

**CONDITIONS  
AND  
MITIGATION MONITORING AND REPORTING PROGRAM  
FOR:**

**Vesting Tentative Tract Number SD07-0007 (TT- 5683) and  
Residential Planned Development Permit LU07-0136 - Applicant ██████████ )**

**Revised through Permit Adjustment PL23-0012**

Adopted by the Ventura County Board of Supervisors

December 16, 2008

Permit Adjustment Granted by Planning Director

March 21, 2024

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**NOTICE TO PERMITTEE:**

Failure to abide by and faithfully comply with any conditions for the approval of this subdivision/residential planned development permit shall constitute grounds for one or more of the following actions in accordance with the County's adopted Schedule of Enforcement Responses:

- Public reporting of violations to the Planning Commission;
- Suspension of permit operations;
- County denial of recordation of Final Map;
- Modification of permit conditions;
- Revocation of the permit; and/or
- Forfeiture of bonds or cash deposits.

It is the responsibility of the Permittee, or successors in interest, to be aware of and to comply with the permit conditions described below and the rules and regulations of all jurisdictions having authority over the subdivision/residential planned development permit described herein.

Permit conditions which follow are categorized as Tract Map conditions and RPD permit conditions. In general, tract map conditions are associated with the land division, or conditions which must be

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complied with prior to recordation of the Final Tract Map. RPD conditions relate to the grading and site development and project design and construction issues. The RPD conditions generally extend indefinitely for the life of the project and may be modified by subsequent land owners, subject to County approval.

Mitigation Measures recommended in the project EIR are incorporated under the agency/department which is assigned on the basis of their professional expertise per the Ventura County Administrative Supplement to CEQA. Each EIR mitigation measure is identified in parentheses following the condition title. CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment. This mitigation monitoring and reporting program provided in the box below each condition/mitigation measure and is designed to ensure compliance with adopted mitigation measures during project implementation. This Mitigation Monitoring and Reporting Program (MMRP) has been prepared per the requirements of the *State CEQA Guidelines* Section 15097.

## CONDITIONS FOR TRACT MAP SD07-0007 (TT-5683)

### **Resource Management Agency Conditions:**

#### ***Planning Division:***

##### **TT-1. Permitted Land Use**

These conditions apply to the subdivision of an existing 32.4-acre parcel to permit the construction of 175 dwellings (single-family detached units on individual lots, single-family detached condominium units, duplex, triplex units and mixed-use condominium units), 10,800 square foot of commercial (within a mixed-use building), a 4.1-acre park and a stormwater detention basin as shown on the approved Tract Map Number SD07-0007 (TT-5683).

##### **TT-2. Time Limits**

The Tentative Tract Map shall expire five years from the date of its approval. Failure to record a Tract Map with the County Recorder within that time frame shall terminate all proceedings, and any subdivision of the land shall require the filing and processing of a new tentative tract map. There shall be no extensions of time period for the Tentative Tract Map except as authorized by Section 66452.6, subsections (a) and (b) or Section 66463.5, subsection (d), of the Subdivision Map Act.

##### **TT-3. Conditions vs. Map Notations**

These conditions of approval supersede all conflicting notations, specifications, dimensions, typical sections and the like which may be shown on the recorded Tract Map.

##### **TT-4. Acceptance of Conditions**

The recordation of the Tract Map shall be deemed to be acceptance by the Permittee and property owner of all conditions of the Tentative Tract Map.

##### **TT-5. Payment of Permit Processing Fees**

Prior to recordation of the Tract Map, all permit processing fees billed to that date must be paid.

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**TT-6. Requirements of Other Agencies**

The approval of the Tentative Tract Map shall not relieve the Permittee of the responsibility of securing and complying with any permits or approvals which may be required by other County Ordinances, or State or Federal laws. No condition of the Tentative Tract Map allowed by County Ordinance shall be interpreted as permitting or requiring any violation of law, or lawful rules, regulations, or orders of an authorized governmental agency. In instances where more than one set of rules applies, the stricter ones shall take precedence. The Permittee shall comply with all requirements of the State of California, Ventura County, and any other governmental entity having jurisdiction, and all such requirements shall by reference become conditions of the map.

**TT-7. Defense Costs**

The Permittee shall defend, indemnify and hold harmless the County and its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void, or annul any approval by the County or any of its agencies, departments commissions, agents, officers or employees concerning the subdivision. The County will promptly notify the Permittee of any such claim, action or proceeding. The County may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:

- a. The County bears its own attorney's fees and costs; and
- b. The County defends the claim, action or proceeding in good faith.

The Permittee shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the Permittee. The Permittee's obligations under this condition shall apply regardless of whether a Final Tract Map is ultimately recorded with respect to the subdivision.

**TT-8. Liability/Severability**

Neither the approval of the Tentative Tract Map hereunder nor compliance with the conditions thereof shall relieve the Permittee of any responsibility otherwise imposed by law for damage to persons or property, nor shall the recordation of the Tract Map hereunder serve to impose any liability upon the County of Ventura, its officers or employees for injury or damage to persons or property.

Except with respect to the County's sole negligence or intentional misconduct, the Permittee shall indemnify, defend and hold harmless the County, its officers, agents, and employees, from any and all claims, demands, costs, expenses, including attorney's fees, judgments or liabilities arising out of the recordation of the map described herein under Condition # TT-1 (Permitted Land Use), as it may be subsequently modified pursuant to the conditions of the Tentative Tract Map.

If any of the conditions or limitations of the Tentative Tract Map are held to be invalid, that holding shall not invalidate any of the remaining conditions or limitations set forth.

In the event that any condition contained herein is determined to be in conflict with any other condition contained herein, then where principles of law do not provide to the contrary, the condition most protective of public health and safety and natural environmental resources shall prevail to the extent feasible, as determined by the Planning Director.

In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged in an action filed in a court of law, or threatened to be filed therein, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action.

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If any condition is invalidated by a court of law, the entire Tentative Tract Map approval may be reviewed at the discretion of the Planning Commission and no approval shall be issued until substitute feasible conditions/mitigation measures are imposed.

**TT-9. Prior to Recordation Condition Compliance Review**

Prior to recordation of the Tract Map, the Permittee or successors in interest shall submit a letter to the Planning Director requesting that all conditions of approval listed in this document that must be satisfied prior to recordation of the Tract Map, be reviewed for completion.

**TT-10. Notice of Conditions to be Satisfied After Map Recordation**

Pursuant to *Ventura County Subdivision Ordinance* – Section 8206-3.16(e), a *Notice of Conditions to be Satisfied After Map Recordation* shall be identified on the Title Sheet of the Final Tract Map. The subject notice shall state:

*“This map is subject to conditions, ordinances, regulations, standards, and policies, which have been imposed as Conditions of Approval for the tentative map that are to be satisfied after the Tract Map is recorded. The Conditions of Approval are on file with the Planning Division”.*

**TT-11. Homeowners Association**

Prior to recordation of the Tract Map, a Homeowners Association shall be created and copies of the By-Laws, as well as the Covenants, Conditions and Restrictions (CC&R's) shall be submitted to and approved by the Planning Director in consultation with County Counsel. The purpose of the Homeowner's Association shall be to oversee and maintain the following:

- (a) Agricultural buffer area (See Condition # RPD-18)
- (b) Bus turnout and covered waiting area (See Condition # RPD-12)
- (c) Commonly owned open space/recreation/park areas (See Condition # TT-15 and RPD-10)
- (d) Common walls, fences and associated landscape screening (See Condition # RPD-19 and RPD-25)
- (e) Main Street medians, parkways and tree trimming within all parkways (See Condition # RPD-10, RPD-12 and RPD-24)
- (f) Private Roads and alleys (See Condition # RPD-10)
- (g) Public and private sidewalks and bicycle/pedestrian pathways and paseos (See Condition # RPD-10)
- (h) Stormwater detention basin (See Condition # RPD-10 and RPD-36)
- (i) Affordable Housing (See Condition # TT-16)
- (j) Street Lighting (See Condition # TT-12)

All future changes to the CC&R's with respect to the above items (a) through (j) must be approved, in writing, by the Planning Director.

**TT-12. Enhanced Main Street Plan**

*(EIR Mitigation Measures AQ-2, CC-2, T-5)*

- (a) Prior to recordation of the Tract Map, the Permittee's engineer shall prepare a detailed enhanced Main Street improvement plan for the road segment between SR 126 and the Ventura County Transportation Commission (VCTC)-owned railroad tracks. The enhanced Main Street plan shall be designed in accordance with Condition No. RPD-12 and Piru Area Plan Policy 4.1.2-7, Figures "21" through "24", and shall be subject to review by the Piru Neighborhood Council and approval by the Public Works Agency, Fire Department, Ventura County Transportation Commission and the Planning Division. Approval of the enhanced

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Main Street Plan shall be obtained prior to issuance of a Zoning Clearance for construction of residential units.

(b) The cost of the preparation of the detailed enhanced Main Street Plan shall be proportionally shared by the applicants for the below listed entitlements within the Piru expansion area. In the event one applicant wishes to proceed independently of the other Piru expansion area developers, the first applicant within the Piru expansion area to record a Final Tract Map (except for the applicant associated with SD04-0005) shall prepare the detailed enhanced Main Street Improvement Plan. If the first applicant submits itemized costs associated with the preparation of this enhanced Main Street Plan to the Planning Division, subsequent applicants shall, (in the case of the applicant for SD06-0071 or the Permittee for SD07-0007), prior to recordation of subsequent tract maps, or (in the case of SD04-0005), prior to issuance of a Zone Clearance for Construction, reimburse the first developer's excess costs based upon the estimated traffic trips generated as noted as follows:

- SD04-0005 (TT-5479) 10.7%
- SD06-0071 (TT-5553) 28.3%
- SD07-0007 (TT-5683) 61.0%

If there is disagreement over the cost submitted by the first applicant, Permittee or other applicant(s) may request the Planning Director to arbitrate the disagreement. Permittee and other applicant(s) will be subject to the decision made by the Planning Director which shall be final unless an appeal is filed pursuant to Non-Coastal Zoning Ordinance Section 8111-7.2a.

Monitoring Responsibility: Planning Division, Transportation Department  
Monitoring Work Program: Improvement Plans must be prepared by the applicant and reviewed and approved by the Planning Division and Transportation Department, and improvements must be fully bonded by the applicant prior to recordation of the tract map. Maintenance agreements shall be prepared by Permittee and approved by Public Works Agency prior to issuance of Zone Clearance for residential development.  
Standard of Success: Main Street enhancements are completed in accordance with Area Plan.

**Condition # TT-13 was deleted by action of the Board of Supervisors on December 16, 2008:**

**TT-14. Library Expansion**

*(Mitigation Measures E-2)*

Prior to recordation of the Tract Map, the Permittee shall deposit a fee to the Ventura County Library of \$738 per dwelling unit to cover the project's proportional share of the cost of expansion of the Piru library.

Monitoring Responsibility: Planning Division, Ventura County Library  
Monitoring Work Program: Prior to recordation of the Tract Map Planning Division will confirm that funds have been deposited with the Ventura County Library  
Standard of Success: Library expansion is fully funded

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**TT-15. Park**

*(Mitigation Measures R-1, R-2)*

- (a) Permittee shall provide a park open to the public as shown on the Tract Map. The park area shall be owned in fee title by the homeowners association with a non-exclusive easement for public access, use and enjoyment. Public use of the park shall not be restricted except as otherwise imposed on individual owners of units within the development.
- (b) Prior to issuance of a Zoning Clearance for residential construction, Permittee shall:
- (1) Prepare a park design plan for review by the Piru Neighborhood Council, the County Parks Department and approval by the Planning Director.  
The plan shall include:
    - Landscape plan
    - Lighting plan
    - Trash receptacles
    - Bike racks
    - Recreational facilities for toddlers, youths and adults - Permittee shall provide at least three of the following facilities: benches, picnic tables, barbeque areas, play equipment, lawn bowling (bocce) courts, basketball courts, volleyball courts, tennis courts, skate park and/or jogging/exercise facilities.
    - Public restroom
    - Athletic fields
  - (2) Obtain a surety bond for the park improvements per paragraph (1) preceding.
  - (3) Prepare conditions, covenant and restrictions that will ensure the long-term maintenance of the park site.
  - (4) Upon demand at any time by the County Parks Department, the park site shall be conveyed in fee title by the Homeowners Association to the County without cost to the County (or its successor in interest) along with maintenance responsibilities.
- (c) Any swimming pool associated with the single-family condominium private recreation area will be made available to the general public with payment of a membership fee.
- (d) Compliance with this condition will satisfy Ventura County Ordinance Section 8297-4 et seq. (Quimby Ordinance).



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Monitoring Responsibility: Planning Division, Parks Department

Monitoring Work Program: Prior to issuance of a Zoning Clearance for residential construction, the Permittee shall submit a park improvement plan for review and approval to the Planning Division. The Planning Division will coordinate review of the park design with the Piru Neighborhood Council and the Parks Department. Prior to issuance of a Zoning Clearance for construction of residential units, the Planning Division will approve the park improvement plan and confirm that a bond or other surety has been submitted to guarantee full construction of the park. Pursuant to Condition # RPD-26, prior to issuance of a Zoning Clearance for occupancy of the 86<sup>th</sup> residential unit, Planning Division will confirm that the park improvements have been fully completed.

Standard of Success: Parkland that will meet County Parks Department parkland standards will be developed and available to the project and the Piru community

**TT-16. Affordable Housing Requirement**

- (a) Permittee shall ensure that 18 housing units (10.5 percent of proposed housing units, rounded to the closest whole unit) are set aside for qualified low-income households (as defined by the U.S. Department of Housing and Urban Development) with resale or rent control provisions consistent with California Redevelopment Law (45 years for ownership units and 55 years for rental units).
- (b) Prior to recordation of the Final Tract Map, Permittee shall designate which specific housing units will be maintained to fulfill the requirements of paragraph (a) above, and shall submit covenants and restrictions for approval by the Planning Division that will ensure the housing units will have resale or rent control provisions for a period of 45 years for ownership units and 55 years for rental units, consistent with California Redevelopment Law.
- (c) As an alternative to paragraph (b) above, housing units fulfilling the requirements of paragraph (a) may be provided off-site within unincorporated Ventura County. If an off-site location is selected, prior to recordation of the Final Tract Map, Permittee shall guarantee to the satisfaction of the Planning Director the construction and long-term maintenance of affordability for these off-site affordable housing units.
- (d) In the event the Cabrillo Economic Development Corporation 66-unit farmworker project (or a project of similar size and affordability characteristics as determined by the Planning Director) is approved within the Piru Area of Interest, applicants may satisfy the requirements of paragraphs (a), (b) and (c) above, by payment of an in-lieu fee. The fee will be calculated by subtracting \$331,550 (the sales price of a housing unit that would be affordable to a qualifying low-income household as set forth in the County General Plan Land Use Appendix Figure 3.3.3-6) from the selling price of each of the 18 lowest-priced units. The \$331,550 figure may be adjusted by the Planning Director based upon the U.S. Department of Housing and Urban Development published median household income for a family of four in Ventura County). Prior to recordation of the Tract Map, the Permittee shall designate which specific housing units will be the lowest priced units. The In-Lieu fee shall be paid to the County within 30 days of the sale of the designated low-priced unit.

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***Environmental Health Division:***

**TT-17. Water Supply Certificate**

Prior to recordation of the Tract Map, the Permittee shall submit a project specific Water Supply Certificate (EHD Will-Serve Letter) to the County Environmental Health Division for review and approval.

**TT-18. Sewer Service Certificate**

Prior to recordation of the Tract Map, the Permittee shall submit a project specific Sewer Service Certificate (EHD Will-Serve Letter) to the County Environmental Health Division for review and approval.

**Public Works Agency Conditions:**

***Watershed Protection District:***

**TT-19 Detention Basin**

Prior to recordation of the Tract Map, adequate onsite detention shall be demonstrated to the satisfaction of the Watershed Protection District. The required detention basin(s) shall be completed according to WPD's standards and be completed before granting occupancy.

**TT-20 Warring Wash**

Prior to recordation of the Tract Map, the developer must obtain an encroachment permit from the Watershed Protection District to perform work within and/or utilize the Warring Wash a jurisdictional red line channel.

**TT-21. Groundwater Mitigation Program**

*(Mitigation Measures GQ-1)*

The Permittee shall prepare and implement a Groundwater Mitigation Program subject to the review and approval of the Watershed Protection District (WPD) prior to Tract Map recordation. The Groundwater Mitigation Program shall demonstrate that there will be no net loss of groundwater to the Oxnard Plain Groundwater Basin as a result of the proposed projects:

The Groundwater Mitigation Program shall incorporate estimated water savings from the Water Conservation Plan required by Condition # RPD-14.

If necessary to demonstrate that there will be no net loss of groundwater, the Permittee shall also employ one or more of the following mitigation options:

- (a) Recycling of Piru Wastewater Treatment Plant treated wastewater effluent;
- (b) Capture stormwater runoff in a percolation basin, storage tank or other means of storing runoff;
- (c) Securing new or imported water supplies from outside the Oxnard Plain groundwater basin.

Monitoring Responsibility: Planning Division and Watershed Protection District

Monitoring Work Program: Prior to Tract Map recordation Planning Division will confirm that the WPD has reviewed and approved the groundwater mitigation program. Program compliance will be monitored as appropriate.

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**Standard of Success:** No net loss of groundwater

***Development and Inspection Services Division:***

**TT-22. Downstream Drainage Impact Mitigation**

*(Mitigation Measures FC-4)*

- (a) Prior to recordation of the Tract Map the Permittee's engineer shall prepare and submit a hydrologic report to PWA demonstrating that the unimproved earth-lined ditches/washes south of Highway 126 and north of the Santa Clara River have adequate capacity to accommodate the proposed development's flow rates and that the duration of flow will not adversely erode the ditches/washes or cause downstream flooding. If the ditches/washes have no additional capacity or increased erosion will result, the Permittee's engineer shall prepare a plan to improve the affected facilities from Highway 126 to the Santa Clara River in a manner acceptable to the Director of Public Works.
- (b) The cost of this measure shall be proportionally shared by applicants for the below listed entitlements within the Piru expansion area. In the event an applicant wishes to proceed independently of the other Piru expansion area applicants, the first applicant to record his Tract Map shall pay all costs associated with subsequent applicants responsible for reimbursement of excess costs prior to recordation of subsequent tract maps based upon the following calculation:

• SD04-0005 =	5.0 acres =	9.2%
• SD06-0071 =	16.5 acres =	30.4%
• SD07-0007 =	32.8 acres =	60.4%

If there is disagreement over the cost submitted by the first applicant, Permittee or other applicant(s) may request the Planning Director to arbitrate the disagreement. Permittee and other applicant(s) will be subject to the decision made by the Planning Director which shall be final unless an appeal is filed pursuant to Non-Coastal Zoning Ordinance Section 8111-7.2a.

- c. The developer will not have to mitigate the downstream drainage impacts of the natural channels, south of Highway 126, if the developer's Civil Engineer can demonstrate that the runoff from the developed subject property does not increase in volume, duration, or velocity for all storm frequencies, when compared to the undeveloped or pre-developed condition of the subject property.

**Monitoring Responsibility:** Planning Division and Watershed Protection District (WPD)

**Monitoring Work Program:** Prior to recordation of the Tract Map, the Planning Division will confirm applicant's submission and WPD's approval of the hydrological report

**Standard of Success:** Potential significant impacts to downstream ditches as identified by the FEIR (Section 4.7.2) will be avoided.

***Water and Sanitation Department:***

**TT-23. Sewage Treatment Plant**

*(Mitigation Measures ST-1)*

Tract maps within the Piru Expansion Area shall not be permitted to record until the Piru Wastewater Treatment Plant (PWWTP) expansion is under construction and a will serve

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letter has been issued by Water Works District 16. Zoning Clearances for occupancy of residential developments shall not be issued until the PWWTP expansion is completed.

Monitoring Responsibility: Planning Division, Water Works District 16

Monitoring Work Program: Prior to recordation of the Tract Map, the Planning Division will confirm with WWD#16 that the wastewater treatment plant expansion is under construction. Prior to issuance of a Zoning Clearance for occupancy, the Planning Division will confirm that the PWWTP expansion is complete.

Standard of Success: The Piru Wastewater Treatment Plant will be adequate to serve new development

**TT-24. Salinity Study**

*(Mitigation Measures ST-2)*

- (a) The Tract map shall not be permitted to record until the Permittee has prepared an independent study of discharges from all sources of salinity, including but not limited to, residential water softening or conditioning appliances into the Piru Community sewer collection system, and in accordance with Section 116786 of the State of California Health and Safety Code. The purpose of the study is to quantify, to the greatest extent feasible, the total discharge from each source of salinity and identify remedial actions to reduce the discharge of salinity into the Piru Community sewer system from each source, to the extent technologically and economically feasible, to bring the local agency into compliance with waste discharge requirements, prior to limiting or prohibiting the use of residential water softening or conditioning appliances. The independent study shall be reviewed and approved by the Director of Public Works prior to recording of the Tract map.
- (b) Should the independent study confirm that chlorides from commercial and residential self-regenerating water softeners are a significant impact, or in lieu of preparing the required salinity study; the Permittee shall:
  - (1) Prepare and record a deed restriction that will prohibit the installation of self-regenerating water softeners that discharge saline to the Piru Community sanitary sewer system with the Tract Map for the property being subdivided. The deed restriction shall be reviewed and approved by the Director of Public Works; and
  - (2) The Permittee shall create a brochure explaining the different types of water softeners available on the market that do not self regenerate and introduce brines into the sanitary sewer system. This brochure shall be reviewed and approved by the Director of Public Works and be given to the homebuyers as part of their disclosure purchase package prior to issuance of occupancy on any new home within the Piru Expansion Area.
- (c) The cost of the salinity study shall be proportionally shared by the applicants associated with the below listed entitlements within the Piru expansion area. In the event an applicant wishes to proceed independently of each other, the first applicant to record a Tract Map shall pay all costs associated with required salinity study. If the detailed itemized cost of this measure is submitted to the Planning Division, subsequent applicants shall be responsible for reimbursement of the first applicant's excess costs prior to recordation of subsequent tract maps. The Permittee's prorated share of the cost of this measure is calculated as follows, based the number of dwelling units proposed:

- SD04-0005 = 49 dwelling units = 15.6%
- SD06-0071 = 91 dwelling units = 28.9%

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- SD07-0007 = 175 dwelling units = 55.5%

If there is disagreement over the cost submitted by the first applicant, Permittee or other applicant(s) may request the Planning Director to arbitrate the disagreement. Permittee and other applicant(s) will be subject to the decision made by the Planning Director which shall be final unless an appeal is filed pursuant to Non-Coastal Zoning Ordinance Section 8111-7.2a.

<p><u>Monitoring Responsibility:</u> Planning Division and Public Works Agency</p> <p><u>Monitoring Work Program:</u> Prior to recordation of the Tract Map, the Planning Division will confirm that an acceptable Salinity Study has been submitted to and approved by the PWA. If necessary, the Planning Division will confirm that the required deed restriction and the required brochures have been prepared.</p> <p><u>Standard of Success:</u> The project will not exacerbate salinity impacts at the wastewater treatment plant</p>
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### ***Transportation Department:***

#### **TT-25. Compliance with EIR Transportation Mitigation Measures**

- (a) Prior to recordation of the Tract Map, the Permittee shall post sufficient surety guaranteeing the design and construction of all improvements listed as transportation measures in the Piru Area Plan Update EIR - Planning Commission Staff Report Exhibit "12.1" or develop a plan to fund those measures needed to mitigate all impacts from this project. (See Condition # TT-12, TT-28, TT-29, RPD-12, RPD-42 and RPD-43)
- (b) Prior to recordation of the Tract Map, the Permittee shall pay TIMF fees to the Transportation Department as required by Condition # TT-28.
- (c) The Permittee will be required to improve Main Street including construction of curb and gutter, sidewalk, access ramps and additional pavement in accordance with a modified County Standard plate B-3 [D] and in accordance with Condition # TT-12 and RPD-12.

#### **TT-26. Interior Street Improvements**

If at any time the streets within the development are to be incorporated into the County Road Network, the design and construction of such roads shall be in accordance with all Ventura County Road Standards applicable to the Piru community.

#### **TT-27. Main Street Roadway Dedication**

Prior to recordation of the Tract Map the Permittee will be required to:

- (a) Dedicate to the County of Ventura, the right-of-way required to widen Main Street in accordance with the proposed cross-section identified in the recent Piru Area Plan update. An irrevocable offer of right-of-way dedication shall be submitted and approved by the Public Works Agency prior to recordation of the Tract Map.
- (b) The Permittee shall submit to the Public Works Agency a County right-of-way processing fee for the costs incurred in the processing of the dedication.

#### **TT-28. Piru Traffic Impact Mitigation Fund**

*(Mitigation Measures T-1, T-2, T-3, T-5, T-6, T-7, T-8, T-9, T-10, and T-11)*

To mitigate traffic impacts within the Piru community and cumulative impacts on the Ventura County Regional Road Network, the following fees shall be paid:

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- (a) Prior to recordation of the Tract Map, the Permittee shall pay to the Transportation Department an augmented Piru Transportation Impact Mitigation Fee (TIMF). The payment of this fee will fully address the Permittee's fair share of the cost of proposed transportation improvements identified in the Piru Area Plan Update EIR (Appendix 8.71, Table A-5, as corrected in the Update to the FEIR - Exhibit "12.3"). Based upon information submitted by the Permittee the amount of this fee is calculated as follows:

Single-Family Detached - 9.57 average daily trips (ADT) X 62 units = 593 ADT.  
Single-Family Detached Condominium Units - 5.86 ADT X 85 units = 498 ADT  
Duplex/Triplex Units - 6.72 ADT X 22 units = 148 ADT.  
Mixed-Use Condominiums - 5.86 ADT X 6 units = 35 ADT  
Mixed-Use Commercial - .04294 X 8,500 SF = 365 ADT  
Total project ADT (593 + 498 + 148 + 35 + 365) = 1,639  
1,639 ADT X \$88.94 per trip fee = total fee of \$145,773

- (b) Prior to recordation of the Tract Map, the Permittee shall pay to the Public Works Agency the Permittee's prorated share of the cost of preparing an augmented Piru TIMF ordinance that will ensure that all subsequent developments in the Piru Area of Interest will also pay their fair share of the cost of the transportation improvements identified in Table A-5, Piru Area Plan EIR Appendix (as corrected in the Update to the FEIR - Exhibit "12.3"). The total cost of preparation of this ordinance is estimated at \$11,191. The Permittee's prorated share of the cost of this measure is calculated as follows, based on traffic generated:

1,639 ADT X \$4.15 = \$6,808

- (c) Payment of the fee described in Section (a) and (b) above, exempts the Permittee from the augmented Piru TIMF ordinance that may subsequently be adopted by the Board of Supervisors.

Monitoring Responsibility: Planning Division, Transportation Department  
Monitoring Work Program: Prior to recordation of the Tract Map for items (a) and (b) and prior to issuance of a Zoning Clearance for construction for item (c), Planning Division will confirm with Transportation Department that required fees have been deposited.  
Standard of Success: Funding of traffic/safety improvements identified in FEIR Table A-5

## TT-29. Center Street Bridge Widening

*(Mitigation Measure T-15)*

To mitigate congestion and safety problems associated with student drop-off near Piru School, prior to recordation of the Tract Map the Permittee shall pay the project's prorated cost of widening the Center Street Bridge at Warring Wash. The total estimated engineering and construction cost of the bridge improvement is estimated to be \$67,000. The applicant's proportional share cost is calculated as follows:

1,639 ADT = 61% of traffic generated in Piru expansion area = \$40,870 (61% of \$67,000)

If the actual cost of widening the Center Street Bridge is less than the amount collected for this purpose, the Permittee may request a refund of excess payment.

Monitoring Responsibility: Planning Division, Transportation Department  
Monitoring Work Program: Prior to recordation of the Tract Map, Planning Division will confirm with Transportation Department that required fees have been deposited

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Standard of Success: Funding of Center Street bridge widening will reduce existing school related congestion on Center Street near Piru School to a less than significant level.

### **Air Pollution control District (APCD) Conditions:**

**TT-30. TDM Fund (AQ-4)**

*(Mitigation Measures AQ-4)*

Prior to recordation of the Tract Map, Permittee shall contribute to an off-site transportation demand management (TDM) fund to be managed by the Planning Division. The formula for calculating this fee is established by the 2003 APCD Guidelines. The TDM fund calculation is based on the cost per pound for NOx or ROG whichever pollutant is highest for the project. Permittee shall contact the APCD prior to tract recordation to obtain the current cost per pound for the proposed units and recalculate the TDM fee at that time based on the approved number of dwelling units.

Monitoring Responsibility: Planning Division, Air Pollution Control District

Monitoring Work Program: Prior to recordation of the Tract Map Planning Division will ensure that the required fee is collected. Planning Division will coordinate with APCD and PNC regarding appropriate expenditure of funds collected.

Standard of Success: TDM fees will be utilized to provide public transportation or subsidized ridesharing programs in the Piru community, or other programs designed to reduce ozone precursors.

### **General Services Agency (GSA) - Parks Department Conditions:**

**TT-31. Parkland Dedication (Quimby Ordinance)**

The requirements of *Ventura County Ordinance Code* Section 8297-4, et seq. (Quimby) are met by Condition # TT-15.

### **Ventura County Fire Protection District Conditions:**

**TT-32. Turning Radius**

The access road shall be of sufficient width to allow for a 40 foot outside turning radius at all turns in the road.

**TT-33. Access Road Width**

An onsite access road width of 36 feet shall be provided. An onsite access road width of 25 feet and off-street parking shall be provided for all alleys.

**TT-34. Street Names**

Prior to recordation of street names, proposed names shall be submitted to the Fire District's Mapping Unit for review and approval.

**TT-35. Fire Flow Verification**

Prior to map recordation, the Permittee shall provide to the Fire District, verification from the water purveyor that the purveyor can provide the required fire flow of 1,000 gallons per minute at 20 psi for a minimum 2 hour duration.

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**TT-36. Bulb-Outs**

Prior to recordation of the Tract Map, design criteria and locations of the intersection and mid street bulb-outs shall be approved by the Fire District.

## CONDITIONS FOR RESIDENTIAL PLANNED DEVELOPMENT LU07-0136

### **Resource Management Agency Conditions:**

#### ***Planning Division:***

**RPD-1. Permitted Land Use**

These conditions apply to the development of an existing 32.4-acre parcel to permit the construction of 175 dwellings (single-family detached units on individual lots, single-family detached condominium units, duplex, triplex units and mixed-use condominium units), 10,800 square foot of commercial (within a mixed-use building), a 4.1-acre park and a stormwater detention basin as shown on the approved Site Plan and Elevations for Residential Planned Development No. LU07-0136.

**RPD-2. Time Limits**

The RPD permit shall continue in effect indefinitely unless modified or revoked pursuant to *Ventura County Non-Coastal Zoning Ordinance* Section 8111-6.

**RPD-3. Acceptance of Conditions**

The commencement of grading, construction and/or operations pursuant to Condition # RPD-1 (Permitted Land Uses) shall be deemed to be acceptance by the Permittee of all conditions of the RPD Permit.

**RPD-4. Incorporation of Tract Map Conditions**

All conditions applicable to SD07-0007 (TT-5683) shall also be applicable to this RPD permit.

**RPD-5. Condition Compliance, Enforcement and Other Responsibilities**

(a) Cost Responsibilities: The Permittee shall bear the full costs of on-going permit compliance, and monitoring programs, by establishing a revolving compliance account as described below in paragraph (b). Specifically, the Permittee shall bear the full costs of the following:

- (1) Condition Compliance, which is defined herein to include, but is not limited to, the staff time, materials costs, or consultant costs associated with the approval of studies, generation of studies or reports, ongoing permit condition compliance review, and CEQA Mitigation Monitoring/other monitoring programs; and,
- (2) Monitoring and enforcement costs, and any related fines or penalties assessed pursuant to the provisions of the Ventura County Ordinance Code, as it may be amended. (Refer to paragraph (c), below.)



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- (b) Establishment of Revolving Compliance Accounts: Prior to issuance of a Zoning Clearance for construction, the Permittee, or successors in interest, shall submit the following deposit and reimbursement agreement to the Planning Director.
- (1) \$1,000.00 for deposit into a revolving condition compliance and enforcement account to be used by Ventura County agencies to cover costs incurred by Ventura County for Condition Compliance review, monitoring and enforcement costs [refer to paragraph (a), above], and for enforcement costs and penalties assessed pursuant to the provisions of the Ventura County Ordinance Code, as it may be amended. (Refer to paragraph (c), below.) The amount of this deposit may be modified by mutual agreement between the Permittee and the Planning Director; and
- (2) A signed reimbursement agreement subject to the Permittee's right to challenge any charges, which obligates the Permittee to pay any Condition Compliance review, monitoring and enforcement costs (refer to paragraph (a), above), and for enforcement costs and penalties assessed pursuant to the provisions of the Ventura County Ordinance Code, as it may be amended.
- (c) Monitoring and Enforcement Costs: The *Ventura County Coastal Zoning Ordinance* (2004, §8183-5.4) requires the Permittee, or the Permittee's successors-in-interest, to bear the full costs incurred by the County or its contractors for inspection and monitoring, and for enforcement activities related to the resolution of confirmed violations. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections, public reports, penalty hearings, forfeiture of securities, and suspension of this permit. Costs will be billed at the contract rates in effect at the time enforcement actions are required. The Permittee shall be billed for the fees and penalties pursuant to the *Ventura County Coastal Zoning Ordinance* (2004, §8183-5.4), as it may be amended.
- (d) Billing Process: The Permittee shall pay any written requests to replenish the deposit made by the Planning Director or designee within 30 days of receipt of the request. If requested by the Permittee, requests for payment shall be accompanied by an accounting of how the deposited funds have been spent. Failure to pay the required amount, or to maintain the required deposit, shall be grounds for suspension, modification, or revocation of this permit or County may withhold issuance of a Zoning Clearance. The Permittee shall have the right to challenge any charge or the reasonableness of any charge prior to payment by filing an appeal pursuant to Section 8111-7.2a.
- (e) Once a Zoning Clearance for occupancy is issued for the last dwelling unit, Permittee may request a refund of any unused deposit required under section (b) above and Permittee's obligation under this condition is complete.

**RPD-6. Responsibilities Prior to Grading, Construction, Occupancy**

- (a) Prior to grading activities, a Zoning Clearance for Grading shall be obtained from the Planning Division, and a Grading Permit shall be obtained from the Public Works Agency, Water Resources and Engineering Department, Development and Inspection Services Division. Temporary stockpiling and rough grading may be permitted prior to recordation of the Tract Map in accordance with Condition # RPD-15, RPD-16, RPD-20, RPD-23, RPD-32, RPD-34, RPD-37, RPD-52 and RPD-54.

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- (b) Prior to construction, a Zoning Clearance for Construction shall be obtained from the Planning Division and a Building Permit shall be obtained from the Building and Safety Division.
- (c) Prior to issuance of a Certificate of Occupancy a Zoning Clearance for occupancy shall be obtained from the Planning Division.
- (d) No Zoning Clearance(s) shall be issued for the Residential Planned Development Permit (RPD) until the Tract Map has been recorded, except for temporary stockpiling and rough grading as permitted in paragraph (a) above.
- (e) Any subsequent development of the parcels created shall be subject to the conditions of approval for the RPD Permit and applicable regulations of the "R-P-D-6u" (Residential Planned Development, six dwelling units per acre) Zoning District and CPD/CBD (Commercial Planned Development Zoning District with Community Business District Overlay Zone), as designated.
- (f) For any Building Permit for construction within the subdivision, the Permittee may be required to pay, as a condition precedent to the issuance of the Building Permit (or, if the provisions of subdivision (a) of *Government Code* Section 66007 apply, as a condition precedent to the issuance of a Certificate of Occupancy), all applicable fees (including, without limitation, any school facilities fees and any area of benefit fees) which are at that time lawfully imposed by any public entity as a condition of precedent to the issuance of like Building Permits (or the Certificates of Occupancy) generally. This condition shall apply without regard to when the Ordinance or Resolution imposing the fees was adopted.
- (g) Prior to issuance of any Zoning Clearance any permit processing fees billed to that date must be paid.

#### **RPD-7. Archaeological and Paleontological Resources**

In the event that archeological or paleontological remains or artifacts are encountered during ground disturbance or construction activities, the Permittee shall implement the following procedures:

- (a) If any archeological artifacts are uncovered during ground disturbance or construction activities, the Permittee shall:
  - (1) Cease operations and assure the preservation of the site;
  - (2) Notify the Planning Director;
  - (3) Consult a Native American from the Native American Heritage Commission's "Native American Contacts List";
  - (4) Obtain the services of a qualified archeologist and a native American monitor who shall assess the find and provide the recommendations on the proper disposition of the site, pursuant to the *State CEQA Guidelines* [California Code of Regulations, Title 14, Chapter 3, Section 15064.5(f)]; and
  - (5) Obtain the Planning Director's written concurrence of the recommended disposition before resuming development.
- (b) If any human burial remains are encountered during ground disturbance or construction activities, the Permittee shall:
  - (1) Cease operations and assure the preservation of the site;
  - (2) Notify the Sheriff and the Planning Director;
  - (3) Consult a Native American from the Native American Heritage Commission's "Native American Contacts List";

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- (4) Obtain the services of a qualified archeologist and a native American monitor who shall assess the find and provide the recommendations on the proper disposition of the site, pursuant to the *State CEQA Guidelines* [California Code of Regulations, Title 14, Chapter 3, Section 15064.5(e)], California Health and Safety Code (Section 7050.5), and California Public Resources Code (Section 5097.98); and
  - (5) Obtain the Planning Director's written concurrence of the recommended disposition before resuming development.
- (c) If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall:
- (1) Cease operations and assure the preservation of the site;
  - (2) Notify the Planning Director;
  - (3) Consult a Native American from the Native American Heritage Commission's "Native American Contacts List";
  - (4) Obtain the services of a qualified paleontologist who shall assess the find and provide the recommendations on the proper disposition of the site; and
  - (5) Obtain the Planning Director's written concurrence of the recommended disposition before resuming development.

#### **RPD-8. Underground Utility Service Lines**

Pursuant to the *Ventura County General Plan* Public Utilities Policy 4.5.2.3, all utility services lines for residential development shall be placed underground, unless a written determination of infeasibility is obtained from the Planning Director.

#### **RPD-9. Mixed-Use Development**

In addition to the requirements of Non-Coastal Zoning Ordinance Section 8109-4.6.5, the mixed-use site shall be subject to the following requirements:

- (a) Commercial uses permitted shall be limited to those identified in Figure 8 of the Piru Area Plan.
- (b) Commercial business hours shall be limited to 8:00 am to 6:00 pm, unless expanded hours have specifically been approved by the decision-making authority pursuant to a planned development permit, conditional use permit or permit adjustment.
- (c) Detailed development plans shall be subject to review by the Piru Neighborhood Council pursuant to Condition # RPD-23.

#### **RPD-10. Maintenance of Facilities**

*(Mitigation Measures CC-11)*

Maintenance of private streets and alleys, detention basins and private open space and recreation areas, sidewalks and multipurpose pathways shall be the responsibility of a homeowner's association.

Monitoring Responsibility: Planning Division  
Monitoring Work Program: Prior to recordation of the Tract Map, Planning Division will confirm that HOA CC&Rs address this requirement  
Standard of Success: Assured maintenance of private facilities

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**RPD-11. Garage Door Openers**

Residential units with garage access on alleys or private driveways within the single-family condominium complex (Lot 63) shall be equipped with automatic garage door openers.

**RPD-12. Main Street Enhancements**

*(EIR Mitigation Measures AQ-2, CC-2, T-5)*

- (a) Permittee shall dedicate, construct or fully bond for construction of the following enhanced Main Street improvements prior to issuance of a Zoning Clearance for construction:
- (1) Permittee shall make an Irrevocable offer of right-of-way dedication, pavement, curb, gutter, multi-purpose bicycle/pedestrian pathway, and landscaped parkway along the frontage of the subject Tract Map and as required by Policy 4.1.2.3 and Figures 21, 22, 23 and 24 of the Piru Area Plan and Condition # RPD-43.
    - Multi-purpose pathways along Main Street are to be designed to reflect the rural nature of Piru. Unless otherwise approved by the Planning Division (upon consultation with the Piru Neighborhood Council and the Public Works Agency) the approving agencies, the multi-purpose pathway shall be meandering and colored to resemble decomposed granite in order to maintain a rural appearance.
    - The Main Street parkway shall be planted with trees. Parkway trees should be selected and spaced to provide a continuous shaded canopy. As much as practical, landscaping in parkways shall incorporate xeriscape plants to minimize irrigation water usage. Clump grasses shall be favored over lawn grasses.
  - (2) Zebra-striped crosswalks and intersection bulb-outs for Main Street at Highway 126 (connecting the northeast and northwest corners), Main Street at the two new intersections within the Piru expansion area, and for Main Street at Via Fustero. *[To be funded 32% by SD06-0071 (Jensen) and 68% by SD07-0007 (Finch)]*
  - (3) Traffic calming entry island median at Main Street and Via Fustero *[Construction costs to be funded 32% by SD06-0071 (Jensen) and 68% by SD07-0007 (Finch)]*
  - (4) Landscaped entry median between SR 126 and the first intersection north of SR 126. *[Construction costs to be funded 32% by SD06-0071 (Jensen) and 68% by SD07-0007 (Finch)]*
  - (5) Dedicated right-turn deceleration lane from west-bound SR 126 to Main Street. *[Construction costs to be funded 100% by SD06-0071 (Jensen)]*
  - (6) Parking prohibition in front of Fillmore-Piru Citrus Association packing plant. *[Construction costs to be funded 100% by SD07-0007 (Finch)]*
  - (7) Pedestrian-activated signal lighting at Main Street and "A" Street adjacent to the parks. *[Construction costs to be funded 32% by SD06-0071 (Jensen) and 68% by SD07-0007 (Finch)]*
  - (8) Bus turnout with covered waiting area south-bound Main Street *[Construction costs to be funded 100% by SD07-0007 (Finch)]*
  - (9) Bus turnout with covered waiting area north-bound Main Street *[Construction costs to be funded 100% by SD06-0071 (Jensen)]*

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- (10) Historic-style street furniture (signage, lighting, bus benches, etc.) will be incorporated into the Main Street design. Street lighting maintenance and operation shall be the responsibility of the Homeowner's Association or County Service Area 14.
- (11) River rock shall be incorporated as appropriate into landscape design elements, fencing, lighting, bollards, medians, etc.
- (12) Coordinated planting of Main Street parkway and median landscaping is required. Parkway planting is to incorporate trees designed to create an attractive shade canopy for the bicycle/pedestrian pathway. The landscape plan shall minimize use of lawn grasses, substituting decorative grasses and xeriscape (low water usage) plants where appropriate.
- (b) Maintenance of Main Street medians, parkways, multi-purpose bicycle/pedestrian pathways and bus facilities shall be the responsibility of the homeowner's association, unless otherwise approved by the County. This is not intended to preclude the use of an assessment district or similar funding mechanism, if approved by the County.
- (c) Maintenance agreements shall be required for the landscaped entry median planned for Main Street north of Highway 126 and for the landscaped traffic calming median planned for Main Street at Via Fustero. These agreements shall be submitted to the Planning Division for approval prior to issuance of a Zoning Clearance for occupancy for any residential development.

Monitoring Responsibility: Planning Division, Transportation Department and Ventura County Transportation Commission

Monitoring Work Program: Plans must be fully bonded for prior to issuance of a Zoning Clearance for Construction. Improvements shall be completed and maintenance agreements shall be approved prior to issuance of occupancy permit for residential development.

Standard of Success: Main Street enhancements are completed.

### RPD-13. Energy Conservation Plan

(Mitigation Measure AQ-3)

Prior to issuance of a Zoning Clearance for construction, Permittee shall submit and implement an energy conservation plan designed to reduce energy consumption by the following means:

- (a) All buildings shall incorporate energy-saving design solutions to reduce energy consumption by at least 10 percent below the California Energy Code (Title 24, Part 6 of the California Code of Regulations: California Energy Efficiency Standards for Residential and Non-Residential Buildings) This may be accomplished through such measures as improved insulation, double-paned windows, more efficient heating/ventilation, skylights, use of solar or low emission water heaters and/or use of compact florescent light bulbs.
- (b) New technology, such as solar electric generation systems or residential fuel cells, shall be showcased in model homes and made available as an option to buyers.
- (c) Shade trees shall be used to reduce heat build-up on structures to reduce energy used for cooling.
- (d) A green building checklist shall be completed for each project according to type (single-family, multi-family, commercial, etc.). There is no minimum score requirement for the green building checklist and selection of individual points is at the discretion of the

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Permittee. The purpose of this requirement is to ensure the Permittee considers a wide range of conservation measures that could be incorporated into the project.

Green building checklists can be found at:

<http://www.builditgreen.org/greenpoint-rated/guidelines> or at:  
[http://www.greenhomeguide.org/documents/leed\\_for\\_homes\\_checklist.xls](http://www.greenhomeguide.org/documents/leed_for_homes_checklist.xls)

- (e) Notwithstanding items (a)-(d) above, if Permittee agrees to construct *Energy Star* qualified homes, Permittee shall be considered in full compliance with this Condition # RPD-13 and Piru Area Plan Policy 1.6.2 (requires preparation of an Energy Conservation Plan).

Information concerning *Energy Star* homes can be found on the web at:

[http://www.energystar.gov/index.cfm?c=new\\_homes.nh\\_features](http://www.energystar.gov/index.cfm?c=new_homes.nh_features) and at  
[http://www.energystar.gov/index.cfm?c=bldrs\\_lenders\\_raters.nh\\_join](http://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_join)

- (f) If Permittee elects to construct *Build It Green GreenPoint* rated or *U.S. Green Building Council's Leadership in Energy and Environmental Design* (LEED) certified homes, Permittee shall be considered to be in full compliance with this Condition # RPD-13 and the Groundwater Mitigation Program required by Condition # TT-21 and the Water Conservation Plan requirements of Condition # RPD-14 and as required by Piru Area Plan Policy 1.9.2 and the water conservation measures contained in the *Build it Green* and *LEED* programs shall be deemed to fully offset the project's groundwater loss identified in Chapter 4.10 of the FEIR - Planning Commission Staff Report Exhibit "12.1".

Information concerning *Build it Green* can be found at: <http://www.builditgreen.org/>

Information concerning LEED can be found at: <http://www.usgbc.org/Default.aspx> and at:  
<http://www.greenhomeguide.org/>

<p><b>Monitoring Responsibility:</b> Planning Division</p> <p><b>Monitoring Work Program:</b> Prior to issuance of a Zoning Clearance for Construction, Planning Division will ensure that the energy conservation plan is completed and meets the above described standards</p> <p><b>Standard of Success:</b> Demonstrated energy savings over conventional development.</p>
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#### RPD-14. Water Conservation Plan

The Permittee shall prepare and implement a Water Conservation Plan subject to the review and approval of the Planning Division prior to Issuance of a Zoning Clearance for construction. The Water Conservation Plan shall demonstrate reduced water usage through employment of three or more of the following water conservation measures:

- Low-flow fixtures and water efficient appliances (e.g., faucet/shower flow restrictors, very low-flow toilets, low-water dish washers, washing machines and water softeners);
- Drought tolerant landscaping that requires very little if any watering throughout the year to remain vibrant and healthy;
- Advanced irrigation controllers with solar sensors and ground moisture meters that prevent landscape watering during rainfall periods or when soil moisture is already sufficient for plant needs;
- Use of highly porous pavement surfaces in sidewalks, alleys, parking lots, patios, and other hard surface areas;
- Retro-fitting existing homes with the above conservation devices and techniques.

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**RPD-15. Wildlife Mitigation**

*(Mitigation Measure BR-1)*

(a) Burrowing Owl Mitigation - Grading shall be prohibited from April 15 to July 15 unless a special-status wildlife survey is performed in accordance with CDFG guidance or as follows:

- During both the wintering and nesting seasons, a qualified biologist shall conduct surveys for burrowing owls in potential habitat areas prior to construction in accordance with guidelines described in the *CDFG Staff Report on Burrowing Owl Mitigation, 1995*. Winter surveys shall be conducted between December 1 and January 31, and the nesting season survey shall be conducted between April 15 and July 15. If burrowing owls are detected within the proposed disturbance area, CDFG shall be contacted to develop and implement a mitigation plan to protect owls and their nest sites.

(b) Raptor Mitigation - Grading or tree removal shall be prohibited from February 1 to September 1 unless a survey for active nests is conducted by a qualified wildlife biologist at the site no more than two weeks prior to any scheduled development or grading. If active nests of any MBTA-protected bird species are located, construction within 500 feet of nest trees (e.g. Eucalyptus, Monterey Pine, or landscape trees) shall be limited to the time period after young have fledged and prior to the next season's breeding period. A qualified biologist shall confirm that breeding/ nesting is completed and young have fledged. Nest trees shall only be removed outside of the nesting season, or after a qualified wildlife biologist verifies that the nest is empty and no longer used by a raptor.

Monitoring Responsibility: Planning Division  
Monitoring Work Program: The Planning Division will ensure compliance with this measure prior to issuance of a tree removal permit and/or issuance of a Zoning Clearance for construction  
Standard of Success: No nesting burrowing owls or raptors will be disturbed during the site preparation phase of the Project.

**RPD-16. Topsoil Preservation**

*(Mitigation Measure AR-1)*

In the event that topsoil removal and export or overcovering is required as part of any project grading operation, topsoil from the project site shall be stockpiled and incorporated into parks and landscaped areas within the project. Any excess topsoil shall be offered to an offsite agricultural operation as a soil amendment.

Monitoring Responsibility: Planning Division, Public Works  
Monitoring Work Program: Top soil preservation requirement will be incorporated into the grading plan which will be reviewed by the Planning Division prior to issuance of the Zoning Clearance for construction. The Public Works Agency Development and Inspection Services Division will monitor grading for compliance with the approved grading plan per Condition # RPD-37.  
Standard of Success: Top soil is reused either within the project or as a soil amendment off site.

**RPD-17. Right-to-Farm Ordinance (AR-6)**

*(Mitigation Measure AR-6)*

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A copy of the Ventura County Right-to-Farm Ordinance shall be provided to each homebuyer at the time of purchase.

Monitoring Responsibility: Planning Division  
Monitoring Work Program: This measure will be a condition of the Zoning Clearance for occupancy permit  
Standard of Success: All residents will have a copy of the County's Right-to-Farm Ordinance .

#### **RPD-18. Agricultural Buffer**

*(Mitigation Measure AR-7, AR-8 and AR-9)*

Prior to recordation of the Tract Map an agricultural buffer in the form of a deed restriction or easement shall be submitted to and approved by the Planning Director and recorded. The agricultural buffer shall comply with the following requirements:

- (a) A minimum 150-foot wide agricultural buffer area with vegetative screen and eight foot high chain-link fence shall be provided between adjacent Agricultural designated lands and any new residential or park land uses. The 150-foot buffer area may include the following uses if otherwise allowed by the Non-Coastal Zoning Ordinance:
- Roadways and driveways
  - Parking lots and garages
  - Landscape features (including the vegetation buffer described in item (c) below)
  - Storage sheds or open storage
  - Greenhouse structures (if venting is directed away from residential areas)
  - Fencing
  - Range cattle, sheep or similar livestock
  - Front yard setbacks
  - Drainage facilities (including stormwater detention basins)
  - Hiking, bike or bridle paths
  - Single use government, institutional, or educational, where notification, agreements and operational accommodations between parties can easily occur prior to spraying.
  - Farm and produce stands where notification between farmers and occupants can easily occur prior to spraying.
  - Agricultural tourism in accordance with a CUP
- (b) The 150 foot buffer may include the adjacent agricultural designated property if, prior to recordation of the Tract Map, the Permittee obtains from the owner of the adjacent agricultural designated property an agricultural deed restriction or easement approved by the Planning Director or enters into a contract to modify standard, legal farming practices (e.g., when or how pesticides are applied, types of pesticides that are applied) subject to approval of the Agricultural Commissioner and the Planning Director.
- (c) The Permittee shall install a vegetative screen (shelter belt) that meets the following minimum requirements:
- The vegetative buffer shall consist of two staggered rows of trees/bushes characterized by foliage that extends from the base of the plant to the crown.
  - The two staggered rows shall be planted five feet apart and consist of minimum five-gallon plants at least six feet in height, planted 10 foot on center at the time of installation.
  - Trees and shrubs shall be vigorous, drought tolerant and shall have 50% to 75% percent porosity (i.e., approximately 50 to 75 percent of the vegetation is air space).
  - Plant height shall vary, in order to capture drift within four feet of ground applications.



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- A mature height of 15 feet or more is required for trees
  - Recommended plants include: Toyon (*Heteromeles arbutifolia*), Sugarbush (*Rhus ovata*), Laurel Sumac (*Malosma laurina*), and Italian cypress (*Cupressus sempervirens*).
- (d) To deter trespassing, pilferage and vandalism of agricultural crops, the Permittee shall install an eight-foot chain link fence on the agricultural side of the vegetative screen.
- (e) A landscape plan for the required vegetative screen shall be submitted to the Planning Director for approval prior to issuance of a Zoning Clearance for construction of residential units. The vegetative screen shall be planted and the chain link fence and the multi-purpose pathway shall be completed prior to issuance of Zoning Clearance for occupancy for residential development. Maintenance of the portion of the agricultural buffer which includes the vegetative screen area, the required fence and multi-purpose pathways and associated landscaping shall be the responsibility of the homeowner's association. The homeowner's association will not be responsible for maintenance of any portion of the agricultural buffer on the agricultural side of the fence.

Monitoring Responsibility: Planning Division, Agricultural Commissioner

Monitoring Work Program: Prior to recordation of the Tract Map, Planning Division will ensure that a deed restriction or easement has been recorded for the agricultural buffer. Prior to issuance of a Zoning Clearance for construction, the Planning Division will approve the landscape plan for the vegetative screen. If the owner of the adjacent agricultural designated land enters into a contract to modify standard, legal farming practices pursuant to item (b) above, the agreement shall be approved by the Agricultural Commissioner prior to recordation of the tract map. Prior to issuance of a Zoning Clearance for occupancy of residential development, the Planning Division will ensure that the vegetative screen has been planted and will inspect to ensure that all improvements required for the agricultural buffer have been completed.

Standard of Success: Agricultural buffer/vegetative screen installed.

**RPD-19. Scenic Resources Mitigation**

*(Mitigation Measure SR-1, SR-4 and SR-5)*

- (a) Parkway planting is to incorporate trees designed to create an attractive shade canopy for the bicycle/pedestrian pathway.
- (b) A landscaped gateway entry area shall be provided to create an attractive entrance to the Piru community, soften views of stormwater detention facilities, sound attenuation features and planned development and adjacent to Main Street and the detention basin
- (c) Prior to issuance of a Zoning Clearance for construction, a landscape plan for items (a) and (b) above shall be prepared and reviewed by the Piru Neighborhood Council and approved by the Planning Division. Maintenance of these landscaped areas shall be the responsibility of the homeowner's association. The landscape plan shall minimize use of lawn grasses, substituting decorative grasses and xeriscape (low water usage) plants where appropriate.

Monitoring Responsibility: Planning Division

Monitoring Work Program: Prior to issuance of a Zoning Clearance for construction the Planning Division will coordinate review of the required landscape plan by the Piru Neighborhood Council and will approve the landscape plans for the vegetative screens, detention basins and entry area landscaping and sound wall/berm.

Standard of Success: Installation of landscaping as prescribed.

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**RPD-20. Construction Noise Mitigation**

*(Mitigation Measure N-1, N-2 and N-3)*

The following requirements shall apply to the construction phase of the project:

- (a) Construction shall be limited to 8 a.m. to 6 p.m. Monday through Friday.
- (b) All construction contractors shall adhere to all applicable equipment and operations noise reduction measures contained in Appendix D of the County's adopted Construction Noise Thresholds and Control Measures (see Appendix 8.6). A copy of this Appendix D shall be provided to all construction contractors.
- (c) Prior to issuance of a Zoning Clearance for construction, all adjacent homes will be provided with a copy of these construction noise requirements and appropriate phone numbers in the event of noise complaints. These numbers shall include the site superintendent/supervisor as well as the Planning Division condition compliance personnel.
- (d) If a construction related noise complaint is received, and determined to be valid by the County Planning Division, the County Planning Division shall employ (at the Permittee's expense) an acoustical professional to determine if County noise standards are being exceeded. In the event the requirements identified in paragraph (b) above are not adequate in reducing construction noise impacts at existing residences, the contractor shall also implement construction noise propagation path reduction measures and/or sensitive receptor construction noise reduction measures, as described in Appendix D of the County's adopted Construction Noise Thresholds and Control Measures (see EIR Appendix 8.6).

Monitoring Responsibility: Planning Division

Monitoring Work Program: Prior to issuance of a Zoning Clearance for construction, Planning Division will confirm that adjacent residents have been notified as required under item (c). If a noise complaint is received Planning Division will conduct an onsite inspection and if necessary will employ an acoustical expert to determine if the noise standard is being violated. Additional enforcement action will occur as necessary pursuant to Condition # RPD-5.

Standard of Success: Compliance with County construction noise standards

**RPD-21. Traffic Noise Mitigation**

*(Mitigation Measure N-4, N-5, N-6, N-7 and N-8)*

- (a) The following is applicable to homes located within 100 Feet of the centerline of Main Street (60 to 65 dB(A) CNEL):
  - (1) All windows with an unobstructed view of Main Street shall have a minimum STC (sound transmission class) rating of 24.
  - (2) Outdoor private recreation areas for multi-family housing (e.g., Rider component) shall be located to the rear of residential buildings, so that the building would act as a sound attenuating barrier, providing rear recreation areas which comply with the County outdoor noise standard.
- (b) The following is applicable to all homes located between 375 and 750 feet of SR-126 (60 to 65 dB(A) CNEL):
  - (1) All windows with an unobstructed view of SR-126 shall have a minimum STC (sound transmission class) rating of 24.

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- (c) Prior to issuance of a Zoning Clearance for Construction, Permittee shall provide a report from a qualified acoustical engineer demonstrating that the proposed subdivision will comply with the County noise standards.

Monitoring Responsibility: Planning Division  
Monitoring Work Program: Prior to issuance of a Zoning Clearance for Construction, Planning Division will confirm that the acoustical engineer has demonstrated compliance with the County Noise Standard. Zoning Clearance for construction will require compliance with noise requirements listed in items (b), (c) and (d) above.  
Standard of Success: Compliance with the County Noise Standard

**RPD-22. Industrial and Water Pump Noise Mitigation**

*(Mitigation Measure N-9)*

- (a) Industrial Noise - An eight foot solid wall shall be constructed between Fillmore-Piru Citrus Association packing plant and the site to reduce industrial noise impacts. The wall shall be landscaped or otherwise designed to reduce the potential for graffiti. See additional requirements for walls in Condition # RPD-25.
- (b) Water Pump Noise - Any houses located within 100 feet of an existing water pump shall be subject to one of the following requirements:
- (1) All windows facing the water pump site shall have a minimum STC (sound transmission class) rating of 24, or
  - (2) Permittee shall erect an impervious barrier around the side(s) of the pump and motor that would block line-of-sight noise transmission to noise-sensitive receptors. This would not need to include more than three sides of the pump, so that ventilation would not be impeded, or
  - (3) A qualified acoustical consultant shall demonstrate the pump will not result in an exceedance of the County's noise standard.

Monitoring Responsibility: Planning Division  
Monitoring Work Program: Prior to issuance of a Zoning Clearance for construction, Planning Division will confirm compliance with the noise requirements listed in items (a) and (b) above.  
Standard of Success: Compliance with County Noise standard

**RPD-23. Design Review**

*(Mitigation Measure CC-3)*

Prior to issuance of a Zoning Clearance for construction, development plans shall be reviewed for consistency with the Piru Community Design Guidelines by the Piru Neighborhood Council (PNC) and approved by the Planning Division. The PNC shall respond in writing to the Planning Division, either recommending design approval or providing a list of corrections necessary to achieve consistency with the Piru Community Design Guidelines. Such response shall be provided within 45 days of PNC's receipt of a detailed design package including building elevations, a palette of colors and materials, site plans, energy conservation plans and water conservation plans, grading and drainage plans, landscape plans, plans for walls and fences, lighting plans signage plans and plans for traffic calming and specialty paving, as applicable. If substantial changes are made by the Permittee in response to the PNC determination, the Planning Director may request an additional review by the PNC. If the PNC fails to provide a written response within 45 days,

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the Planning Director is authorized to approve the project design, subject to the normal appeal process.

Monitoring Responsibility: Planning Division  
Monitoring Work Program: Prior to issuance of a Zoning Clearance for construction, Planning Division will coordinate review of detailed plans with the Piru Neighborhood Council and will approve the final plans.  
Standard of Success: PNC will have an opportunity to provide input into the final design of the project.

**RPD-24. Planted Parkways**

*(Mitigation Measure CC-5)*

Landscaped parkways shall be provided along all interior residential streets, except private drives within the single-family detached condominium parcel, and shall be planted with trees designed to form a shade canopy over the street at maturity. Tree trimming within the parkway shall be the responsibility of the homeowner's association.

Monitoring Responsibility: Planning Division  
Monitoring Work Program: Prior to recordation of the Tract Map Planning Division will ensure that HOA CC&Rs adequately address maintenance of parkways. Prior to issuance of a Zoning Clearance for construction, Planning Division will coordinate review of landscape plans with PNC and will approve final landscape plans. Prior to issuance of a Zoning Clearance for Occupancy of residential units Planning Division will confirm that the parkways have been planted as required.  
Standard of Success: Tree lined parkways will be provided along all interior streets.

**RPD-25. Walls and Fences**

*(Mitigation Measure CC-9)*

- (a) No walls or fences over three feet in height shall be constructed within 25 feet of Main Street, except as may be required for Condition # RPD-36.
- (b) Any wall or fence or berm in excess of 6 feet in height shall be reviewed by the Piru Neighborhood Council and approved by the Planning Director.
- (c) Any walls or fences shall be designed to discourage graffiti by effective use of materials or landscaping.
- (d) The homeowner's association shall be responsible for ensuring the maintenance of walls and fences (adjacent to a public street or visible from Highway 126) in a safe, attractive, and graffiti free condition.

Monitoring Responsibility: Planning Division  
Monitoring Work Program: Prior to recordation of the Tract Map Planning Division will confirm that the HOA CC&Rs adequately address requirements in item (d) above. Prior to issuance of a Zoning Clearance for construction, the Planning Division will coordinate review of walls/fences over 6 foot in height with the PNC and will approve the design and will ensure that the plans are in compliance with the above standards for walls and fences.  
Standard of Success: PNC will have an opportunity to provide input into the final design of walls and fences over 6 feet in height and walls and fences will not create a graffiti problem.

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**RPD-26. Park Construction**

The park (required by Condition # TT-15) must be completed prior to issuance of a Zoning Clearance for occupancy of the 87<sup>th</sup> dwelling unit within the RPD.

**RPD-27. Emergency Shelter Mitigation**

*(Mitigation Measures LE/ES-2)*

Prior to issuance of a Zoning Clearance for construction of residential units, Permittee shall submit \$50.00 per dwelling unit to an American Red Cross Ventura County (ARCVC) dedicated fund that will be used to purchase Piru-designated emergency shelter supplies and a storage container and to provide ongoing training of Piru residents on emergency preparedness.

Monitoring Responsibility: Planning Division  
Monitoring Work Program: Prior to issuance of a Zoning Clearance for residential construction, the Planning Division will confirm that the ARCVC fee has been paid.  
Standard of Success: Emergency supplies will be available to residents in the event of a disaster.

***Environmental Health Division***

**RPD-28. Septic Systems Abandonment**

Any existing septic systems on the subject property shall be properly abandoned.

**RPD-29. Maintenance of Water Impoundments**

All water impoundment(s) shall be maintained in a manner, which will not create mosquito breeding sources.

**RPD-30. Swimming Pool**

Prior to issuance of a building permit for the swimming pool within the single-family detached condominium parcel community recreation area, obtain a permit to construct a pool from the Community Services Section of the Environmental Health Division. Please contact the Pool Plan Check Specialist at (805) 654-2825.

**Public Works Agency Conditions**

***Watershed Protection District***

**RPD-31. NPDES Permit Compliance**

Development shall be undertaken in accordance with all conditions and requirements of the Ventura Countywide Stormwater Quality Management Program, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS004002 (Stormwater Permit). The project shall employ NPDES best management practices in accordance with the Ventura Countywide Stormwater Program “Technical Guidance Manual for Stormwater Quality Control Measures” (Technical Guidance Manual), the California Stormwater Quality Association (CASQA) “BMP Handbooks” and/or other approved reference documents cited in the Stormwater Permit.

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**RPD-32. Compliance with SQUIMP**

Prior to zoning clearance or issuance of encroachment permit, the Permittee shall comply with all design requirements of the Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) provisions as issued in the Ventura Countywide Municipal Stormwater Permit (Stormwater Permit CAS004002). The provisions applicable to all SQUIMP categories include conserving natural areas, minimizing pollutants of concern, protecting slopes and channels, providing storm drain signage & stenciling, properly designing outdoor material storage areas, properly designing trash enclosures, furnishing proof of on-going BMP maintenance, and properly designing structural or treatment control BMPs. The Permittee is required to use the Ventura Countywide Stormwater Program "Technical Guidance Manual for Stormwater Quality Control Measures" (Technical Guidance Manual) as the basis of NPDES mitigation design.

At a minimum, the following SQUIMP requirements *must* be satisfied:

**(a) BMP Sizing Requirements** - Prior to issuance of a zoning clearance, encroachment permit, or grading permit, the project's engineer shall submit analyses to the Water Quality Section demonstrating that the proposed SQUIMP required Best Management Practices (BMPs) for stormwater treatment will mitigate pollutants of concern. The analyses shall include calculations indicating that the selected BMPs satisfy one of the following sizing criteria:

- (1) Treat the storm flow equivalent to ten percent (10%) of the 50-year peak flow; or
- (2) Treat the volume of annual runoff (based upon the unit storage water quality volume) to achieve 80 percent or more volume treatment by the method recommended in the *Ventura Countywide Stormwater Quality Management Program Technical Guidance Manual for Stormwater Quality Control Measures (2002)*."

**(b) Parking Lot Design Provisions** - To minimize the offsite transport of pollutants from parking surfaces (such as heavy metals, oils, grease, and hydrocarbons), the following design criteria are required:

- Reduce impervious land coverage of parking areas
- Infiltrate runoff before it reaches the storm drain
- Treat runoff before it reaches the storm drain system

The maintenance of all associated source control (prevention) and treatment control best management practices shall be assured.

**(c) Storm Drain Inlet Labels** - All on-site drain inlets, whether newly constructed or existing, shall be labeled "Don't Dump - Drains to \_\_\_\_\_" in accordance with Section 4, S-1, page 4-3 of the Technical Guidance Manual.

**(d) Trash/Recycling Areas** - Trash enclosures and/or recycling area(s) shall be covered and shall be designed in accordance with Section 4, S-3, page 4-7 of the Technical Guidance Manual. All litter/waste material shall be kept in leak proof containers. Area(s) shall be paved with impermeable material. No other area shall drain onto these areas. The trash enclosure and/or recycling area(s) shall not drain to the storm drain system or the sanitary sewer and all clean-up shall be performed using dry cleanup methods.

**(e) Landscaped Areas** - Landscaped areas shall be designed with efficient irrigation to reduce runoff and promote surface filtration and minimize the use of fertilizers and

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pesticides that can contribute to urban runoff pollution. Unless otherwise recommended in the soils report, on-site stormwater discharges (including roof drains if applicable) shall be directed toward landscaped areas to the maximum extent practicable.

**RPD-33. NPDES Maintenance Plan**

The Permittee shall provide the District with a written Maintenance Manual detailing how this device will be managed. In addition, this manual shall also be recorded as a part of the development's CC&R's.

- At a minimum, this manual shall:
  - indicate the location of each installed device
  - incorporate the expected maintenance processes and procedures necessary to provide for continued operation and optimum performance
  - provide a timeline for all maintenance activities
  - include any technical information that may be applicable to ensure the proper functionality of this device.

**RPD-34. NPDES Deed Restriction Regarding Best Management Practices (BMPs)**

The Permittee/owner shall record a Covenant and Deed Restriction on the property *and furnish a copy of same to the Water Quality Section* prior to issuance of the first building/paving/grading permit for the project, which requires all property owners and their successors in interest to assume all Best Management Practice (BMP) duties and responsibilities including, but not limited to, maintenance of all Best Management Practice and any and all equipment which is required for implementation of Best Management Practices. Contained within the Covenant and Deed Restriction must be a description of the BMPs that are being provided as part of the project, a description of the maintenance requirements and how the necessary maintenance shall be performed. The language included in the Covenant and Deed Restriction shall be submitted for review and approval prior to its recordation.

**RPD-35. Warring Wash**

The project is adjacent to the Warring Canyon South channel, a jurisdictional red line channel. The drainage calculation report prepared by Jensen Design on February 5, 2007 states that the drainage system for the proposed development has been designed per the County of Ventura Standards. The site plans provided also indicated building within the bed and banks of the channel. Prior to issuance of the Zoning Clearance for construction the developer must apply and receive permit to work within the District channel from the Watershed Protection District. Prior to issuance of a Zoning Clearance for occupancy, the Watershed Protection District shall sign-off on the certificate of occupancy.

**RPD-36. Safety, Design and Maintenance of Stormwater Detention Basins**

*(Mitigation Measures FC-2)*

To reduce impacts associated with proposed detention basins, the following shall be required:

- (a) In order to prevent human contact with the standing water, public signs shall be posted warning of potential health risk during times when the basin has standing water.
- (b) In order to prevent standing-water situations that increase the potential for mosquito breeding, all detention basins shall drain completely within 48 hours of a Q100 storm event.

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- (c) All detention basins shall incorporate Best Management Practices (per NPDES standards) for storm water quality purposes to reduce or eliminate contaminants and trash from entering into the public storm drain system, including the Main Street drainage (if applicable).
- (d) Water detention basins shall be maintained in the following manner:
- Inlet and outlet devices shall be routinely cleaned.
  - The basins shall remain clear of debris and trash
  - Sediments shall be periodically removed.
  - All landscaping shall be maintained. Any erosion shall be re-vegetated.
  - All detention basins shall be maintained by a Homeowner's Association (HOA). In order to ensure proper maintenance of the basin, public signs will be posted in which the telephone number(s) of the HOA and the proper county agency will be listed. This will enable the public to make requests or complaints regarding maintenance issues.
- (e) If the basin is designed for both water detention and recreation, the following additional measures shall be complied with:
- If children's play equipment is to be placed near these basins, then it shall be placed above the maximum water line and outside the depression area of the basin. If any fence/barrier and gate are required due to the basin's design (see below), then play equipment must be placed outside of such fencing/gating. The maximum water line should be based on the amount of stormwater detained that is the difference between Q10 and Q100 storm events (with a pre-development Q10 peak storm release rate).
  - To prevent excessive bacteria-causing animal feces, vending machines with plastic baggies shall be made available and public signs posted encouraging people to clean up after their pets.
  - To address potential public safety impacts, any detention basin that will contain water at a depth of 18 inches or more must be separated from the public by a five foot high, fence/barrier (climbing resistant) and a gate that shall be closed during the presence of standing water. Detention basins that will contain standing water at a depth of less than 18 inches shall be designed to be no steeper than 10:1 on at least one side and shall have all other slopes no steeper than 5:1 if no perimeter fence/barrier exists; for any slopes greater than 5:1, a perimeter fence/barrier (climbing resistant) shall be installed to prevent public access through such slopes.
- (f) Any single-purpose (non-recreational) or dual-purpose (recreational) detention basin that is designed to hold water at a depth of 18 inches or more for more than 12 hours, with surrounding slopes steeper than 5:1 shall be surrounded by a fence/barrier consistent with the outdoor swimming pool standards of the Ventura County Building Code and County Zoning Ordinance.

Monitoring Responsibility: Planning Division and Watershed Protection District

Monitoring Work Program: Prior to recordation of the Tract Map Planning Division will ensure that Public Works and Watershed Protection District have approved the final plans for the stormwater detention basin

Standard of Success: Construction of the detention basin in conformance with the above requirements.



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***Development and Inspection Services Division:***

**RPD-37. Grading Permit**

Prior to issuance of a Zoning Clearance for construction or issuance of a building permit, the Permittee shall:

- (a) Submit to the Public Works Agency for review, a site plan showing existing and proposed elevations. A Grading Permit shall be obtained unless determined by the Public Works Agency that a Grading Permit is not necessary. If a Grading Permit is determined necessary, a State of California licensed civil engineer shall prepare the grading plans and a Grading Permit shall be obtained.
- (b) If it is determined that a Grading Permit is required, the Permittee shall submit to the Public Works Agency for review and approval, a Geotechnical/Soils Engineering Report that provides recommendations for the grading plans submitted. The grading plan shall incorporate the recommendations of the approved report.
- (c) If it is determined that a Grading Permit is required, the Permittee shall, upon request, submit to the Public Works Agency for review and approval a Geology Report that provides recommendations for the Grading Plans submitted. The grading plan shall incorporate the recommendations of the approved report.

**RPD-38 Payment of PWA Fees**

Prior to issuance of a Zoning Clearance for construction, all Public Works Agency permit processing and enforcement fees owed must be paid. After Issuance of the Zoning Clearance, any additional processing fees must be paid within thirty (30) calendar days of the billing date.

***Water and Sanitation Department:***

**RPD-39. Sewage Treatment Plant**

*(Mitigation Measures ST-1)*

Zoning Clearances for occupancy of residential developments shall not be issued until the PWWTP expansion is completed.

Monitoring Responsibility: Planning Division, Water Works District 16  
Monitoring Work Program: Prior to issuance of a Zoning Clearance for occupancy, the Planning Division will confirm that the treatment plant expansion is complete.  
Standard of Success: The Piru Wastewater Treatment Plant will be adequate to serve new development

***Transportation Department:***

**RPD-40. Encroachment Permit**

Prior to any work being conducted within the County or State right-of-way, the Permittee shall obtain an Encroachment Permit from the appropriate Agency. The Permittee shall submit to the Public Works Agency street improvement plans for review and approval.

**RPD-41. Private Streets and Alleys**

The streets through the proposed development are private streets and do not comply with current County of Ventura Road Standards, as adopted by the Board of Supervisors.

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The Permittee shall advise all potential buyers of individual lots or homes, as part of any sales or advertising literature, as part of any sales contract or equivalent documents, that the access roads are private roads. This advertisement must include words to the effect that the private streets and alleys are not maintained by the County of Ventura, nor does the County have any authority, jurisdiction, or responsibility to maintain said roads. Further, unless the roads within the development are improved to County of Ventura road standards in the future, the Board of Supervisors' policy precludes future acceptance of these into the County maintained road system.

**RPD-42. Ventura County Regional Road Network TIMF**

*(Mitigation Measures T-17)*

Prior to issuance of the Zoning Clearance for construction, the Permittee shall deposit with the Transportation Department a Traffic Impact Mitigation Fee for the Piru District as required by the currently adopted Traffic Impact Mitigation Fee Ordinance. Payment of this fee will mitigate the project's traffic impacts on the Ventura County Regional Road Network.

Based on the information provided by the Permittee, the Traffic Impact Mitigation Fee due the County would be:

$$1,639 \text{ ADT} \times \$16.22 = \$26,584.58$$

The above fee may be subject to adjustment at the time of deposit, due to provisions in the Traffic Impact Mitigation Ordinance allowing the Fee to be adjusted for inflation based on the Caltrans District 7 Construction Cost Index.

<p><u>Monitoring Responsibility:</u> Planning Division, Transportation Department</p> <p><u>Monitoring Work Program:</u> Planning Division will confirm with Transportation Department that required fees have been deposited prior to issuance of a Zoning Clearance for construction</p> <p><u>Standard of Success:</u> Full funding of identified regional road network traffic improvements</p>
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**RPD-43. Safe Pathways**

*(Mitigation Measures T-5 and T-14)*

- (a) Pedestrian and bicycle pathways shall be constructed along Main Street and shall be extended north of the project to the existing pedestrian pathways north of the railroad right-of-way in order to provide a safe pathway to downtown Piru and Piru Elementary School. The Permittee's responsibility will be to install new curb, gutter, street paving (if needed), parkway landscaping and a bicycle/pedestrian pathway continuously along the west side of Main Street from the ARCO/Mini-mart property (APN 056-0-180-18) to connect with existing improvements north of the railroad tracks.
- (b) Such improvements shall be bonded for prior to issuance of a Zoning Clearance for residential construction, and improvements shall be completed prior to issuance of occupancy permits for residential development.
- (c) With respect to properties where public right-of-way does not currently exist and which property is not under the control of the Permittee, the Permittee shall make a written offer to construct the above improvements. If the offer to construct the curb, gutter and bicycle/pedestrian improvements is rejected by the land owner, the Permittee will provide written notice to the Planning Division. If the Board of Supervisors elects to utilize its powers of eminent domain, the Permittee shall be responsible for the improvement costs.

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If the County is not willing to use its power of eminent domain, Permittee will have no further obligation regarding this requirement.

Monitoring Responsibility: Planning Division

Monitoring Work Program: Prior to issuance of Zoning Clearance for construction, Planning Division will ensure that sidewalks are fully bonded. Planning Division will confirm that sidewalks have been constructed prior to issuance of a Zoning Clearance for occupancy of residential development.

Standard of Success: A safe pathway to from the development to Piru School will be constructed

### ***Integrated Waste Management Division (IWMD:)***

#### **RPD-44. Commercial Generator: Waste Diversion and Recycling Requirement**

During the demolition, construction and/or operational phases of this project, the Permittee, as a commercial generator of waste shall adhere to Section 4770-2 Commercial Customer Waste Diversion Requirements, of the Codified Ordinances of the County of Ventura, which states, in part "...The Director (Water and Sanitation Department) may develop, maintain, and publish, in consultation with Contract Collectors and other Diversion industry representatives, a "Directors List of Commercial Recyclables" that shall be subject to the requirements of Section 4770-2.2."

#### **RPD-45. Supply & Use of Separate Recyclables Containers for Commercial Customers**

If the IWMD determines that any materials on the *Director's List of Commercial Recyclables* are being generated by the Permittee, or his tenants, in quantities that justify separate bins for collection and recycling, the Permittee shall ensure that a County approved commercial hauler, or temporary waste collector, provides the required containers for the separated collection of these materials. Contact Everett King in the IWMD, at (805) 658-4320, for assistance in meeting this condition. The Director's List of Commercial Recyclables may be found at: <http://www.wasteless.org/PDF%20files/RecyclablesListBusiness-English.pdf>.

#### **RPD-46. Construction & Demolition Debris Waste Diversion Plan**

Prior to the issuance of a Zoning Clearance for construction, the Permittee shall submit a Construction & Demolition Debris Waste Diversion Plan (Form B) to the IWMD for approval. The plan shall outline how all recyclables on the *Director's list of Commercial Recyclables* will be diverted from the waste stream. Contact Howard E. Hope in the IWMD, at (805) 658-4322, for assistance in meeting this condition. Form B may be found at: <http://www.wasteless.org/PDF%20files/Form%20B.pdf>.

The requirements outlined in Form B shall be printed on the construction plans and shall read: "It is required that the following recyclable construction materials generated from this project be deposited in appropriate recycling bins and recycled, reused, and/or salvaged: (the list to be determined from the recycling plan)."

#### **RPD-47. Construction and Demolition Debris Waste Diversion Reporting Form**

At the conclusion of construction, and prior to issuance of a Zoning Clearance for Occupancy or Use Inauguration, the Permittee shall submit a Construction and Demolition Debris Waste Diversion Reporting Form (Form C) for the project to the IWMD for approval. Original weight tickets or receipts must be attached to verify that recycling, reuse, and/or salvage occurred. Contact Howard E. Hope in the IWMD, at (805) 658-4322, for assistance in meeting this condition. Form C may be found at: <http://www.wasteless.org/PDF%20files/Form%20C.pdf>.

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**RPD-48. Green Material, Wood, Soil – Recycling & Reuse**

Ordinance #4308 specifies that all organic materials on the *Director's List of Commercial Recyclables* must be recycled. All of the wood waste and green material generated by land-clearing and/or construction activities on the property must be recycled. This can be accomplished by on-site chipping and reuse, or by transporting the vegetation to one of the County's authorized and permitted greenwaste facilities. Any excavated soil that is not used on site during the construction and/or landscaping phases of the project must be reused; landfilling as Municipal Solid Waste is prohibited. Contact Sandy Lomeli in the IWMD, at (805) 658-4325, for assistance in meeting this condition.

**RPD-49. Mixed-Use Projects - Space Allocation Guidelines**

Due to the planned 8,500 square foot commercial center, this project shall be subject to space allocation guidelines for collection and loading areas under Public Resources Code 42900-42901, the California Solid Waste Reuse and Recycling Access Act of 1991. These guidelines recommend enclosures, recycling plans, and signage. Contact Pandee Leachman in the IWMD, at (805) 658-4315, for assistance in meeting this condition. The Space Allocation Guidelines may be found at:  
<http://www.wasteless.org/PDF%20files/Space%20Allocation%20Guidelines.pdf>.

**RPD-50. Usage of Recycled Content Building Materials**

Recycled-content building materials, such as drywall, steel, aluminum, plastic lumber for fences or decking, ceramic tile, cellulose insulation, and composite engineered wood products shall be incorporated into the project's design and construction when economically feasible and compatible with design objectives.

**RPD-51. Vehicle Used Oil Recycling**

The Permittee shall arrange for the proper recycling of all discarded recyclable materials (motor oil, used oil filters, batteries, antifreeze) removed from any private passenger, commercial or agricultural vehicles maintained and/or repaired onsite during the demolition, construction, and/or operational phases of this project. Contact Don Sheppard in the IWMD, at (805) 658-4318, for assistance in meeting this condition.

**Air Pollution Control District (APCD) Conditions:**

**RPD-52. Dust Mitigation Plan**

*(Mitigation Measures AQ-1, AR-2, AR-3, AR-4 and AR-5)*

The following dust control procedures shall be implemented during the projects' construction phase:

- (a) The area disturbed by clearing, grading, earthmoving or excavation shall be minimized to prevent excessive amounts of dust.
- (b) All unpaved on-site roads and all active portions of the site shall be periodically watered or treated with environmentally safe dust suppressants to prevent excessive amounts of dust.
- (c) All trucks that will haul excavated or graded material off site shall comply with State Vehicle Code Section 23114, with special attention to Section 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.

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- (d) Adjacent streets shall be swept at the end of each work day, if visible soil material is carried over to adjacent streets.
- (e) During periods of high winds (i.e., wind speed greater than 15 miles per hour averaged over one hour) all clearing, grading, earth moving and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off-site or on-site.
- (f) Signs shall be posted limiting on-site speed limits to 15 mph.
- (g) Wheel washers, track out devices and/or other means, including vehicle wash-offs, shall be installed and operated where vehicles exit unpaved roadways onto paved roads.
- (h) Temporary fencing with tarps or similar material will be provided between the area to be graded and the adjacent farmland and developed areas to minimize dust impacts.
- (i) Graded and/or excavated inactive areas of construction shall be monitored by construction personnel at least daily for dust stabilization. Soil stabilization methods, such as application of water and dust control materials, and roll compaction, shall be periodically applied to portions of the construction site that are inactive for more than one day.
- (j) If grading and construction of the proposed project causes excessive dust deposition on agricultural crops, the grading contractor shall cooperate with the grower to wash the crops with water.
- (k) Construction equipment engines shall be maintained in good condition and in proper tune as per manufacturer's specifications.
- (l) Prior to issuance of a Zoning Clearance for construction, all adjacent homes will be provided a copy of these dust control procedures and appropriate phone numbers in the event of dust complaints. These numbers shall include the site superintendent/supervisor as well as the APCD Compliance Division, APCD's 24-hour complaint line and the Planning Division condition compliance personnel.

Monitoring Responsibility: Planning Division and Air Pollution Control District

Monitoring Work Program: Prior to issuance of a Zoning Clearance for construction, demolition, and grading activities, the Planning Division shall verify that adjacent property owners have received notice pursuant to item (m). Planning staff will conduct at least one site review during the grading phase to ensure compliance with all dust mitigation measures and Planning Division condition compliance personnel and APCD staff will respond to any complaints received pursuant to item (m). If a violation is confirmed additional enforcement action will be taken pursuant to Condition # RPD-5.

Standard of Success: No visible dust beyond the property line, no visible dirt/mud on public streets.

**RPD-53. Bicycle Parking**  
(Mitigation Measures AQ-2)

Bicycle parking racks or lockable storage areas shall be incorporated into the park, the mixed use site and the recreation area for the single-family detached condominium parcel.

Monitoring Responsibility: Planning Division

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Monitoring Work Program: Pursuant to Condition # TT-15 and RPD-26, Planning Division will ensure bicycle facilities are shown on the park improvement plan and the park will be inspected upon completion of the park, the mixed use site and the recreation area for the single-family condominium development

Standard of Success: Bicycle parking facilities are installed.

## **Ventura County Fire Protection District Conditions:**

### **RPD-54. Construction Access**

Prior to combustible construction, all utilities located within the access road and the first lift of the access road pavement shall be installed. A minimum 20-foot clear width shall remain free of obstruction during any construction activities within the development once combustible construction starts.

### **RPD-55. Address Numbers**

Address numbers, a minimum of 4 inches (4") high, shall be installed prior to occupancy, shall be of contrasting color to the background, and shall be readily visible at night. Brass or gold plated numbers shall not be used. Where structures are set back more than 150 feet (150') from the street, larger numbers will be required so that they are distinguishable from the street. In the event the structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post.

### **RPD-56. Street Name Signs**

Street name signs shall be installed in conjunction with the road improvements. The type of sign shall be in accordance with Ventura County Road Standards and Condition # RPD-12(a)(10).

### **RPD-57. Fire Flow**

The minimum fire flow required shall be determined as specified by the current adopted edition of the Uniform Fire Code Appendix III-A with adopted Amendments and the applicable Water Manual for the jurisdiction (with ever is more restrictive). Given the present plans and information, the required fire flow is approximately 1,000 gallons per minute at 20 psi for a minimum 2 hour duration. A minimum flow of 1,000 gallons per minute shall be provided from any one hydrant. The Permittee shall verify that the water purveyor can provide the required volume and duration at the project prior to obtaining a building permit.

### **RPD-58. Fire Hydrant Plan**

Prior to construction, the Permittee shall submit plans to the Fire District for placement of fire hydrants. On plans, show existing hydrants within 250 feet of the development. Indicate the type of hydrant, number and size of outlets.

### **RPD-59. Fire Hydrant**

Prior to construction on any parcel, water mains shall be extended and new fire hydrants shall be installed and in service at locations approved by the Fire Department. Fire hydrants shall conform to the minimum standards of the Ventura County Water Works Manual and the following:

- (a) Each hydrant shall be a 6 inch wet barrel design and shall have one (1) 4 inch and one (1) 2 ½ inch outlet.

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- (b) The required fire flow of 1,000 gpm shall be achieved at no less than 20-psi residual pressure.
- (c) Fire hydrants shall be spaced 500 feet on center, and so located that no structure will be farther than 250 feet from any one hydrant.
- (d) Fire hydrants shall be set back from the curb face 24 inches on center.
- (e) No obstructions, including walls, trees, light and signposts, meter, shall be placed within three (3) feet of any hydrant.
- (f) A concrete pad shall be installed extending 18 inches out from the fire hydrant.
- (g) Ground clearance to the lowest operating nut shall be between 18 to 24 inches.

**RPD-60. Hydrant Location Markers**

Prior to occupancy of any structure, blue reflective hydrant location markers shall be placed on the access roads in accordance with Fire District standards. If the final asphalt cap is not in place at time of occupancy, hydrant location markers shall still be installed and shall be replaced when the final asphalt cap is completed

**RPD-61. Fire Sprinklers**

Structures over 5,000 square feet and/or 5 miles from a fire station shall be provided with an approved fire sprinkler system in accordance with current FCFPD Ordinance.

**RPD-62. Building Plan Review**

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

**RPD-63. Hazardous Watershed Fire Area**

Portions of this site may be in a Hazardous Watershed Fire Area and those structures shall meet hazardous fire area building code requirements.

**RPD-64. Hazard Abatement**

All grass and brush exposing any structure(s) to fire hazards shall be maintained in accordance with VCFPD Ordinance.

**RPD-65. Hazard Abatement - Access Roads**

All grass and brush shall be cleared to a distance of ten (10) feet on each side of all access roads/driveways.

**RPD-66. Fire Department Clearance**

Permittee shall obtain VCFD Form #126 "Requirements for Construction" prior to obtaining a building permit for any new structures or additions to existing structures.