintains in the Project file, the photo documentation of the sign and the "Complaint Log." The Planning Division has the authority to conduct site inspections and take enforcement actions to ensure that the Permittee conducts grading and construction activities in compliance with this condition, consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

23. Paleontological Resources Discovered During Grading

Purpose: In order to mitigate potential impacts to paleontological resources that may be encountered during ground disturbance or construction activities.

Conditions of Approval for Flaming Documents Decision Date: June 13, 2024 Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 16 of 19

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

- a) Cease operations and assure the preservation of the area in which the discovery was made:
- b) Notify the Planning Director in writing, within three days of the discovery;
- c) Obtain the services of a paleontological consultant or professional geologist who shall assess the find and provide a report that assesses the resources and sets forth recommendations on the proper disposition of the site;
- d) Obtain the Planning Director's written concurrence with the recommended disposition of the site before resuming development; and
- e) Implement the agreed upon recommendations.

Documentation: The Permittee shall submit the paleontologist's or geologist's reports. Additional documentation may be required to demonstrate that the Permittee has implemented the recommendations set forth in the paleontological report.

Timing: If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the paleontological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Permittee shall provide the paleontological report to the Planning Division to be made part of the Project file. The Permittee shall implement any recommendations made in the paleontological report to the satisfaction of the Planning Director. The paleontologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the paleontological report. The Planning Division has the authority to conduct site inspections to ensure that the Permittee implements the recommendations set forth in the paleontological report, consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

24. Archaeological Resources Discovered During Grading

Purpose: In order to mitigate potential impacts to archaeological resources discovered during ground disturbance.

Requirement: The Permittee shall implement the following procedures:

Conditions of Approval for Planned Development

Planning Director Hearing Date: June 13, 2024

Permittee: Sherwood Development Company

Location: 939 W. Stafford Road, Lake Sherwood

Page 17 of 19

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

- a) Cease operations and assure the preservation of the area in which the discovery was made;
- b) Notify the Planning Director in writing, within three days of the discovery;
- c) Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
- d) Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development; and
- e) Implement the agreed upon recommendations.

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

- a) Cease operations and assure the preservation of the area in which the discovery was made:
- b) Immediately notify the County Coroner and the Planning Director;
- c) Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
- d) Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development on-site; and
- e) Implement the agreed upon recommendations.

Documentation: If archaeological remains are encountered, the Permittee shall submit a report prepared by a County-approved archaeologist including recommendations for the proper disposition of the site. Additional documentation may be required to demonstrate that the Permittee has implemented any recommendations made by the archaeologist's report.

Timing: If any archaeological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the archaeological report to the Planning Division immediately upon completion of the report.

Page 18 of 19

Monitoring and Reporting: The Permittee shall provide the archaeological report to the Planning Division to be made part of the Project file. The Permittee shall implement any recommendations made in the archaeological report to the satisfaction of the Planning Director. The archaeologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the archaeological report. The Planning Division has the authority to conduct site inspections to ensure that the Permittee implements the recommendations set forth in the archaeological report, consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

PUBLIC WORKS AGENCY CONDITIONS

Integrated Waste Management Division

25. Construction & Demolition Debris Recycling Plan

Purpose: To ensure the project complies with Division 4, Chapter 7, Article 3 of the Ventura County Ordinance Code (VCOC). Section 4773 aligns with the California Green Building Standards Code which requires the Permittee to divert recyclable construction and demolition (C&D) materials generated by their project (e.g., wood, metal, green waste, soil, concrete, asphalt, paper, cardboard, etc.) from local landfills through recycling, reuse, or salvage.

Requirement: The Permittee must submit a comprehensive recycling plan to Ventura County Public Works Agency, Water & Sanitation Department, Integrated Waste Management Division (Water & Sanitation) for any Covered Project as defined in Division 4, Chapter 7, Article 3, Section 4741 24 of the VCOC, meaning all proposed construction and/or demolition projects that require a building permit, except certain exempted projects as defined in Section 4773 4.

Documentation: A Recycling Plan must be submitted online at Ventura County Citizen Access. For more information and instructions on how to complete the Recycling Plan, please visit vcpublicworks.org/cdrecycling.

Timing: Upon Building and Safety Division's issuance of a building permit for the project, the Permittee must submit a Recycling Plan online through Ventura County Citizen Access for approval.

Monitoring & Reporting: The Permittee is required to keep a copy of their approved Recycling Plan until Building and Safety Division's issuance of final permit.

26. Construction & Demolition Debris Reporting

Purpose: Division 4, Chapter 7, Article 3 of the Ventura County Ordinance Code, Section 4773 aligns with the California Green Building Standards Code which requires the

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 939 W. Stafford Road, Lake Sherwood

Page 19 of 19

Permittee to divert recyclable construction and demolition (C&D) materials generated by their project (e.g., wood, metal, green waste, soil, concrete, asphalt, paper, cardboard, etc.) from local landfills through recycling, reuse, or salvage.

Requirement: The Permittee must upload recycling receipts to their Recycling Plan to Ventura County Citizen Access. Applicants will receive a Final Approval email once the receipts are reviewed and approved. For more information and instructions on how to complete submit recycling receipts, please visit vcpublicworks.org/cdrecycling.

Documentation: Recycling receipts and/or documentation of reuse to verify minimum landfill diversion requirements are met.

Timing: Required recycling receipts and/or documentation of reuse, must be submitted to Ventura County Citizen Access at the time of Building and Safety Division's issuance of final permit.

Monitoring & Reporting: The Permittee is required to keep a copy of their approved Recycling Plan and recycling receipts and/or documentation of reuse until Building and Safety Division's issuance of final permit.

Conditions of Approval for Planning Director Hearing Date: June 13, 2024
Planning Director Hearing Date: TBD
Permittee: Snerwood Development 2
Location: 925 W. Stafford Road, Lake Sherwood Page 1 of 19

EXHIBIT 6B - DRAFT CONDITIONS OF APPROVAL FOR PLANNED DEVELOPMENT PERMIT CASE NO. PL23-0126

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

Project Description

This Planned Development (PD) Permit is based on and limited to compliance with the project description stated in this condition below. Exhibit 3b of the Planning Director hearing on June 13, 2024, and conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

This PD Permit authorizes for the construction of a two-story single-family dwelling (3,448) square foot (sq. ft.)) with an attached four-car garage (968 sq. ft.). The single-family dwelling includes an attached covered patio area (1,113 sq. ft.) and a 2nd floor balcony area (177 sq. ft.). A detached single story accessory dwelling unit (1,200 sq. ft.) with a covered patio (35 sq. ft.) is also proposed on the vacant parcel referenced as Lot 76 of Tract Map 4409-2 in Lake Sherwood.

Water will be provided by the Ventura County Waterworks District 38 and sewer service will be provided by Triunfo Sanitation District. Access to Lot 76 is provided by a reciprocal driveway to the west of the proposed pad location from West Stafford Road (Exhibit 3b).

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

Required Improvements for PD

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, undergrounding of utilities, paving,

> County of Ventura Planning Director Hearing PL23-0125 & PL23-0126 Exhibit 6B - Draft Conditions for PL23-0126

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Location: 925 W. Stafford Road, Lake Sherwood

Page 2 of 19

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

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

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

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.

3. Site Maintenance

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

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

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

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

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

4. PD 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

Planning Director Pecision Date: TBD Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 3 of 19

determine if the proposed activity requires a modification of this PD. 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 PD modification is required. If a PD modification is required, the modification shall be subject to:

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

Construction Activities

Prior to any construction, the Permittee shall obtain a Zoning Clearance for construction from the Planning Division, and a Building Permit from the Building and Safety Division.

6. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this PD Permit and/or commencement of construction and/or operations under this PD Permit shall constitute the Permittee's formal agreement to comply with all conditions of this PD Permit. Failure to abide by and comply with any condition of this PD Permit 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 PD Permit conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Revocation of this PD Permit.

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

7. Time Limits

- a. Use inauguration:
 - (1) The approval decision for this PD Permit becomes effective upon the expiration of the 10 day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 4 of 19

decision becomes effective, the Permittee must obtain a Zoning Clearance for construction in order to initiate the land uses set forth in Condition No. 1.

- (2) This PD Permit shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for construction within one year from the date the approval decision of this PD becomes effective, pursuant to 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 construction, any final billed processing fees must be paid within 30 days of the billing date, or the County may revoke this PD Permit.
- 8. <u>Documentation Verifying Compliance with Other Agencies' Requirements Related</u> to this PD Permit

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

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

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

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

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

Conditions of Approval for Flaming Director Hearing Date: June 13, 2024

Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 5 of 19

9. Notice of PD Permit Requirements and Retention of PD Permit Conditions On Site Purpose: To ensure full and proper notice of these PD Permit conditions affecting the use of the subject property.

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

Documentation: The Permittee shall present to the Planning Division staff copies of the conditions, upon Planning Division staff's request.

Timing: Prior to issuance of a Zoning Clearance for construction and throughout the life of the Project.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 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 PD Permit with the deed for the subject property that notifies the current and future Property Owner(s) of the conditions of this PD Permit.

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 PD Permit, with the deed of the property that is subject to this PD Permit.

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

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

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

11. Financial Responsibility for Compliance Monitoring and Enforcement

a. Cost Responsibilities: The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 6 of 19

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

b. <u>Billing Process</u>: 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 PD Permit. The Permittee shall have the right to challenge any charge or penalty prior to payment.

12. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board 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 PD Permit. 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

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 7 of 19

operations conducted pursuant to this PD Permit, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.

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

13. <u>Invalidation of Condition(s)</u>

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

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this PD Permit, 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 PD Permit may be revoked.

14. Consultant Review of Information and Consultant Work

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

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this PD Permit, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such work. Whenever feasible, the County will use the lowest responsible bidder or proposer. Any decisions made by County staff in reliance on consultant or contractor work may be

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 8 of 19

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 PD 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 PD Permit condition contained herein is in conflict with any other PD Permit condition contained herein, when principles of law do not provide to the contrary, the PD Permit condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

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

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 PD Permit.

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

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall provide the Planning Division the contact information of the Permittee's field agent(s) for the Project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 9 of 19

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. 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, and email addresses of the new owner(s), lessee(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), and/or lessee(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this PD Permit.

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

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.

18. Materials and Colors in the SRP Overlay Zone

Purpose: In order to ensure that buildings and structures comply with the development standards of the Scenic Resource Protection Overlay Zone § 8109-4.1.5 of the Ventura County Non-Coastal Zoning Ordinance and blend in with the Project site's surroundings.

Requirement: The Permittee shall utilize building materials and colors compatible with surrounding terrain (earth tones and non-reflective paints) on exterior surfaces of all structures, including but not limited to the dwelling, water tanks, walls, and fences.

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 10 of 19

Documentation: A copy of the approved plans denoting the building materials and colors.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall submit the building plans with the colors and materials noted on all structures for review and approval by the Planning Division. Prior to occupancy, the Permittee shall paint the structures according to the approved plans.

Monitoring and Reporting: The Planning Division maintains the approved plans in the Project file. Prior to occupancy, the Planning Division has the authority to inspect the site to ensure that the exterior of the structures were treated as approved. The Permittee shall maintain these materials and colors throughout the life of the Project. The Planning Division has the authority to inspect the site to confirm on-going compliance with the approved plans consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

19. <u>Lighting Plan</u>

Purpose: To ensure lighting on the subject property is provided in compliance with § 8109-4.1.5 of the Ventura County Non-Coastal Zoning Ordinance and to ensure the following objectives are met that lighting:

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

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

- a. the lighting plan shall be prepared by an electrical engineer registered by the State of California;
- b. the lighting plan shall include a photometric plan and manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs):
- the lighting plan shall provide illumination information for all exterior lighting such as parking areas, walkways/driveways, streetscapes, and open spaces proposed throughout the development;

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 11 of 19

d. in order to minimize light and glare on the project property, all parking lot lighting, exterior structure light fixtures, and freestanding light standards must be a cut-off type, fully shielded, and downward directed, such that the lighting is projected downward onto the property and does not cast light on any adjacent property or roadway; and,

e. light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels directed at any neighboring uses. Lighting shall be kept to a minimum to maintain the normal night-time light levels in the area, but not inhibit adequate and safe working light levels.

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

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

Timing: The Permittee shall obtain the Planning Division's approval of the lighting plan prior to the issuance of a Zoning Clearance for construction. The Permittee shall maintain the lighting as approved in the lighting plan for the life of the Project.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved lighting plan in the Project file. The Permittee shall ensure that the lighting is installed according to the approved lighting plan prior to occupancy. The Building and Safety Inspector and Planning Division staff have the authority to ensure that the lighting plan is installed according to the approved lighting plan. Planning Division staff has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Non-Coastal Zoning Ordinance.

20. Landscaping and Screening

Purpose: To comply with the County's landscaping and screening requirements in § 8106-8.2 (General Landscaping and Water Conservation Requirements) of the Non-Coastal Zoning Ordinance.

Requirement: The Permittee shall install and maintain all landscaping on the Project sites pursuant to the following requirements:

a. Provides visual integration. Since the projects are located in the SRP Overlay zone, landscaping must be provided that blends with the natural environment and includes native vegetation.

Conditions of Approval for Planneu Development

Planning Director Hearing Date: June 13, 2024

Planning Director Decision Date: TBD

Permittee: Sherwood Development Company

Location: 925 W. Stafford Road, Lake Sherwood

Page 12 of 19

c. Ensures compatibility with community character. Landscaping must be provided that visually integrates the development with the character of the surrounding community.

- c. Re-vegetates slopes. Re-vegetation must be provided for cut slopes in excess of 5 feet and fill slopes in excess of 3 feet. Should additional grading occur in the open space easement area, the land must be re-vegetated with drought tolerant native plants.
- d. Compliance with the California Department of Water Resources Model Water Efficient Landscape Ordinance. The Permittee must install landscaping that complies with the requirements of the California Department of Water Resources' Model Water Efficient Landscape Ordinance, which is available on-line at: http://www.water.ca.gov/wateruseefficiency/landscapeordinance/.

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

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

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 13 of 19

h. In accordance with § 8109-4.1.5 of the Ventura County Non-Coastal Zoning Ordinance, plants used to revegetate graded slopes must be native plants indigenous to the area, where appropriate considering the surrounding conditions.

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

Timing: The Permittee shall submit the landscape plan to the Planning Division for review and approval prior to issuance of a Zoning Clearance for construction. Landscaping installation and maintenance activities shall occur according to the timing requirements set forth in § 8106-8.2.8 of the Non-Coastal Zoning Ordinance.

Monitoring and Reporting: Landscaping shall be maintained for the life of the permit. Landscaping approval/installation and verification shall occur after the Permittee submits the Certificate of Completion for the landscape installation. County staff shall then conduct an onsite inspection to verify that the landscaping was installed as required by the approved landscape plan as set forth in § 8106-8.2.3(a) of the Non-Coastal Zoning Ordinance. Monitoring activities, and enforcement activities shall occur according to the procedures set forth in § 8106.8.2.8 of the Non-Coastal Zoning Ordinance. The Planning Division maintains the landscape plans and statement by the landscape architect in the Project file.

21. Avoidance of Nesting Birds

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

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

 a. <u>Timing of land clearing or construction</u>: Prohibit land clearing or construction activities during the breeding and nesting season (February 1 – September 1), in which case the following surveys are not required; or Conditions of Approval for Planned Development Permit No. PL23-0126
Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company
Planning Director Decision Date: TBD Location: 925 W. Stafford Road, Lake Sherwood
Page 14 of 19

b. Surveys and avoidance of occupied nests: Conduct site-specific surveys prior to land clearing or construction activities during the breeding and nesting season (February 1 – September 1) and avoid occupied bird nests. A County-approved biologist shall conduct surveys to identify any occupied (active) bird nests in the area proposed for disturbance. Occupied nests shall be avoided until juvenile birds have vacated the nest.

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

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

Timing: If land clearing or construction activities will occur between (February 1 – September 1), the County-approved biologist shall conduct the nesting bird surveys 30 days prior to initiation of land clearing or construction activities, and weekly thereafter. The last survey for nesting birds shall be conducted no more than 3 days prior to initiation of land clearing or construction activities. The Permittee shall submit the Survey Report documenting the results of the first nesting bird survey and the signed contract to the Planning Division prior to issuance of a zoning clearance for construction. The Permittee shall submit the Mitigation Monitoring Report within 14 days of completion of the land clearing or construction activities.

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 15 of 19

Monitoring and Reporting: The Planning Division reviews the Survey Report and signed contract for adequacy prior to issuance of a Zoning Clearance for construction. The Planning Division maintains copies of the signed contract, Survey Report, and Mitigation Monitoring Report in the Project file.

22. Construction Noise

Purpose: In order for this project to comply with the Ventura County General Plan *Goals, Policies and Programs* Noise Policy 2.16.2-1(5) and the County of Ventura Construction Noise Threshold Criteria and Control Plan (Amended 2010).

Requirement: The Permittee shall limit construction activity for site preparation and development to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday, and State holidays. Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions.

Documentation: The Permittee shall post a sign stating these restrictions in a conspicuous location on the Project site, in order so that the sign is visible to the general public. The Permittee shall provide photo documentation showing posting of the required signage to the Planning Division, prior to the commencement of grading and construction activities. The sign must provide a telephone number of the site foreman, or other person who controls activities on the jobsite, for use for complaints from the public. The Permittee shall maintain a "Complaint Log," noting the date, time, complainant's name, complaint, and any corrective action taken, in the event that the Permittee receives noise complaints. The Permittee must submit the "Complaint Log" to the Planning Division upon the Planning Director's request.

Timing: The Permittee shall install the sign prior to the issuance of a building permit and throughout all grading and construction activities. The Permittee shall maintain the signage on-site until all grading and construction activities are complete. If the Planning Director requests the Permittee to submit the "Complaint Log" to the Planning Division, the Permittee shall submit the "Complaint Log" within one day of receiving the Planning Director's request.

Monitoring and Reporting: The Planning Division reviews, and maintains in the Project file, the photo documentation of the sign and the "Complaint Log." The Planning Division has the authority to conduct site inspections and take enforcement actions to ensure that the Permittee conducts grading and construction activities in compliance with this condition, consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

23. Paleontological Resources Discovered During Grading

Purpose: In order to mitigate potential impacts to paleontological resources that may be encountered during ground disturbance or construction activities.

Conditions of Approval for Flamined 20.33.

Planning Director Hearing Date: June 13, 2024

Director Decision Date: TBD Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 16 of 19

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

- a) Cease operations and assure the preservation of the area in which the discovery was made:
- b) Notify the Planning Director in writing, within three days of the discovery;
- c) Obtain the services of a paleontological consultant or professional geologist who shall assess the find and provide a report that assesses the resources and sets forth recommendations on the proper disposition of the site;
- d) Obtain the Planning Director's written concurrence with the recommended disposition of the site before resuming development; and
- e) Implement the agreed upon recommendations.

Documentation: The Permittee shall submit the paleontologist's or geologist's reports. Additional documentation may be required to demonstrate that the Permittee has implemented the recommendations set forth in the paleontological report.

Timing: If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the paleontological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Permittee shall provide the paleontological report to the Planning Division to be made part of the Project file. The Permittee shall implement any recommendations made in the paleontological report to the satisfaction of the Planning Director. The paleontologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the paleontological report. The Planning Division has the authority to conduct site inspections to ensure that the Permittee implements the recommendations set forth in the paleontological report, consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

24. <u>Archaeological Resources Discovered During Grading</u>

Purpose: In order to mitigate potential impacts to archaeological resources discovered during ground disturbance.

Requirement: The Permittee shall implement the following procedures:

Planning Director Hearing Date: June 13, 2024

Planning Director Decision Date: TBD

Permittee: Sherwood Development Company
Location: 925 W. Stafford Road, Lake Sherwood
Page 17 of 19

Page 17 of 19

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

- a) Cease operations and assure the preservation of the area in which the discovery was made;
- b) Notify the Planning Director in writing, within three days of the discovery;
- c) Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
- d) Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development; and
- e) Implement the agreed upon recommendations.

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

- a) Cease operations and assure the preservation of the area in which the discovery was made:
- b) Immediately notify the County Coroner and the Planning Director;
- c) Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
- d) Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development on-site; and
- e) Implement the agreed upon recommendations.

Documentation: If archaeological remains are encountered, the Permittee shall submit a report prepared by a County-approved archaeologist including recommendations for the proper disposition of the site. Additional documentation may be required to demonstrate that the Permittee has implemented any recommendations made by the archaeologist's report.

Timing: If any archaeological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the archaeological report to the Planning Division immediately upon completion of the report.

Page 18 of 19

Monitoring and Reporting: The Permittee shall provide the archaeological report to the Planning Division to be made part of the Project file. The Permittee shall implement any recommendations made in the archaeological report to the satisfaction of the Planning Director. The archaeologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the archaeological report. The Planning Division has the authority to conduct site inspections to ensure that the Permittee implements the recommendations set forth in the archaeological report, consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

PUBLIC WORKS AGENCY CONDITIONS

Integrated Waste Management Division

25. Construction & Demolition Debris Recycling Plan

Purpose: To ensure the project complies with Division 4, Chapter 7, Article 3 of the Ventura County Ordinance Code (VCOC). Section 4773 aligns with the California Green Building Standards Code which requires the Permittee to divert recyclable construction and demolition (C&D) materials generated by their project (e.g., wood, metal, green waste, soil, concrete, asphalt, paper, cardboard, etc.) from local landfills through recycling, reuse, or salvage.

Requirement: The Permittee must submit a comprehensive recycling plan to Ventura County Public Works Agency, Water & Sanitation Department, Integrated Waste Management Division (Water & Sanitation) for any Covered Project as defined in Division 4, Chapter 7, Article 3, Section 4741 24 of the VCOC, meaning all proposed construction and/or demolition projects that require a building permit, except certain exempted projects as defined in Section 4773 4.

Documentation: A Recycling Plan must be submitted online at Ventura County Citizen Access. For more information and instructions on how to complete the Recycling Plan, please visit vcpublicworks.org/cdrecycling.

Timing: Upon Building and Safety Division's issuance of a building permit for the project, the Permittee must submit a Recycling Plan online through Ventura County Citizen Access for approval.

Monitoring & Reporting: The Permittee is required to keep a copy of their approved Recycling Plan until Building and Safety Division's issuance of final permit.

26. Construction & Demolition Debris Reporting

Purpose: Division 4, Chapter 7, Article 3 of the Ventura County Ordinance Code, Section 4773 aligns with the California Green Building Standards Code which requires the

Planning Director Hearing Date: June 13, 2024 Permittee: Sherwood Development Company Planning Director Decision Date: TBD Permittee: Sherwood Development Company Location: 925 W. Stafford Road, Lake Sherwood

Page 19 of 19

Permittee to divert recyclable construction and demolition (C&D) materials generated by their project (e.g., wood, metal, green waste, soil, concrete, asphalt, paper, cardboard, etc.) from local landfills through recycling, reuse, or salvage.

Requirement: The Permittee must upload recycling receipts to their Recycling Plan to Ventura County Citizen Access. Applicants will receive a Final Approval email once the receipts are reviewed and approved. For more information and instructions on how to complete submit recycling receipts, please visit vcpublicworks.org/cdrecycling.

Documentation: Recycling receipts and/or documentation of reuse to verify minimum landfill diversion requirements are met.

Timing: Required recycling receipts and/or documentation of reuse, must be submitted to Ventura County Citizen Access at the time of Building and Safety Division's issuance of final permit.

Monitoring & Reporting: The Permittee is required to keep a copy of their approved Recycling Plan and recycling receipts and/or documentation of reuse until Building and Safety Division's issuance of final permit.