



Planning Director Staff Report Hearing on December 12, 2024

County of Ventura • Resource Management Agency

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

HAMIDZADEH DISCRETIONARY TREE PERMIT CASE NO. PL24-0082

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Discretionary Tree Permit (DTP) for removal of one heritage oak tree per Ventura County Non-Coastal Zoning Ordinance (NCZO) Section 8107-25.7.1(a).
2. **Applicant/Property Owner:** Amir Hamidzadeh 212 Dirt Road Lake Sherwood, CA 91361
3. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO), Section 8107-25.7, the Planning Director is the decision-maker for the requested DTP.
4. **Project Site Size, Location, and Parcel Number:** The 0.37-acre property is located at 141 Lake Sherwood Drive, approximately 2,000 feet east of the intersection of West Potrero Road and Lake Sherwood Drive, in the community of Lake Sherwood in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 695-0-062-140 (Exhibit 2).
5. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Very Low Density Residential
 - b. Lake Sherwood/Hidden Valley Area Plan Land Use Map Designation: Urban Residential 2-4 Dwelling Units/Acre.
 - c. Zoning Designation: RE-10,000 sq. ft. (Rural Exclusive, 10,000 square foot minimum lot size).
6. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	RE-10,000 sq ft (Rural Exclusive, 10,000 square foot minimum lot size)	Vacant

Location in Relation to the Project Site	Zoning	Land Uses/Development
East	OS-160 ac/SRP (Open Space, 160-acre minimum lot size/ Scenic Resource Protection Overlay Zone)	Vacant
South	RE-10,000 sq ft (Rural Exclusive, 10,000 square foot minimum lot size)	Single-Family Dwelling
West	OS-160 ac/SRP (Open Space, 160-acre minimum lot size/ Scenic Resource Protection Overlay Zone)	Vacant

7. History: The subject lot is developed with an existing single-family dwelling (720 square feet (sq. ft.)), constructed in 1932, prior to Ventura County requiring building permits in 1947. On June 14, 2024, a ministerial tree permit (AD24-0065) was issued for the removal of two Coast Live Oak trees, noted as Tree No. 6 and No.11 and authorization to prune Tree No. 7. On November 21, 2024, a ministerial tree permit (AD24-0153) was granted for the removal of Tree No. 12, because it was deemed unhealthy and a hazard to the existing structure (Exhibit 4, Arborist Report prepared by John Oblinger on August 28, 2024 and Addendum on October 22, 2024).

8. Project Description: The applicant requests a Discretionary Tree Permit (DTP) be granted to authorize the removal and/or on-site relocation of one heritage size oak tree, Oak Tree No. 2 (Exhibit 4, Arborist Report prepared by John Oblinger on August 28, 2024 and Addendum on October 22, 2024). Tree No. 2 is located on the east side of the lot fronting Lake Sherwood Drive. Tree No. 2 is proposed to be removed to allow for the construction of a 141-foot-long driveway, and four retaining walls varying in height from three feet to six feet tall. The driveway will serve an existing single-family dwelling. The applicant has elected to provide compensation for the removal of Tree No. 2 which is valued at \$25,592 and will be applied to the Tree Mitigation Fund for the County of Ventura. The remaining portion of the project site includes 14 oak trees, six of which are within the construction footprint. During construction, protective fencing and other measures will be employed to protect Trees Nos. 1, 7, 8, 9, Off Property (OP)1, and OP2.

Estimated earthwork to construct the driveway and retaining walls will consist of 47.9 cubic yards (cut and fill) (Exhibit 3). The subject property receives water from Ventura County Public Works Sanitation District and sewer services from Triunfo County Sanitation District.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

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

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. The proposed project is exempt from CEQA pursuant to the State CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3), Section 15303 (Construction or Conversion of Small Structures). The applicant is proposing to construct a driveway to an existing residence. According to the Arborist Report (Exhibit 4), Tree No. 2 will be removed to construct the driveway, and compensation for the tree will be provided, in accordance with the County of Ventura's Tree Protection Guidelines. Further, the project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Therefore, no further environmental review is required.

Therefore, this project is categorically exempt pursuant to Section 15303 of the CEQA Guidelines.

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

The proposed project has been analyzed and determined to be consistent with all applicable General Plan and Lake Sherwood/Hidden Valley Area Plan policies. A consistency analysis which evaluates the project's consistency with the policies of the General Plan is included as Exhibit 6 of this Staff Report.

D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the requirements of the Ventura County NCZO Section 8105-4, the proposed use is allowed in the RE 10,000 sq.ft. zone district with the granting of a DTP. Upon the granting of the DTP, the proposed project will comply with the requirements of the Ventura County NCZO.

E. DISCRETIONARY PERMIT FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a Discretionary Tree Permit pursuant to Section 8107-25.7 of the Ventura County NCZO. The ability to make the required findings is evaluated below.

Section 8107-25.7 - Discretionary Tree Permits and Standards: Except as provided, in Section 8107-25.4, 8107-25.5 or 8107-25.6, no person shall alter, fell, or remove a Protected Tree without obtaining a Planning Director approved discretionary Tree Permit. The Planning Director may approve a discretionary Tree Permit application with necessary conditions to promote the purpose of these tree ordinance regulations if:

Section 8107-25.7.1(a) - Discretionary Tree Permits and Standards: A heritage or historical tree is to be felled or removed from the site and its continued existence in its present form and/or location denies reasonable access to the subject property and/or the approved construction, maintenance, or use in a manner permitted by the zoning on said property.

Section 8107-25.7.5 - Discretionary Tree Permits and Standards: The Protected Tree has been recently altered or felled without the required permit and a person seeks to remove the tree, roots or limbs from the lot.

The applicant requests the removal of one heritage oak tree, Tree No. 2, (Exhibit 4, Arborist Report prepared by John Oblinger on August 28, 2024 and Addendum on October 22, 2024). Tree No. 2 is located towards the parcel's frontage and interferes with a proposed driveway. There lot is currently developed; no other location is feasible for the driveway. The applicant has elected to compensate for the tree and has submitted an appraisal report. Six additional protected oak trees may be encroached upon during construction of the driveway and retaining walls. If any protected trees are found to be in serious decline ("D" or "F" health rating, or "C" rating if initial assessment was "A", as identified in the Arborist Report, Exhibit 4), or if the proposed project results in the loss of any protected trees, the applicant is required to submit a Damaged Tree Addendum to the Tree Protection Plan which recommends offsets, specific location for offsets, and monitoring. Pursuant to the requirements of NCZO Section 8107-25.10, the applicant will be required to provide offsets for the loss of any of the affected trees identified in the arborist report (Exhibit 5, Condition of Approval No. 18)

Therefore, for the reasons set forth above, this standard can be met.

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

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), Ventura County NCZO (Section 8111-3.1). On November 24, 2024, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located. On November 29, 2024, the Planning Division placed a legal ad in the *Ventura County Star*.

G. RECOMMENDED ACTIONS


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

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **FIND** that this project is categorically exempt from CEQA pursuant to Section 15303 (Construction or Conversion of Small Structures) of the CEQA Guidelines.
3. **MAKE** the required findings to grant a DTP pursuant to Section 8107-25.7.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** DTP Case No. PL24-0082 subject to the conditions of approval (Exhibit 5).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

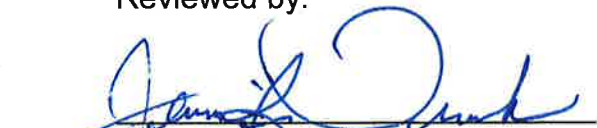
The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 10th day falls on a weekend or holiday). Any aggrieved person may file an appeal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

If you have any questions concerning the information presented above, please contact Aubrie Richardson at (805) 654-5097 or aubrie.richardson@ventura.org.

Prepared by:

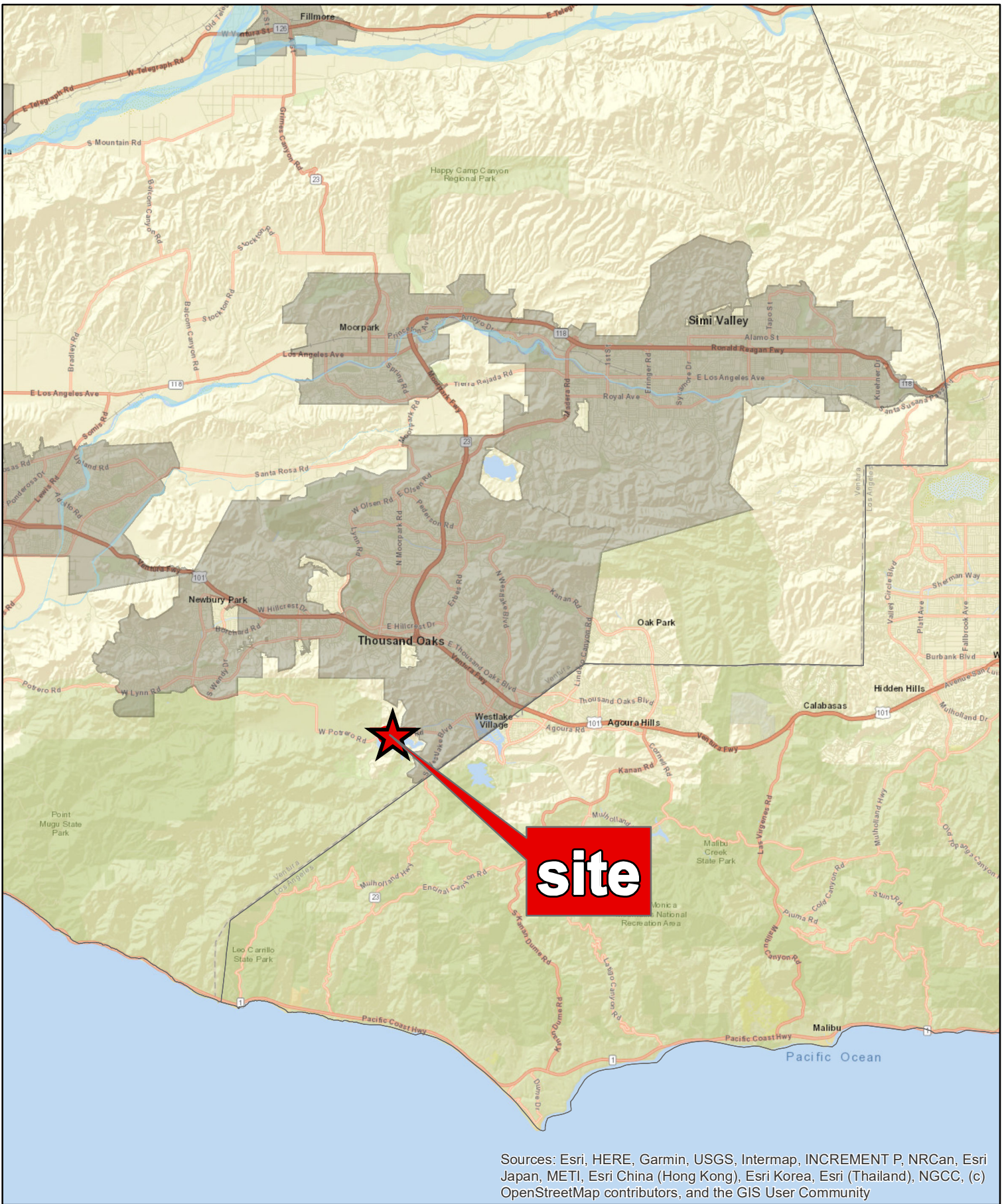

Aubrie Richardson, Case Planner
Residential Permitting Section
Ventura County Planning Division

Reviewed by:


Jennifer Trunk, Manager
Residential Permitting Section
Ventura County Planning Division

EXHIBITS

- Exhibit 2 Maps
- Exhibit 3 Plans
- Exhibit 4 Arborist Report prepared by John Oblinger on August 28, 2024 and Addendum on October 22, 2024
- Exhibit 5 Conditions of Approval and Mitigation Monitoring and Reporting Program
- Exhibit 6 General Plan Consistency Analysis



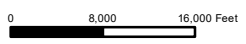
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map created on 11-21-2024



County of Ventura
Planning Director Hearing
Case No. PL24-0082
Exhibit 2 - Maps



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

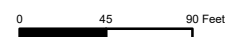




Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
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County of Ventura
Planning Director Hearing
APN: 695-0-062-14
PL24-0082
General Plan & Zoning Map



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695-0-062-14

LAKE SHERWOOD DR



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 11-21-2024
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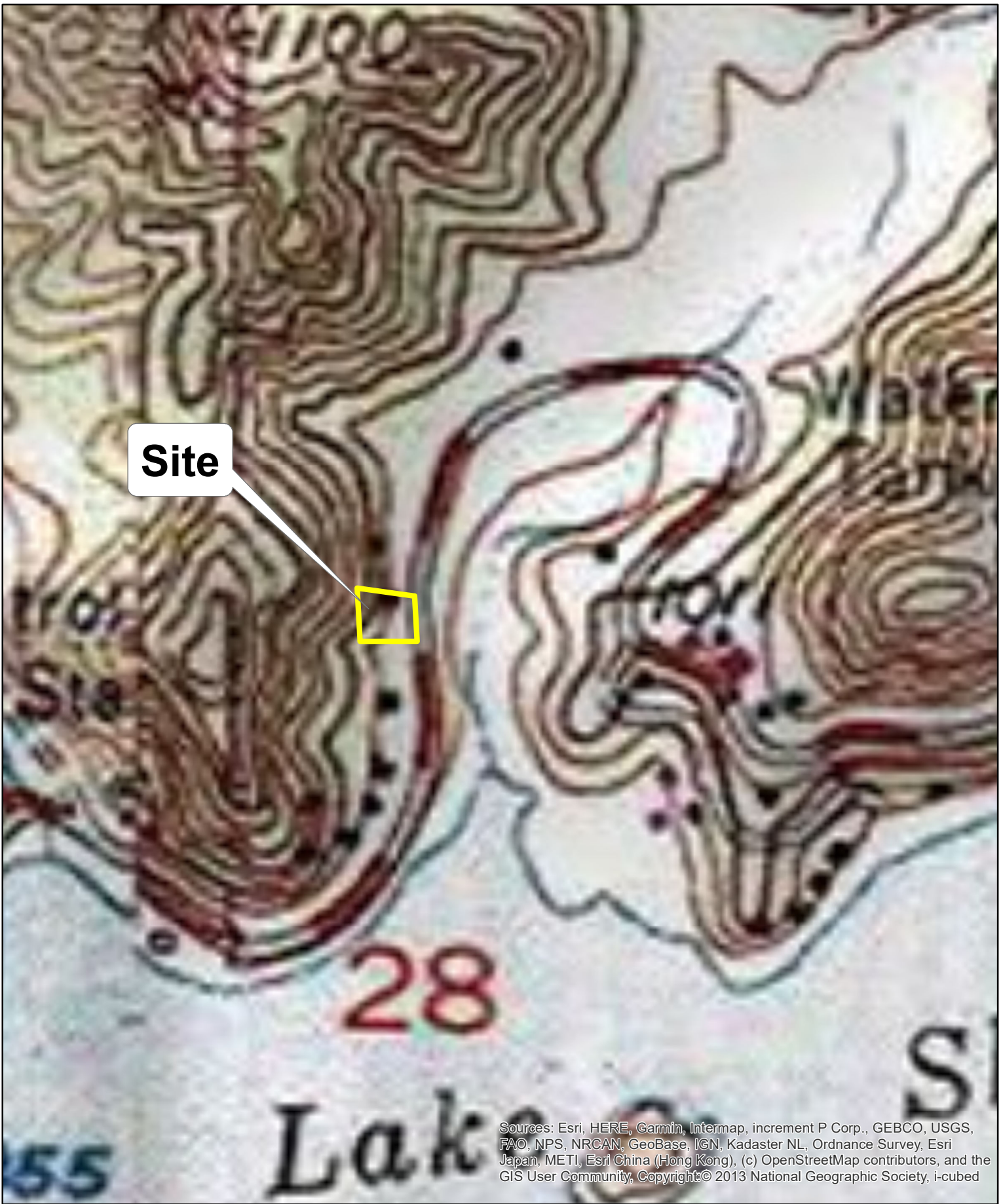


**County of Ventura
Planning Director Hearing.
PL24-0082
Aerial Photography**



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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Copyright © 2013 National Geographic Society, i-cubed



County of Ventura
Resource Management Agency
Development & Mapping Services
Map created on 11-21-2024
Source: Thousand Oaks U.S.G.S.
7.5 Minutes Quadrangle
Contour Interval = 20 ft



County of Ventura
Planning Director Hearing
APN: 695-0-062-14
PL24-0082
Topo Map

0 100 200 Feet



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LEGAL DESCRIPTION:

THE LAND REFERRED TO IN THIS SURVEY IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:
LOT 13, OF THE UPSON TRACT, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP THEREOF RECORDED IN BOOK 11, PAGE 1 OF MISCELLANEOUS RECORDS (MAPS), IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
EXCEPTING THEREFROM ALL WATER AND WATER RIGHTS ON, IN OR UNDER SAID LAND OR APPURTENANT THERETO

PARCEL 2:
A NONEXCLUSIVE EASEMENTS TO USE LAKE SHERWOOD, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, FOR RECREATIONAL PURPOSES, AS DEFINED IN ARTICLE II, PARAGRAPH A OF THAT CERTAIN AGREEMENT RECORDED JUNE 14, 1968 IN BOOK 3319, PAGE 231 OF OFFICIAL RECORDS

PARCEL 3:
A NONEXCLUSIVE EASEMENT TO INSTALL, MAINTAIN AND USE A PRIVATE DOCK, TOGETHER WITH INCIDENTAL RAMPS, WALKWAYS, INCIDENTAL TO DOCK USE, OVER THAT PORTION MORE PARTICULARLY DEFINED AS SPACE NO. 84 IN EXHIBIT NO 3 AND IN ARTICLE III OF THAT CERTAIN AGREEMENT RECORDED JUNE 14, 1968 IN BOOK 3319, PAGE 231 OF OFFICIAL RECORDS

PARCEL 4:
A NONEXCLUSIVE EASEMENT TO ENTER UPON AND CROSS THAT RESERVE STRIP ADDITIONS, AS SAID EASEMENT AND STRIP ARE DEFINED IN ARTICLE IV OF THAT CERTAIN AGREEMENT RECORDED JUNE 14, 1968 IN BOOK 3319, PAGE 231 OF OFFICIAL RECORDS

BASIS OF BEARINGS:

THE BEARING S31°15'44"E, ON THE CENTERLINE OF LAKE SHERWOOD DR. AS SHOWN ON RECORD OF SURVEY, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF VENTURA, AS PER MAP RECORDED IN BOOK 46, PAGE 72, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

NOTE:

EASEMENTS ARE NOT PLOTTED.

ASSUMED BENCHMARK:

FD SHM AT CENTER LINE OF LAKE SHERWOOD DR, ELEV. = 982.00'

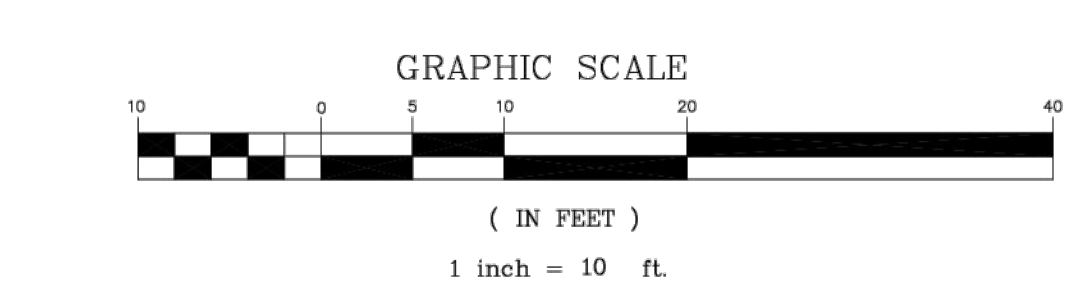
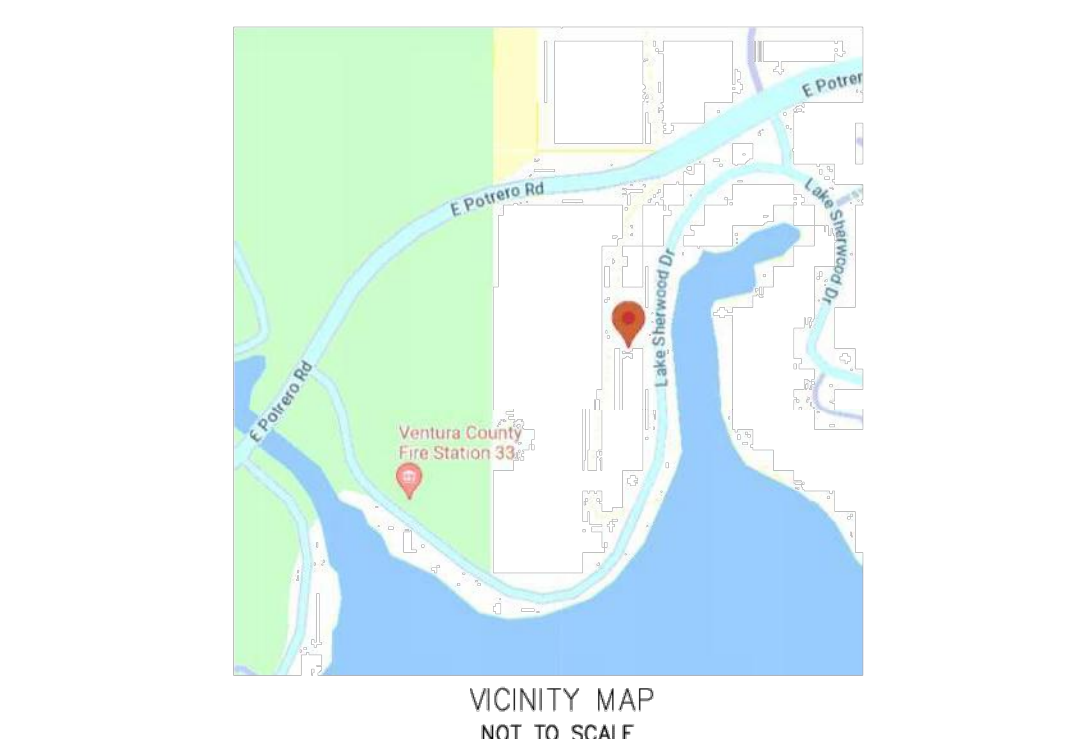
TOTAL PROPERTY AREA: 15893 SQ.FT.

SYMBOLS:

- | | | | | | |
|-----|----------------------|-----|---------------------|------|---------------------------|
| AC | AIRCONDITIONING UNIT | IV | IRRIGATION VALVE | SL | STREET LIGHT |
| CB | CABLE TV BOX | MB | MAIL BOX | SLB | STREET LIGHT BOX |
| CB | CATCH BASIN | PT | PALM TREE | TLB | TELEPHONE MANHOLE |
| CO | COLUMN | PM | PARK METER | TLGB | TRAFFIC LIGHT CONTROL BOX |
| DR | DRAIN | PT | PINE TREE | TR | TREE |
| FR | FIRE HYDRANT | PP | POWER POLE | WM | WATER METER |
| GM | GAS METER | PPA | POWER POLE ANCHOR | WV | WATER VALVE |
| GV | GAS VALVE | SC | SEWER CL. OUT | WV | WATER VALVE |
| GP | GATE POST | SM | SEWER MANHOLE | WV | WATER VAULT |
| GPB | GTE PULL BOX | SDM | STORM DRAIN MANHOLE | | |

LEGEND:

- | | | | |
|-------|----------------------------|--------|---------------------------|
| ASP | ASPHALT | PC | PROPERTY CORNER |
| BC | BUILDING CORNER | PG | PAGE |
| BM | BENCHMARK | PI | POINT OF INTERSECTION |
| BW | BACK OF WALK | PL | PROPERTY LINE |
| CB | CATCH BASIN | PLTR | PLANTER |
| CEFB | CITY ENGINEER'S FIELD BOOK | POL | POINT ON LINE |
| CF | CURB FACE | PMT. | PAVEMENT RECORD |
| C/L | CENTERLINE | PM | PARCEL MAP RECORD |
| CLF | CHAIN LINK FENCE | RCE | REGISTERED CIVIL ENGINEER |
| COL | COLUMN | RCE | REGISTERED CIVIL ENGINEER |
| CONC | CONCRETE | S.S.M. | STANDARD SURVEY MONUMENT |
| (DE) | DEED | SMH | SEWER MANHOLE |
| ELEC | ELECTRIC | S & T | SPIKE & TIN |
| EP | EDGE OF PAVEMENT | SPK/W | SPIKE & WASHER |
| ESMT. | EASEMENT | TD | TOP OF CURB ELEV. |
| FB | FIELD BOOK | FF | FRESH FLOOR ELEV. |
| FD | FOUND | FL | FLOWLINE ELEV. |
| FF | FRESH FLOOR ELEV. | FS | FRESH SURFACE |
| FL | FLOWLINE ELEV. | INT | INTERSECTION |
| FS | FRESH SURFACE | IP | IRON PIPE |
| INT | INTERSECTION | LS | LAND SURVEYOR |
| IP | IRON PIPE | L & T | LEAD & TACK |
| LS | LAND SURVEYOR | (M) | MEASURED |
| L & T | LEAD & TACK | MB | MAP BOOK |
| (M) | MEASURED | NG | NATURAL GRADE |
| MB | MAP BOOK | OH | OVERHANG |
| NG | NATURAL GRADE | EP | EDGE OF PAVEMENT |
| OH | OVERHANG | | |
| EP | EDGE OF PAVEMENT | | |

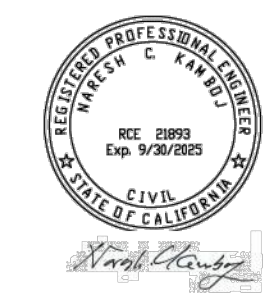


EROSION CONTROL NOTES:

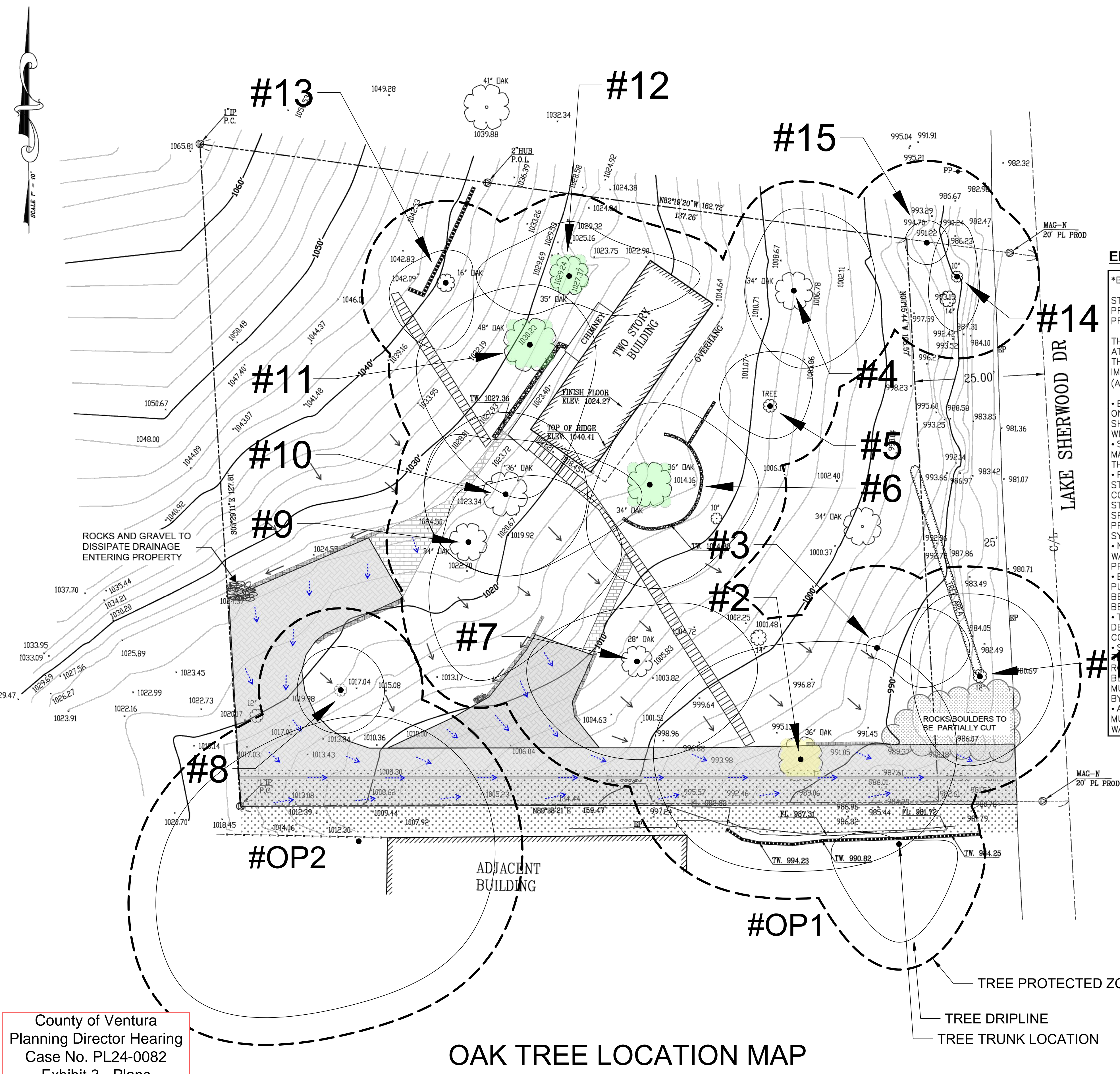
- *BEST MANAGEMENT PRACTICES FOR CONSTRUCTION ACTIVITIES***
- STORM WATER POLLUTION CONTROL AND MINIMUM WATER QUALITY PROTECTION REQUIREMENTS FOR ALL DEVELOPMENT CONSTRUCTION PROJECTS AND ACTIVITIES
- THE FOLLOWING IS INTENDED AS MINIMUM NOTES OR AS AN ATTACHMENT FOR BUILDING AND GRADING PLANS AND REPRESENT THE MINIMUM STANDARDS OF GOOD HOUSEKEEPING THAT MUST BE IMPLEMENTED ON ALL CONSTRUCTION SITES REGARDLESS OF SIZE. (APPLIES TO ALL PERMITS)
- ERODED SEDIMENTS AND OTHER POLLUTANTS MUST BE RETAINED ON SITE AND MAY NOT BE TRANSPORTED FROM THE SITE VIA SHEETFLOW, SWALES, AREA DRAINS, NATURAL DRAINAGE COURSES OR WIND.
 - STOCKPILES OF EARTH AND OTHER CONSTRUCTION RELATED MATERIALS MUST BE PROTECTED FROM BEING TRANSPORTED FROM THE SITE BY THE FORCES OF WIND OR WATER.
 - FUELS, OILS, SOLVENTS AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT TO CONTAMINATE THE SOIL AND SURFACE WATERS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO THE DRAINAGE SYSTEM.
 - NON-STORMWATER RUNOFF FROM EQUIPMENT AND VEHICLE WASHING AND ANY OTHER ACTIVITY SHALL BE CONTAINED AT THE PROJECT SITE.
 - EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTES ON SITE UNTIL THEY CAN BE DISPOSED OF AS SOLID WASTE.
 - TRASH AND CONSTRUCTION RELATED SOLID WASTES MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER AND DISPERSAL BY WIND. SEDIMENTS AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITIONS MUST BE SWEEP UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.
 - ANY SLOPES WITH DISTURBED SOILS OR DENUDED OF VEGETATION MUST BE STABILIZED SO AS TO INHIBIT EROSION BY WIND AND WATER.

LEGEND

- | | |
|--|--------------------------------------|
| | PROPOSED TREE TO BE REMOVED |
| | TREES PERMITTED TO BE REMOVED |
| | PROPOSED GRADE |
| | (N) CONC. DRIVEWAY |
| | (E) DIRT DRIVEWAY |
| | (N) WALKWAY |
| | RETAINING WALL |
| | ROCKS & GRAVEL TO DISSIPATE DRAINAGE |
| | DRIVEWAY DRAINAGE PATTERN |
| | SITE DRAINAGE PATTERN |



August 27, 2024
Tree Care Consulting
ISA Certified Arborist WE-6820A
ISA Tree Risk Assessor Qualified



OAK TREE LOCATION MAP

County of Ventura
Planning Director Hearing
Case No. PL24-0082
Exhibit 3 - Plans

PROTECTED TREE REPORT

SUBJECT

141 Lake Sherwood Drive - Driveway Construction

PREPARED FOR:

Amir Hamidzadeh
141 Lake Sherwood Drive
Lake Sherwood, CA 91361

PREPARED BY:

Tree Care Consulting
1534 N. Moorpark Road, #149
Thousand Oaks, CA 91360
ISA Certified Arborist WE-6820A
ISA Tree Risk Assessor Qualified
JLOTreeCare@gmail.com
818-512-3135

Date: July 3, 2024

Revised Date: August 28, 2024

Job No. 24-034

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County of Ventura
Planning Director Hearing
Case No. PL24-0082
Exhibit 4 - Arborist Report prepared by John
Oblinger on August 28, 2024 and Addendum on
October 22, 2024

1. ASSIGNMENT

The site is 141 Lake Sherwood Drive. The objective of this report is to assess the condition of the site's protected trees to discuss their potential encroachments and to discuss the effect of the encroachments on their health.

2. BACKGROUND

There is an existing house on the site. It is away from the road halfway up the side of a hill. There is a dirt road that is the only vehicular access to the house.

3. METHOD OF STUDY

On May 17, 2024, I inspected the protected trees using the ISA Level 2 or Basic Assessment, a ground-level, visual inspection assessing their structure and general health by means of measuring tools and tools to observe the exterior of the tree. The trees were tagged with numbered, metal tags.

4. DISCUSSION

An insignificant encroachment of a tree will have no effect on its health. A minor encroachment is one that will impact a tree, especially the root system, but will have no appreciable, long-term effect on the health of the tree with normal tree care. A major encroachment is one that may jeopardize the health or structure of the tree and could seriously harm the tree. Properly managed tree care will allow the tree to recover and thrive. The following encroachments will occur according to the current grading plan:

The only work proposed at this time is the installation of a paved driveway where the existing dirt road is with 2 landing areas on level areas roughly perpendicular to the driveway. The level areas will be created by using 2 retaining walls to cut into the slope and retain the soil. My assessment of the encroachments is based on the conceptual driveway construction plan. The existing access to the house is located at the southeast corner of the property. The existing driveway is just wide enough to allow a paved driveway. To the right of the entry is a rock outcropping and beyond it, the property along Lake Sherwood Drive becomes steeper. There is no other access to the existing house and this has been the only access since the house was built. It is not feasible to locate the driveway elsewhere.

Tree Permit AD24-0065 was issued on June 14, 2024, to allow the removal of oak tree #6 and oak tree #11 pursuant to Section 8107-25.6(a) and the pruning of oak tree #12 pursuant to Section 8107-25.5(d).

I assessed trees that are not affected by the project but that, due to their age, health, and proximity to the existing house, pose inherent risks.

Oak Tree Encroachments

Oak tree #1 – will be encroached by the proposed driveway, the edge of which will be 13 feet from the trunk. No pruning. This will be a minor encroachment of 12 percent of the protected zone (PZ). A boulder that obstructs the proposed driveway will be broken up with a jack hammer only to the edge of the proposed driveway, no closer than 10 feet from the trunk. The soil will not be disturbed within 10 feet of the trunk.

Oak tree #2 – Every effort was made to design the driveway to avoid having to remove this tree. Unfortunately, there is no alternative to placing the driveway as it is shown on the site plan and the tree is too close to the property line to allow the required width for a driveway. Therefore, this tree will have to be removed.

Oak trees #3 - #5 – No encroachment by the project.

Oak tree #6 – This tree will be removed under Tree Permit AD24-0065

Oak tree #7 – This tree will be encroached by the edge of the pavement and a low retaining wall south and west of the tree, no closer than 7 feet from the trunk. Pruning will be required of large branches to provide clearance for cars. This will be a major encroachment of approximately 30 per cent of the (PZ).

Oak tree #8 – This tree will be encroached by the proposed driveway no closer than 6 feet from the trunk along three-quarters of the perimeter of the PZ. The proposed driveway and retaining wall will encroach 45 percent of the PZ. This tree is young so this will be a minor encroachment of the surface roots.

Oak tree #9 – This tree will be encroached by a retaining wall and edge of the driveway, no close than 15 feet from the trunk. A low retaining wall will be installed to retain the slope. There is an existing dirt access road where the driveway will be, and the finished grade of the driveway will be close to the existing grade. This will be a minor encroachment of 9 percent of the PZ and should not harm the tree. No pruning will be required.

Oak trees #10 – This tree will not be encroached by the project.

Oak tree #11 – This tree will be removed under Tree Permit AD24-0065

Oak trees #12 - #15 – These trees will not be encroached by the project.

Oak tree #12 – This tree is like tree #11 and is 11 feet from the house. I recommend removing this tree as a fire risk. A low branch is extending over the house. If the tree is not removed under a separate permit, I recommend removing the low limb (see photo) that extends close to the roof and pruning the rest of the crown away from the house. The fire safety risk can be reduced by maintaining the crown with at least 10 feet of clearance from the house.

Oak tree #OP1 – This off-property tree will be encroached by the proposed driveway, 8 feet from the trunk. This will be a minor encroachment because the driveway will be installed on the existing compacted earth driveway, encroaching 17 percent of the PZ. Because of the soil compaction, the roots are limited near the surface in this area. No pruning will be required.

Oak tree #OP2 – This off-property tree will be encroached by the proposed driveway, 7 feet from trunk. This will be a minor encroachment (as described for tree #OP1) and will encroach 17 percent of the PZ.

Oak Tree Removals Because of Structural Problems and Fire Safety

Oak tree #6 – This tree has lost much of its crown and most of the foliage is epicormic growth from the trunk and scaffold limbs. The tree is tall, and the crown is at the top, not in proportion to its height. The trunk has damage with sapwood decay, fire damage, and is structurally unsound. My concern is that since the tree is top-heavy, the trunk is susceptible to failure under excessive loads from wind and rain. It is close to the house so that it is a fire hazard and is likely to strike the house if it failed. I recommend removing this tree.

Oak tree # 11 – This tree has codominant stems, one of which extends over the house and the crown of which is draped on the roof (see photo). The way the 2 trunks are attached, it is possible that it could fail and fall onto the house. In any case, it is not safe to have it remain in contact with the house in case of fire. The tree is so close to the house, roughly 9 feet, and has defects that make this an unacceptable risk. I recommend removing this tree.

The physiological condition of each tree is detailed in the summary of field observations below, dated May 17, 2024. Driplines on the oak tree location map are for graphic purposes. See the measured driplines below for the dimensions.

5. TREE VALUES

I have appraised the value of oak trees #1, #2, #7, #8, #9, OP1 and OP2 that will be encroached by the project as discussed above. The values of the trees were appraised using the Guide for Plant Appraisal, 10th edition, second printing, 2019, from the Council of Tree and Landscape Appraisers and published by the International Society of Arboriculture, Atlanta, GA.

To calculate the value of the subject trees, I used the Reproduction Method: Trunk Formula Technique from the Guide for Plant Appraisal. The value is calculated based on the trunk diameters, the health, structure and form of the tree, the cost of the largest available replacement tree of the same species, and any factors that I have determined depreciate the value of the tree.

Tree #	Species Name	Common Name	Total Appraised Value (rounded)
1	<i>Quercus agrifolia</i>	Coast live oak	\$2,500
2	<i>Quercus agrifolia</i>	Coast live oak	\$25,600
7	<i>Quercus agrifolia</i>	Coast live oak	\$8,150
8	<i>Quercus agrifolia</i>	Coast live oak	\$1,675
9	<i>Quercus agrifolia</i>	Coast live oak	\$13,750
OP1	<i>Quercus agrifolia</i>	Coast live oak	\$4,250
OP2	<i>Quercus agrifolia</i>	Coast live oak	\$27,000
TOTAL			\$82,925

6. RECOMMENDATIONS

A. Tree Protection

- a. The general contractor shall be familiar with the stated oak tree protection measures and protected tree ordinance as set forth in the municipal code. The following is a brief guideline of recommendations to protect the trees.
- b. The applicant's tree consultant shall be notified 48 hours prior to the commencement of any work within the protected zone of any protected tree.
- c. A minimum five (5') foot high new chain link fence will be required to be installed at the outermost edge of the protected zone of each oak tree or group of trees or at the limits of work of the approved grading plan. Additionally, signs must be installed on the fence in four locations, equidistant around each tree or group of trees. On fencing around a grove of oak trees, signs shall be placed at approximately fifty (50') foot intervals. The size of each sign must be a minimum of two (2') feet by two (2') feet square and must contain the following language:

WARNING
 THIS FENCE SHALL NOT BE REMOVED OR RELOCATED
 WITHOUT WRITTEN AUTHORIZATION FROM THE
 COMMUNITY DEVELOPMENT DEPARTMENT

- d. Once approval has been obtained, the fences must remain in place throughout the entire construction period and may not be removed without obtaining written authorization

from the Community Development Department.

- e. Trees shall be protected from being injured by grading and construction including but not limited to wounding of branches and roots, compaction of soil within the protected zone, and damage to the foliage by engine exhaust.
- f. No activity, such as vehicle travel or parking, equipment and building materials storage, deposit of debris and trash or any activity that will harm the protected trees shall be allowed within the protected root zones of any protected tree at any time.

B. Pruning

- a. Any pruning approved prior to commencement of work shall be executed only after the notification of the consulting arborist 48 hours prior to commencement so that he or she can observe the pruning performed.
- b. Pruning required but not previously approved shall not be performed until a written request for pruning has been submitted and approved by Planning unless the branches are less than 2 inches in diameter and pruning them is deemed necessary by the consulting arborist.
- c. Approved pruning shall be performed by the tree trimming contractor who must employ at least one ISA certified arborist and should be observed by the applicant's consulting arborist who shall keep Planning informed about the work being performed. Pruning wounds shall not be sealed.

C. Grading Near Protected Trees

- a. When building improvements are under construction, grading and trenching under the dripline of an oak tree may only be performed with hand tools. All the work must be conducted in the presence of an oak tree preservation consultant. Major roots over one inch in diameter may not be cut. Depending on the type of improvement being proposed, wood decks, garden walls, fences, driveways, walkways, etc., bridging techniques or a new site may need to be employed to protect the roots and the tree.
- b. The requirement to hand-dig any approved excavation near the protected trees is designed to avoid irreparable root damage. The purpose is to locate and expose roots that must be cut and to carefully prune them, thereby, avoiding the ripping and tearing caused with the use of backhoe or other excavation equipment. Due to the scope of the improvements, the requirement for hand digging approved excavation near protected trees is sometimes impractical. Therefore, a Work Procedures Program is proposed to execute the work with precise and controlled methods that avoid indiscriminate damage.
- c. Where structural footings are required and roots will be impacted, the footings shall bridge the roots and the roots protected. Cover all such roots with a layer of plastic cloth and two (2") inches to four (4") inches of Styrofoam matting, or other protective measure as approved by permit, prior to pouring the footing.

D. Preparation Phase

- a. It is recommended that trees that will be encroached and preserved be watered to attain sufficient soil moisture content. This is crucial to maintain the health of the trees during grading and construction. Fencing should be in place prior to the commencement of demolition and/or grading.
- b. Pruning, if any, shall be performed before grading to avoid conflict between trees and grading equipment. This action should reduce the potential for broken branches resulting from being struck by that equipment.

E. Protective Fencing

- a. See "Tree Protection" above for the intent of the fencing plan.
- b. In some cases, fencing may be placed at the limit of grading or excavation in order to allow approved work to be done inside the protected zones. No fencing shall be removed or moved without notifying the tree consultant and without approval from the tree consultant.

F. Grading

- a. The greatest potential for consequential damage to trees is from excavation for footings, utility trenching, driveway base preparation, and grading. It is not possible to develop this site without some conflict between the trees and the proposed improvements. The conflict relates to both the aerial crown and the root structure of the trees. The goal is to eliminate or at least minimize damage. This can be accomplished as follows:
- b. Define the area of excavation that will occur within the protected zone of a tree. After pruning the roots at the edge of the limit of work, it may be necessary to utilize equipment to remove the soil outside of the roots that were cut. This should be done under the observation of the consulting arborist. Stop this effort upon encountering roots of significant size, 2 inches and larger.
 - i. Prune roots to the required depth using standard, sterile, mechanical root pruning equipment accompanied by hand work. In the case of trenching, cut the roots on each side of the
 - ii. proposed trench to the required depth.
- c. These methods will minimize root damage from excavation and grading equipment pulling on roots in a lateral direction from their path of travel. Pruned roots shall be hand sawn, using sterilized equipment, with a clean cut, at a 90-degree angle facing downward and shall not be sealed.
- d. Place all excavation spoils outside of the dripline of the trees.

G. Other protective measures

- a. Protect trees by not wounding them. Nailing anything such as grade stakes must be avoided.

- b. The potential for breaking branches by mechanical equipment should be anticipated and, if encountered, the arborist should be notified with a request for an evaluation and recommendation on how to proceed.
- c. It is important to leave the natural leaf litter that exists beneath trees.
- d. No chemicals such as herbicides shall be used upstream and within one hundred feet of any tree protected zone.
- e. Dust deposited on the foliage of trees must be washed off so that the leaves are not smothered by dust particles.

NOTICE of DISCLAIMER

The report represents the independent opinion of the signatory consultant (Tree Care Consulting). The tree(s) discussed herein was/were generally reviewed for physical, biological function and aesthetic conditions. This examination was conducted in accordance with presently accepted industry procedures, which are ground-plane macro-visual observations only. No extensive micro-biological, soil-root excavations, upper crown examination nor internal tree investigations were conducted and therefore, the reporting herein reflects the overall visual appearance of the tree(s) on the date reviewed and no warranty is implied as to the potential failure, health, or demise of any part of or the whole tree described in the report. Records may not remain accurate after our inspection due to unknown alteration or deterioration of the reviewed site.

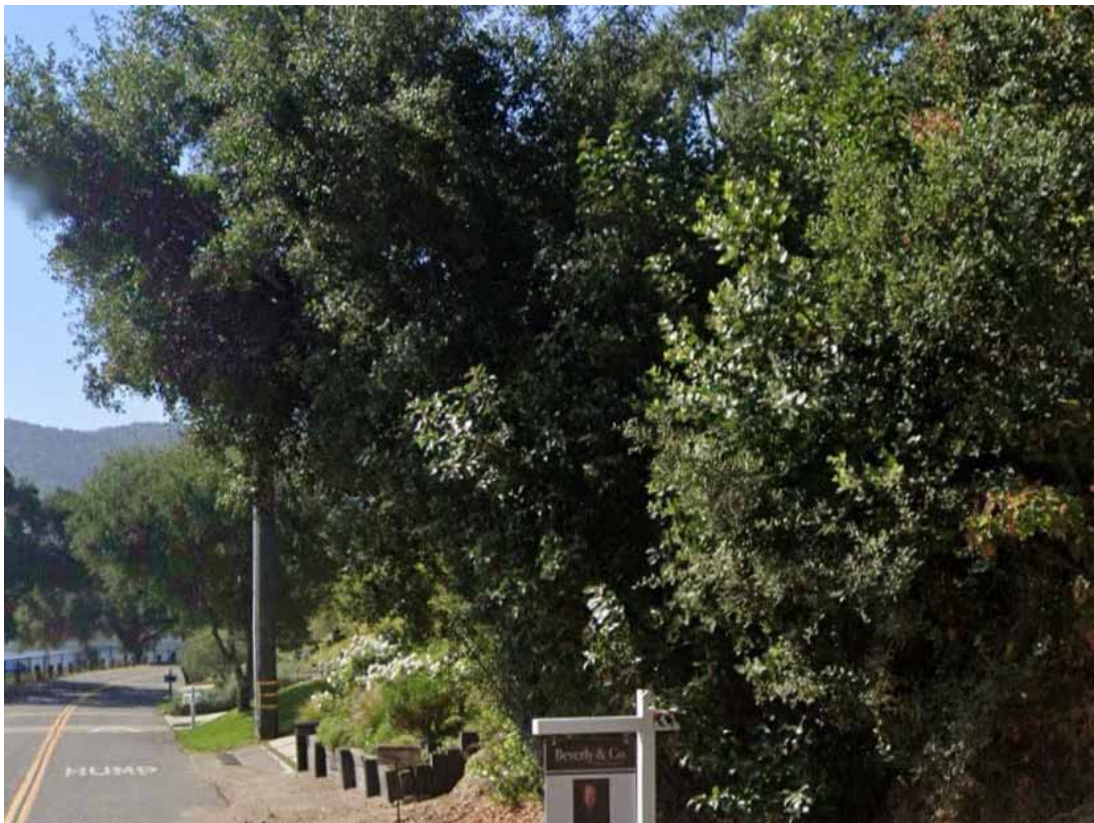
Respectfully submitted,

John Oblinger

ISA Certified Arborist WE-6820A
ISA Tree Risk Assessor Qualified



Tree #1 facing north



Tree #1 facing south.



Tree #2 facing west.



Tree #2 facing east.



Tree #2 facing east.



Tree #2 facing east.
Exposed buttress roots

141 Sherwood Drive
May 17, 2024



Tree #3 facing east.



Tree #4 facing north.



Tree #4 facing north



Tree #5 facing east.

141 Sherwood Drive
May 17, 2024



Tree #6 facing south.



Tree #6 facing southeast.



Tree #6 facing northwest.



Tree #6 facing southeast.



Tree #7 facing southwest.



Tree #7 facing south.



Tree #8 facing north.



Trees #9 and #10 facing west.



Trees #10 and #9 facing east.



Tree #10 facing west.



Tree #12

Tree #11

Trees #12 and 11 facing east.



Tree #11 facing northeast.



Tree #12 facing northeast.



Tree #13 facing north.



Trees #15 and #14 facing northeast.



Trees #14 and #15 facing west.



Tree #OP1 facing east.

FIELD ASSESSMENT

	TREE NUMBER	1	2	3	4	5	6	7	8	9	10
SPECIES	<i>Juglans californica</i>										
	<i>Platanus racemosa</i>										
	<i>Quercus agrifolia</i>	X	X	X	X	X	X	X	X	X	X
	<i>Quercus lobata</i>										
DIMENSIONS	TREE HEIGHT	30'	40'	30'	35'	18'	50'	30'	15'	30'	25'
	CROWN SPREAD										
	UNBALANCED CROWN			X							
	LEAN DIRECTION			E							
	TRUNK DIAMETER(S)	14"	29" 18"	8"	17"	5" 4"	26"	12" 12" 8"	6"	15" 12"	16" 8" 7"
RATING	HEALTH	C	B	B	C	B	C-	B	B	B	C
	AESTHETICS/COMFORMITY	C	B	C	C	B	C-	B	A	C	C
PHYSICAL CONDITION	VIGOR(LOW/ NORM/ HIGH)	N	N	N	N	H	N	N	H	N	N
	TRUNK CAVITY/DAMAGE	X					X				X
	TRUNK SAP OOZE	X					X				X
	CODOMINANCE		X			X		X		X	X
	CANKER(S)						X				X
	INCLUDED BARK										
	BURIED ROOT COLLAR										
	CUT/DAMAGED ROOTS										
	FUNGAL DISEASE										
	INSECT DAMAGE										
	MAINSTEM DIEBACK										X
	TWIG/BRANCH DIEBACK		X								X
	THIN FOLIAGE				X		X				X
	WEAK ATTACHMENT(S)									X	X
	BADLY PRUNED										
	BRANCH CAVITIES						X				
	OVER-EXTENDED BRANCH		X							X	
	EPICORMIC GROWTH						X				
TERRAIN - SLOPED/LEVEL	S	S	S	S	S	S	S	S	S	S	

POOR LCR 20% HOLLOW SOUNDING.

FIELD ASSESSMENT

	TREE NUMBER	11	12	13	14	15	OP1	OP2				
SPECIES	<i>Juglans californica</i>											
	<i>Platanus racemosa</i>											
	<i>Quercus agrifolia</i>	X	X	X	X	X	X	X				
	<i>Quercus lobata</i>											
DIMENSIONS	TREE HEIGHT	35'	35'	18'	18'	15'	40'	40'				
	CROWN SPREAD											
	UNBALANCED CROWN						X					
	LEAN DIRECTION						S					
	TRUNK DIAMETER(S)	18" 16"	17"	7" 6"	9"	6" 5"	12"	24"				
RATING	HEALTH	C-	C	B	B	C	B	C				
	AESTHETICS/COMFORMITY	C	C	B	A	C	C	C				
PHYSICAL CONDITION	VIGOR(LOW/ NORM/ HIGH)	N	N	N	H	N	N	N				
	TRUNK CAVITY/DAMAGE	X	X									
	TRUNK SAP OOZE											
	CODOMINANCE	X		X				N				
	CANKER(S)	X	X									
	INCLUDED BARK											
	BURIED ROOT COLLAR											
	CUT/DAMAGED ROOTS											
	FUNGAL DISEASE											
	INSECT DAMAGE		X									
	MAINSTEM DIEBACK											
	TWIG/BRANCH DIEBACK	X							X			
	THIN FOLIAGE	X	X				X	X				
	WEAK ATTACHMENT(S)	X										
	BADLY PRUNED											
	BRANCH CAVITIES	X										
	OVER-EXTENDED BRANCH	X	X									
EPICORMIC GROWTH	X	X										
TERRAIN - SLOPED/LEVEL	S	S	S	S	S	S	S	S				

DRIPLINE MEASUREMENTS

CANOPY SPREAD (FEET)

CANOPY SPREAD (FEET)

TREE NO.	NORTH	EAST	SOUTH	WEST	TREE NO.	NORTH	EAST	SOUTH	WEST
1	13'	18'	18'	8'	Op1	0'	10'	18'	12'
2	17'	27'	25'	28'	Op2	23'	25'	30'	35'
3	0'	17'	0'	0'					
4	15'	15'	14'	9'					
5	10'	7'	6'	9'					
6	15'	20'	19'	10'					
7	10'	22'	18'	20'					
8	8'	8'	8'	8'					
9	10'	28'	25'	5'					
10	10'	25'	15'	15'					
11	11'	12'	28'	20'					
12	10'	24'	5'	17'					
13	6'	5'	12'	10'					
14	10'	4'	10'	5'					
15	4'	4'	4'	4'					

Client name	Amir Hamidzadeh	
Date		17-May-24
Project Address	141 Lake Sherwood Drive	
Subject tree	#1	
Species	<i>Quercus agrifolia</i>	
Trunk diameter		14" DBH
Cross-sectional area		154 square inches
Condition rating		0.70
	Health	0.7
	Structure	0.7
	Form	0.7
Functional limitations		0.5
External limitations		0.5
Replacement tree		
Species	<i>Quercus agrifolia</i>	
Trunk diameter		1.2 DBH
Cross-sectional area		3.8 square inches
Replacement tree cost	Source: Boething Wholesale Nursery	\$350.00
Calculations		
Unit tree cost		\$92.11
Basic reproduction cost		\$14,184.21
Depreciated reproduction cost		\$2,482.24
Additional costs		
	Cleanup	\$0.00
	Replacement tree installation	\$0.00
	Aftercare	\$0.00
Total additional costs		\$0.00
Total reproduction cost		\$0.00
Rounded		\$2,500.00

Tree Care Consulting
1534 N Moorpark Road #149
Thousand Oaks, CA 91360

141 Lake Sherwood Drive

July 3, 2024

Client name	Amir Hamidzadeh	
Date		17-May-24
Project Address	141 Lake Sherwood Drive	
Subject tree	#2	
Species	<i>Quercus agrifolia</i>	
Trunk diameter		29", 18" DBH
Cross-sectional area		914 square inches
Condition rating		0.63
	Health	0.7
	Structure	0.5
	Form	0.7
Functional limitations		0.6
External limitations		0.8
Replacement tree		
Species	<i>Quercus agrifolia</i>	
Trunk diameter		1.2 DBH
Cross-sectional area		3.8 square inches
Replacement tree cost	Source: Boething Wholesale Nursery	\$350.00
Calculations		
Unit tree cost		\$92.11
Basic reproduction cost		\$84,184.21
Depreciated reproduction cost		\$25,592.00
Additional costs		
	Cleanup	\$0.00
	Replacement tree installation	\$0.00
	Aftercare	\$0.00
Total additional costs		\$0.00
Total reproduction cost		\$0.00
Rounded		\$25,592.00

Client name	Amir Hamidzadeh	
Date		17-May-24
Project Address	141 Lake Sherwood Drive	
Subject tree	#7	
Species	<i>Quercus agrifolia</i>	
Trunk diameter		12", 12", 8" DBH
Cross-sectional area		276 square inches
Condition rating		0.67
	Health	0.8
	Structure	0.5
	Form	0.7
Functional limitations		0.6
External limitations		0.8
Replacement tree		
Species	<i>Quercus agrifolia</i>	
Trunk diameter		1.2 DBH
Cross-sectional area		3.8 square inches
Replacement tree cost	Source: Boething Wholesale Nursery	\$350.00
Calculations		
Unit tree cost		\$92.11
Basic reproduction cost		\$25,421.05
Depreciated reproduction cost		\$8,134.74
Additional costs		
	Cleanup	\$0.00
	Replacement tree installation	\$0.00
	Aftercare	\$0.00
Total additional costs		\$0.00
Total reproduction cost		\$0.00
Rounded		\$8,150.00

Client name	Amir Hamidzadeh	
Date		17-May-24
Project Address	141 Lake Sherwood Drive	
Subject tree	#8	
Species	<i>Quercus agrifolia</i>	
Trunk diameter		6" DBH
Cross-sectional area		28 square inches
Condition rating		0.90
	Health	0.9
	Structure	0.9
	Form	0.9
Functional limitations		0.8
External limitations		0.9
Replacement tree		
Species	<i>Quercus agrifolia</i>	
Trunk diameter		1.2 DBH
Cross-sectional area		3.8 square inches
Replacement tree cost	Source: Boething Wholesale Nursery	\$350.00
Calculations		
Unit tree cost		\$92.11
Basic reproduction cost		\$2,578.95
Depreciated reproduction cost		\$1,671.16
Additional costs		
	Cleanup	\$0.00
	Replacement tree installation	\$0.00
	Aftercare	\$0.00
Total additional costs		\$0.00
Total reproduction cost		\$0.00
Rounded		\$1,675.00

Client name	Amir Hamidzadeh	
Date		17-May-24
Project Address	141 Lake Sherwood Drive	
Subject tree	#9	
Species	<i>Quercus agrifolia</i>	
Trunk diameter		15", 12" DBH
Cross-sectional area		283 square inches
Condition rating		0.73
	Health	0.8
	Structure	0.7
	Form	0.7
Functional limitations		0.8
External limitations		0.9
Replacement tree		
Species	<i>Quercus agrifolia</i>	
Trunk diameter		1.2 DBH
Cross-sectional area		3.8 square inches
Replacement tree cost	Source: Boething Wholesale Nursery	\$350.00
Calculations		
Unit tree cost		\$92.11
Basic reproduction cost		\$26,065.79
Depreciated reproduction cost		\$13,762.74
Additional costs		
	Cleanup	\$0.00
	Replacement tree installation	\$0.00
	Aftercare	\$0.00
Total additional costs		\$0.00
Total reproduction cost		\$0.00
Rounded		\$13,750.00

Client name	Amir Hamidzadeh	
Date		17-May-24
Project Address	141 Lake Sherwood Drive	
Subject tree	OP-1	
Species	<i>Quercus agrifolia</i>	
Trunk diameter		12" DBH
Cross-sectional area		113 square inches
Condition rating		0.57
	Health	0.7
	Structure	0.5
	Form	0.5
Functional limitations		0.8
External limitations		0.9
Replacement tree		
Species	<i>Quercus agrifolia</i>	
Trunk diameter		1.2 DBH
Cross-sectional area		3.8 square inches
Replacement tree cost	Source: Boething Wholesale Nursery	\$350.00
Calculations		
Unit tree cost		\$92.11
Basic reproduction cost		\$10,407.89
Depreciated reproduction cost		\$4,246.42
Additional costs		
	Cleanup	\$0.00
	Replacement tree installation	\$0.00
	Aftercare	\$0.00
Total additional costs		\$0.00
Total reproduction cost		\$0.00
Rounded		\$4,250.00

Client name	Amir Hamidzadeh	
Date		17-May-24
Project Address	141 Lake Sherwood Drive	
Subject tree	OP-2	
Species	<i>Quercus agrifolia</i>	
Trunk diameter		24" DBH
Cross-sectional area		452 square inches
Condition rating		0.90
	Health	0.9
	Structure	0.9
	Form	0.9
Functional limitations		0.8
External limitations		0.9
Replacement tree		
Species	<i>Quercus agrifolia</i>	
Trunk diameter		1.2 DBH
Cross-sectional area		3.8 square inches
Replacement tree cost	Source: Boething Wholesale Nursery	\$350.00
Calculations		
Unit tree cost		\$92.11
Basic reproduction cost		\$41,631.58
Depreciated reproduction cost		\$26,977.26
Additional costs		
	Cleanup	\$0.00
	Replacement tree installation	\$0.00
	Aftercare	\$0.00
Total additional costs		\$0.00
Total reproduction cost		\$0.00
Rounded		\$27,000.00

GLOSSARY

INTRODUCTION

Familiarity with the following definitions is necessary to the basic understanding of the tree ordinance, this tree report, and of the procedures used to evaluate the trees and the site conditions. There are numerous diseases and insects that frequently attack trees. A long discourse in plant pathology or entomology is not a prerequisite to develop a basic understanding of the effects of disease and insects upon living plant tissue but a basic knowledge of disease and insects should include an understanding of the following definitions:

SPECIES/DIMENSIONS

1. **Tree Number** - each protected tree in the field has been assigned a number that corresponds to a tree location on the Tree Location Map.
2. **Species** - is the type of tree that is being evaluated.
3. **Trunk Diameter** - as measured at 4½' above mean natural grade or, traditionally, DBH (diameter at breast height). This may be altered if the measurement cannot be made at 4½' feet or if makes sense to measure above or below that point.
4. **Tree Height** - is the approximate height of each assessed tree.
5. **Crown Spread** - is the approximate, average diameter of the crown or canopy.
6. **Lean Direction** - is the direction the tree is inclined from the natural vertical position.

PHYSICAL CONDITION

1. **Vigor** - is the capacity of a tree for growth and survival. Below are the ratings:

Low - Little new tip growth; poor leaf color; abnormal bark; much dead wood; significantly thinning foliage.

Normal - New tip growth; good leaf color; some insect damage and twig dieback; no significant dieback;

High - New tip growth; good leaf color; dense foliage; usually found in younger trees;

A vigorous tree will more easily ward off disease and/or insect attacks, and should recover from impacts more quickly than a less vigorous tree.

2. **Trunk Cavity/Damage** - A cavity is a hollow area in the trunk, usually due to fire or wood decay. Damage is a damaged area on the trunk, usually due to an external (abiotic) force on the tree.
3. **Water Pocket** - pockets formed at branch crotches that can hold water and possibly weaken the tree's structure (possible hazard).
4. **Trunk Sap Ooze** - the exudation of liquid, usually from wounds; trunk sap ooze.
5. **Codominance** – equal in size and importance, usually associated with either trunks/stems or scaffold limbs/branches in the crown. Often can and should be corrected by pruning.
6. **Included Bark** - bark that is embedded between a branch and its parent stem or between codominant stems causing a weak attachment.
7. **Buried Root Collar** - the root collar is the transition area between the bark and the trunk. Burying the root collar may lead to fungal infection.
8. **Fungal Disease** - diseases that attack live tissue/external signs (i.e. mushrooms, conks) of internal wood decay.

GLOSSARY

Page 2 of 3

9. **Insect Damage** - is some form of damage to the parts of the tree caused by insects or mites (e.g. scale, caterpillars, weevils, borers, mites, etc.).
10. **Mainstem Dieback** - death of healthy mainstems from the growing tip back.
11. **Twig/Branch Dieback** - death of twigs from the growing tip back.
12. **Thin Foliage** - defoliation and twig dieback throughout the canopy.
13. **Weak Attachments** - poorly formed branch connection at a crotch.
14. **Branch Cavities** - hollow areas in the limbs in the crown, usually due to the decay of wood.
15. **Over-extended Branch** - a large branch usually growing horizontally that may have excessive end weight and that exerts tremendous stress on its attachment. Can be corrected with reduction pruning.
16. **Epicormic Growth** - growth from adventitious buds along trunk and/or main limbs, rather than on twigs usually due to stress or poor pruning.
17. **Terrain** - refers to the general topography of the land where the tree is found.

RATING

1. **Heritage** - can vary in definition by agency but generally indicates a tree of significant size and age.
2. The **Health** of the trees was visually determined from a macroscopic inspection of signs and symptoms of disease. The following describes our rating system:
 - A - Outstanding** - A healthy and vigorous tree characteristic of its species and free of any significant visible signs of disease or insect damage;
 - B - Above Average** - A healthy and vigorous tree. However, there are minor visible signs of disease and insect damage;
 - C - Average** - Although healthy in overall appearance, there is a normal amount of disease and/or insect damage;
 - D - Below Average/Poor*** - This tree is characterized by exhibiting a greater degree of disease and/or insect damage or loss of structural integrity than normal and appears to be in a state of decline. This tree also exhibits extensive signs of dieback;
 - F - Dead*** - This tree exhibits no signs of life at the time of field evaluation.

*A tree rating of "D" and lower is in a low stage of vigor and naturally a meaningful level of recovery is doubtful. Removal should be considered if it is within the proposed project development.
3. The **Aesthetic/Conformity** quality of the trees was visually determined from an overall inspection of appearance. The following describes our system:
 - A. Outstanding** - The tree is visually symmetrical, having the ideal form and appearance for the species;
 - B. Above Average** - The tree, though may not be perfectly symmetrical, has a nearly ideal form for the species with very little dieback of foliage or twigs and branches;
 - C. Average** - The tree has some asymmetry for the species with some defects that can be corrected and/or has some dieback of foliage and twigs and branches;
 - D. Poor** - The tree has few positive characteristics that probably cannot be corrected and may detract from the beauty of the landscape.

GLOSSARY

Page 3 of 3

REMARKS (Some other terms that may be used)

1. **Bark Beetle Frass** – are wood fragments (dust) mixed in the insect's excrement produced by boring.
2. **Basal Growth** – is leaf growth generated from the base of the trunk.
3. **Cable/Brace** – provides support to relieve stress on a weak part of the tree (e.g. where two trunks form a "V" crotch.
4. **Cankers** – are rough swellings with depressed centers resulting in death of tissue that later cracks open and exposes the wood underneath in twigs, branches, and/or trunks. May be a sign of fungal damage.
5. **Chlorotic Leaves** – leaf veins remain normally green but the tissue between veins becomes yellow. Usually caused by nutrient deficiencies.
6. **Compartmentalization** – Physiological process in trees that creates the chemical and physical boundaries that act to limit the spread of disease and the decay organisms. Often seen where branches have been pruned properly.
7. **Crown** – parts of the tree above the trunk, including leaves, branches, and scaffold branches.
8. **Crown-clean pruning** – removal of dead, dying, diseased, rubbing, and structurally unsound branches, etc.
9. **Crown reduction pruning** – Removal of large branches and/or cutting back to large laterals to reduce the height or spread of the crown; sometimes referred to as “drop crotch” pruning or “natural pruning.”
10. **Exfoliating Bark** – the flaking off of bark from trunk, branches and/or twigs.
11. **Exposed Buttress Roots** – when soil is absent at the base of the tree exposing large roots at trunk flare.
12. **Fire Damage** – each tree may be rated on the amount of burn it has received.
13. **Heart Rot** – decay in the center of the tree (heartwood).
14. **Lion-tailing** – an improper pruning technique where internal foliage and branches are removed, leaving twigs and foliage concentrated at the branch ends.
15. **Mistletoe** – is a leafy evergreen, perennial parasite with dark green leathery leaves.
16. **Multiple stems/branches** – single location where several branches are attached often creating weak attachments.
17. **Powdery Mildew** – a white powdery fungus on leaves often found when new growth becomes wet for long periods of time; leaves may be distorted, stunted and drop prematurely.
18. **Reduction cuts** – cutting a branch back to a live lateral branch which will take over as the new end of that branch.
19. **Removal cuts** – a thinning cut back to the trunk or the parent stem (branch) that preserves the branch collar.
20. **Scaffold limb** – A primary structural branch of the crown.
21. **Stub cuts** – an improper pruning technique that leaves a stub that may lead to structural defects.
22. **Topping** – the improper pruning of large limbs, usually growing vertically, to reduce the height of a tree.
23. **Witches Broom** – is an abnormal growth cluster of twigs that may be caused by pruning, insects, mites, fungus, etc.

October 22, 2024

Tree Care Consulting
1534 N. Moorpark Rd., #149
Thousand Oaks, CA 91360
(818) 512-3135

Amir Hamidzadeh
141 Lake Sherwood Drive
Lake Sherwood, CA 91361

Re: Oak Tree #12 141 Lake Sherwood Drive

Dear Mr. Hamidzadeh:

Oak tree #12 is a mature coast live oak that is 8 from the house and extends over the chimney. The tree poses a hazard due to its proximity but also because of its structural condition. As stated in my field observations on May 17, 2024, the tree's defects include trunk cavities, a surface canker (indications of tissue death), insect damage, thin foliage (from having to prune branches that were near the house), and a weak attachment where the 2 scaffold branches are connected at the top of the tree. The crown/trunk ratio, which should be no less than 60/40 percent, where the crown comprises no less than 60 percent of the height of the tree, is roughly a ratio of 40/60 or even 30/70. It is impossible to predict when one of these defects will cause the tree to fail structurally, but failure is likely within 2 years. In addition to the likelihood of failure is that there is a permanent target, namely, the house.

The Ventura County Fire Department recommends a minimum of 10 feet of clearance between a wood structure and the branches of trees. The trunk of this tree will always be less than 10 feet and the branches over the house will continue to grow near the roof unless that side of the crown is drastically pruned, further damaging the tree's structure.

I recommend removing oak tree #12 due to its poor health, multiple defects, and proximity to the house.

Respectfully submitted,

John Oblinger
ISA Certified Arborist WE-6820A
ISA Tree Risk Assessor Qualified

CONDITIONS OF APPROVAL FOR DISCRETIONARY TREE PERMIT (DTP) CASE NO. PL24-0082

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. Project Description

This Discretionary Tree Permit is based on and limited to compliance with the project description stated in this condition below, Exhibits 3 and 4 of the Planning Director hearing on December 12, 2024 and conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

The project requests that a Discretionary Tree Permit (DTP) be granted to authorize the removal and/or on-site relocation of one heritage size oak tree, Oak Tree No. 2 (Exhibit 4, Arborist Report prepared by John Oblinger on August 28, 2024 and Addendum on October 22, 2024). Tree No. 2 is located on the east side of the lot fronting Lake Sherwood Drive. Tree No. 2 is proposed to be removed to allow for the construction of a 141-foot-long driveway, and four retaining walls varying in height from three feet to six feet tall. The driveway will serve an existing single-family dwelling. The applicant has elected to provide compensation for the removal of Tree No. 2 which is valued at \$25,592 and will be applied to the Tree Mitigation Fund for the County of Ventura. The remaining portion of the project site includes 14 oak trees, six of which are within the construction footprint. During construction, protective fencing and other measures will be employed to protect Trees Nos. 1, 7, 8, 9, Off Property (OP)1, and OP2.

Estimated earthwork to construct the driveway and retaining walls will consist of 47.9 cubic yards (cut and fill) (Exhibit 3). The subject property receives water from Ventura County Public Works Sanitation District and sewer services from Triunfo County Sanitation District.

2. Required Improvements for DTP

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

County of Ventura
Planning Director Hearing
Case No. PL24-0082
Exhibit 5 - Conditions of Approval and Mitigation
Monitoring and Reporting Program

Requirement: The Permittee shall ensure that all required off-site and on-site improvements for the Project, paving and landscaping are completed in conformance with the approved plans stamped as hearing Exhibit 3. The Permittee shall prepare and submit all final building and site plans for the County's review and approval in accordance with the approved plans.

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

Timing: Prior to the issuance of a Zoning Clearance for Construction the Permittee shall submit all final development plans to the Planning Division for review and approval. Unless the Planning Director and/or Public Works Agency Director allow the Permittee to provide financial security and a final executed agreement, approved as to form by the County Counsel, that ensures completion of such improvements, the Permittee shall complete all required improvements prior to final inspection. The Permittee shall maintain the required improvements for the life of the Project.

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

3. Site Maintenance

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

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

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

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

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to

conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

4. DTP Modification

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

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

5. Construction Activities

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

6. Acceptance of Conditions and Schedule of Enforcement Responses

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

- a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- b. Suspension of the permitted land uses (Condition No. 1);
- c. Modification of the DTP Permit conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Revocation of this DTP Permit.

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

7. Time Limits

a. Use inauguration:

- (1) The approval decision for this DTP Permit becomes effective upon the expiration of the 10-day appeal period following the approval decision/date on which the Planning Director rendered the decision on the Project, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for construction in order to initiate the land uses set forth in Condition No. 1
- (2) This DTP Permit shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for construction within one see the Ventura County Non-Coastal Zoning Ordinance (§ 8111-4.7) from the date the approval decision of this DTP becomes effective. The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for construction if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.
- (3) Prior to the issuance of the Zoning Clearance for construction, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for construction any final billed processing fees must be paid within 30 days of the billing date, or the County may revoke this DTP Permit.

8. Documentation Verifying Compliance with Other Agencies' Requirements Related to this DTP Permit

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

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

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

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

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

9. Notice of DTP Permit Requirements and Retention of DTP Permit Conditions On Site

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

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

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

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

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

10. Recorded Notice of Land Use Entitlement and Very High Fire Severity Notice

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

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

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

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

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

11. Financial Responsibility for Compliance Monitoring and Enforcement

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

12. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, “Indemnified Parties”) arising out of or in any way related to the County’s issuance, administration, or enforcement of this DTP Permit. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, “Liabilities”), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.
- c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party’s sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee’s sole expense with legal

counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this DTP Permit, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.

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

13. Invalidation of Condition(s)

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

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

14. Consultant Review of Information and Consultant Work

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

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this DTP Permit, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such

work. Whenever feasible, the County will use the lowest responsible bidder or proposer. Any decisions made by County staff in reliance on consultant or contractor work may be appealed pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 12 above, if the County hires a consultant to review any work undertaken by the Permittee or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

15. Relationship of DTP Permit Conditions, Laws, and Other Entitlements

The Permittee shall implement the Project in compliance with all applicable requirements and enactments of federal, state, and local authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any DTP Permit condition contained herein is in conflict with any other DTP Permit] condition contained herein, when principles of law do not provide to the contrary, the DTP Permit condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

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

16. Contact Person

Purpose: To designate a person responsible for responding to complaints.

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this DTP Permit.

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

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

change, or the responsibility is assigned to another person, the Permittee shall provide Planning Division staff with the new information in writing within three calendar days of the change in the Permittee's field agent.

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

17. Change of Permittee

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

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

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

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

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

18. Tree Protection Plan (TPP)

Purpose: To comply with the County's Tree Protection Regulations (TPR) set forth in Section 8107-25 et seq. of the Ventura County Non-Coastal Zoning Ordinance and the Tree Protection Guidelines (TPG).

Requirement: The Permittee shall avoid impacting protected trees to the extent feasible and shall offset or mitigate any damage to protected trees or associated impacts from such damage. If protected trees are felled/damaged and require offsets/mitigation pursuant to the TPR (Section 8107-25.10) and TPG (Section IV.C, Offset/Replacement

Guidelines), the Permittee shall post a financial assurance to cover the costs of planting and maintaining the offset trees.

Documentation: The Permittee shall prepare and submit to the Planning Division for review and approval, a TPP pursuant to the “Content Requirement for Tree Protection Plans” that is currently available on-line at: <http://www.ventura.org/rma/planning/pdf/permits/tree/Tree-Protection-Plan-11-11-19.pdf>. The TPP must include (but is not limited to):

- a. measures to protect all TPR-protected trees whose tree protection zones (TPZs) are within 50 feet of the construction envelope (including stockpile and storage areas, access roads, and all areas to be used for construction activities) or within 10 feet of other trees proposed for felling or removal;
- b. the offset or mitigation that will be provided for any trees approved for felling; and
- c. the offset or mitigation that will be provided should any protected trees be damaged unexpectedly.

A qualified arborist¹ shall prepare the TPP in conformance with the County’s TPR, TPG, and “Content Requirements for Tree Protection Plans.”

If in-lieu fees will be paid to a conservation agency for tree offsets/mitigation, the Permittee shall submit to the Planning Division for review and approval, a tree mitigation plan from a conservation agency that explains how the mitigation funds will be used to support the preservation of protected trees. After the Planning Division’s review and approval of the tree mitigation plan, the Permittee shall provide the Planning Division with a copy of the contract between the conservation agency and the Permittee.

If a financial assurance is required for tree offsets/mitigation, the Planning Division shall provide the Permittee with a “Financial Assurance Acknowledgement” form. The Permittee shall submit the required financial assurance and the completed “Financial Assurance Acknowledgement” form to the Planning Division. The Permittee shall submit annual verification that any non-cash financial assurances are current and have not expired.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall submit the TPP to the Planning Division for review and approval, implement all prior-to-construction tree protection measures, and submit the required documentation to demonstrate that the Permittee implemented the tree protection measures. Unless otherwise approved by the Planning Director, replacement and transplant trees must be

¹ A qualified arborist may be either an International Society of Arboriculture certified arborist or a related professional, such as a landscape architect, with qualifying education, knowledge and experience, as determined by the Planning Director. The project arborist is the arborist who prepared the TPP and remains involved with implementation and monitoring of the Project.

planted prior to use. Other monitoring and reporting dates shall be as indicated in the approved TPP.

If in lieu fees are required and will be paid to the Planning Division's Tree Impact Fund, the Permittee shall submit these fees prior to the issuance of a Zoning Clearance for construction. Where a TPP damaged tree addendum is prepared, the Permittee shall remit payment of the fees within 30 days of Planning Division's approval of the addendum.

If in lieu fees are required and will be paid to an approved conservation agency, the Permittee shall submit these fees, along with the required tree mitigation plan and contract from the conservation organization, prior to the issuance of a Zoning Clearance for construction.

If a financial assurance is required, the Permittee shall submit the required financial assurance and the completed "Financial Assurance Acknowledgement" form prior to the issuance of a Zoning Clearance for construction. The Planning Division may release the financial assurance after receiving the report from the project arborist that verifies that the replacement trees met their final 5- or 7-year performance targets set forth in the TPP.

Monitoring and Reporting: The Permittee shall retain an arborist to monitor and prepare the documentation regarding the health of the protected trees, pursuant to the monitoring and reporting requirements set forth in the "Content Requirements for Tree Protection Plans." The Planning Division maintains the approved TPP and all supporting documentation in the Project file. The Resource Management Agency Operations Division maintains copies of all financial documentation. Planning Division staff, Building and Safety Inspectors, and Public Works Agency grading inspectors have the authority to inspect the site during the construction phase of the Project, in order to verify that tree protection measures remain in place during construction activities, consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance (PL-32)

19. Tree Health Monitoring and Reporting

Purpose: To comply with the County's Tree Protection Regulations (TPR) in Section 8107-25 of the Ventura County Non-Coastal Zoning Ordinance and Tree Protection Guidelines (TPG), and with the Oak Woodland Conservation Act (OWCA) (PRC Section 21083.4, Fish and Game Code Section 1361).

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

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

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

Monitoring and Reporting: The Permittee shall implement any recommendations made by the arborist’s Damaged Tree Addendum to the satisfaction of the Planning Director. The Planning Division maintains copies of all documentation and evidence that the arborist’s recommendations are implemented. The Planning Division has the authority to inspect the site to confirm the health of the protected trees and to ensure that the recommendations made by the arborist are implemented consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance. (PL-33)

20. Archaeological Resources Discovered During Grading

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

Requirement: The Permittee shall implement the following procedures:

- i. If any archaeological or historical artifacts are uncovered during ground disturbance or construction activities, the Permittee shall:
 1. Cease operations and assure the preservation of the area in which the discovery was made;
 2. Notify the Planning Director in writing, within three days of the discovery;
 3. Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
 4. Obtain the Planning Director’s written concurrence of the recommended disposition of the site before resuming development; and
 5. Implement the agreed upon recommendations.
- ii. If any human burial remains are encountered during ground disturbance or construction activities, the Permittee shall:
 1. Cease operations and assure the preservation of the area in which the discovery was made;
 2. Immediately notify the County Coroner and the Planning Director;

3. Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
4. Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development on-site; and
5. Implement the agreed upon recommendations.

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

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

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

21. Construction Noise

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

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

Documentation: The Permittee shall post a sign stating these restrictions in a conspicuous location on the Project site, in order so that the sign is visible to the general

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

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

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

PUBLIC WORKS AGENCY (PWA)

Roads and Transportation Division

22. Driveway Access

Purpose: Driveway access shall be in accordance with the County Road Standards, the Driveways and Curb Cuts Brochure, and the County's Access Policies.

Requirement: The driveway shall be constructed per County Road Standard Plate E-2 (Residential Driveway) and E2b, or as modified and approved by the VCPWA-RT Permits Engineer. The Permittee shall obtain an Encroachment Permit (EP) from the Public Works Agency – Roads and Transportation. Contact the Public Works Agency Roads and Transportation Permits Division 654-2055 for the requirements of the EP. The EP form is available on the internet. Improvement plans and supporting documentation may be required by the Encroachments Division.

Documentation: The Public Works Agency – Roads & Transportation will review the improvement plans and supporting documentation.

Timing: This condition shall be met prior to any work within Lake Sherwood Drive Road right-of-way.

Monitoring and Reporting: The Public Works Agency – Roads & Transportation Inspectors will monitor construction and verify that the work is performed in accordance with the Encroachment Permit.

Water Protection District – Storm Water

23. Compliance with Stormwater Development Construction Program

Purpose: To ensure compliance with the Los Angeles Regional Water Quality Control Board NPDES Municipal Stormwater Permit, No. CAS004002 (Permit), the proposed project will be subject to the construction requirements for surface water quality and storm water runoff, in accordance with Part 4.F., “Development Construction Program”, of the Permit.

Requirement: The construction of the proposed project shall meet requirements contained in Part 4.F., “Development Construction Program”, of the Permit through the inclusion of an effective combination of construction best management practices (BMPs) during all ground disturbing activities. In addition, Part 4.F requires additional inspections to be conducted by the Qualified Stormwater Pollution Prevention Plan (SWPPP) Developer (QSD), Qualified SWPPP Practitioner (QSP), or a Certified Professional in Erosion and Sediment Control (CPESC).

Documentation: The Permittee shall submit a completed and signed SW-HR form (Best Management Practices for Construction at High-Risk Sites) to the Public Works Agency - County Stormwater Program (CSP) for review and approval, a template for which can be found at <https://www.onestoppermits.vcrma.org/departments/stormwater-program>.

Timing: The above listed item shall be submitted to the CSP for review and approval prior to issuance of a zoning clearance for construction.

Monitoring and Reporting: The CSP will review the submitted materials for consistency with the Permit. Building permit inspectors will conduct inspections during construction to ensure effective installation of the required BMPs and record keeping of the required inspections by the project proponent’s QSD, QSP, or CPESC. (CSP-3).

EXHIBIT 6
CONSISTENCY WITH THE GENERAL PLAN AND LAKE SHERWOOD/HIDDEN VALLEY AREA PLAN FOR DISCRETIONARY TREE PERMIT CASE NO. PL24-0082

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

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

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

The proposed project would remove one heritage oak tree.

Evaluated below is the consistency of the proposed project with the applicable policies of the General Plan Goals, Policies and Programs, as well as the Lake Sherwood/Hidden Valley Area Plan Goals and Policies.

Land Use and Community Character Element

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

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

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

Staff Analysis: The Lake Sherwood community consists of large single-family dwellings with oak trees peppered throughout the area. The subject lot and adjoining lots front Lake Sherwood and are backed by lots designated for open space. The site is developed with an existing dwelling that was established in the 1930s. The proposed project consists of removing Tree No. 2, which is located at the entrance of the lot. Currently there is no improved driveway, the project

requires the removal of Tree No. 2 to construct and improve the driveway with a paved surface.

Based on the discussion above, the proposed project is consistent with General Plan Policies LU-16.1, LU-16.10, LU-16.8.

Conservation and Open Space Element

2. Lake Sherwood / Hidden Valley Area Plan Policy LS-36.1 Protected Trees:

The County shall locate discretionary development and grading to avoid the loss of any protected tree as defined in the County's Tree Protection Ordinance. If such is infeasible, the County shall require the protected trees be replaced in accordance with Table LS-4:

Lake Sherwood/Hidden Valley Area Plan Policy LS-36.3 Oak Trees: *The County shall require all discretionary development to comply with the following policies which are intended to minimize and mitigate the loss of oak trees. All references to oak tree ratings or oak tree clusters refer to the findings contained in the Preliminary Oak Tree Reports prepared by Lee Newman and Associates, dated June 1985.*

- a. *If an oak tree has a rating of C/B or better for health/aesthetics, all reasonable efforts should be made to preserve the tree through project design. If, in the opinion of the developer, such a tree cannot be reasonably preserved, a written statement of the reasons why shall be provided to the Planning Division as part of the project application. The final decision for removal will rest with the Planning Manager.*
- b. *Any oak tree to be preserved within development areas shall be preserved as follows:*
 1. *If possible, the tree shall be on land maintained by a Homeowners Association or a public agency. This is to encourage proper maintenance of the tree through use of professional landscape personnel.*
 2. *The property owner responsible for oak tree maintenance shall keep on file and implement oak tree maintenance instructions to be provided by the Planning Division.*
 3. *Landscaping within 5 feet of the dripline of oak trees shall consist of drought resistant plant species compatible with the water requirements of the trees.*
 4. *Prior to approval of grading plans, the trees to be preserved shall be inspected by an arborist approved by the Planning Division. The arborist shall*

make written recommendations to the County and developer concerning a program to maintain, and if need be, to enhance the health of individual trees. This program shall include plans to protect the trees during grading and construction activities. The developer and/or maintenance agency shall implement the appropriate portions of the program as approved by the Planning Division. (Note: See the Newman Reports for details). Failure to adhere to the mitigation plan to the satisfaction of the Planning Division shall result in a \$3,500 assessment per affected tree to be made by the developer to the appropriate public agency for use in habitat enhancement. Said fee shall be paid prior to issuance of any further permits for the project.

- c. *If trees are to be removed, a mitigation schedule shall be approved by the County. The baseline fee is calculated as the cost of purchasing and planting two 24 inch box and one 15 gallon oak trees. This baseline may be modified periodically by the Planning Division to reflect changes in the cost of trees or labor. The Baseline is based on the aesthetic and biological value of an isolated grade C/C oak tree. For a tree to be more valuable than grad C/C, both the health and aesthetic values must have a grade of C or better. For example, a D+/B tree is not considered to be more valuable than a grad C/C tree. For a tree to be less valuable than grade C/C, both value must have a grade of less than C. In the example of a D+/B tree, this tree would be treated as a C/C tree for mitigation purposes. (Note: These fees apply to dead trees as they have ecological value).*
1. *Isolated Trees - Defined as trees shown with a separate canopy which is not merged with another tree canopy:*
 - *Trees of grade C/C or better - Baseline mitigation.*
 - *Trees of less than grade C/C = 1/2 of Baseline mitigation.*
 2. *Clustered Trees - Defined as trees shown with a canopy combined with the canopy of at least one other tree.*
 - *Trees of grade C health or better = 2 x Baseline.*
 - *Trees of less than grade C health = Baseline.*
(Note: Trees in a cluster of other oak trees provide more ecological benefits than do isolated trees).
- d. *The largely intact trunk and major limbs of removed trees shall be offered to an appropriate agency, as determined by the Planning Division, for use on public park or open space lands. If accepted by said agency, such trees shall be delivered by the developer to an area located within 1 mile of the development parcel as designated by the agency. If a previously dead tree as identified in the Newman Reports is accepted by said agency, the mitigation fee is waived.*

Payment of the mitigation fee and delivery of the removed trees to the appropriate agency shall occur prior to final inspection of the first unit of a project.

- e. *The recommendations for tree health maintenance, protection from grading and construction activities, and long-term water and fertilization made in the Newman Reports shall be implemented through written Homeowners Association and other CC&Rs, or other written documents as appropriate.*

Staff Analysis: An Arborist Report prepared by John Oblinger (dated August 28, 2024 and Addendum on October 22, 2024), (Exhibit 4), identified the need to remove or relocate one heritage size oak tree, Oak Tree No. 2. Tree No. 2 is located on the east side of the lot fronting Lake Sherwood Drive. Tree No. 2 is proposed to be removed to allow for the construction of a 141-foot-long driveway, and four retaining walls varying in height from three feet to six feet tall. The driveway is currently unimproved and will be paved to serve an existing single-family dwelling. The remaining portion of the project site includes 14 oak trees, six of which are within the construction footprint. During construction, protective fencing and other measures will be employed to protect Tree Nos. 1, 7, 8, 9, Off Property (OP)1, and OP2 (Exhibit 5, Condition of Approval No. 18). To mitigate for the loss of Tree No. 2, the applicant has elected to provide compensation valued at \$25,592. Pursuant to NCZO Sec. 8107-25.10.1 the financial contribution will go towards the Tree Mitigation Fund for the County of Ventura.

Based on the discussion above, the proposed project is consistent with Lake Sherwood / Hidden Valley Area Plan Policy LS-35.1, LS-36.1, and LS-36.3.

Hazards and Safety Element

3. **General Plan Policy HAZ-1.4 Development in High Fire Severity Zones and Hazardous Fire Areas:** *The County shall require the recordation of a Notice of Fire Hazard with the County Recorder for all new discretionary entitlements (including subdivisions and land use permits) within areas designated as Hazardous Fire Areas by the Ventura County Fire Department or High Fire Hazard Severity Zones by the California Department of Forestry and Fire Protection (CAL FIRE).*

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

Lake Sherwood / Hidden Valley Area Plan Policy LS-47.1 Water and Access Conditions for Firefighting: *The County shall condition discretionary*

development permits to provide adequate water and access for firefighting purposes as determined by the Fire Protection District.

Lake Sherwood / Hidden Valley Area Plan Policy LS-47.11 Emergency Vehicle Access: *The County shall require discretionary development to provide adequate, direct access for the accommodation of emergency vehicles.*

Staff Analysis: The subject property receives water from the County of Ventura Public Works Water and Sanitation Agency. Except for the improvements to the driveway, no new development is proposed; therefore, water usage will not increase. The Ventura County Fire Protection District (VCFPD) reviewed the project for consistency with fire safety standards. Based on this review, VCFD did not require any conditions for the project and determined there will be adequate water and access to the property.

Based on the discussion above, the proposed project is consistent with General Plan Policy HAZ-1.4 and Lake Sherwood/ Hidden Valley Area Plan Policies LS-47.1 and LS-47.11.

Stormwater, Drainage, and Flood Control

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

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

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

Lake Sherwood/ Hidden Valley Area Plan PFS-6.1 Flood Control and Drainage Facilities Required for Discretionary Development: *The County shall require discretionary development to provide flood control and drainage facilities, as deemed necessary by the County Public Works Agency and Watershed Protection District. The County shall also require discretionary development to fund*

improvements to existing flood control facilities necessitated by or required by the development.

Staff Analysis: The project site slopes towards the east, and drainage naturally is directed towards Lake Sherwood Drive to the storm drain system.

The Watershed Protection District's (WPD's) Stormwater Program is charged for ensuring the County's compliance with the National Pollutant Discharge Elimination System (NPDES). NPDES implements the Federal Clean Water Act by requiring that stormwater discharges not pollute downstream waters. Projects involving ground disturbance can cause soils to be carried away in stormwater runoff, causing pollution. To avoid this issue, the County Stormwater Program requires that applicants implement Best Management Practices (BMPs) during the construction phase of a project. The applicant will be required to submit the required forms to WPD to demonstrate that appropriate BMPs will be incorporated into the project (Exhibit 5, Condition No. 23).

Based on the discussion above, the proposed project is consistent with General Plan Policies HAZ-4.5, WR-2.2, and WR-3.3.

Cultural Resources

- 5. General Plan Policy COS-4.2(a) Cooperation for Cultural, Historical, Paleontological, and Archaeological Resource Preservation:** *The County shall cooperate with cities, special districts, appropriate organizations and private landowners to identify known cultural, archaeological, historical, and paleontological resources to preserve identified resources within the county.*

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

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

Staff Analysis: To assess the potential for presence of archaeological resources, the Ventura County Resource Management Agency contacts the South-Central

Coastal Information Center (SCCIC), which is the local information repository for the California Historical Resources Information System (CHRIS). On October 17, 2024, by written correspondence, SCCIC determined that an Archaeological Phase I Report was not required.

According to the Counties Geographical Information System repository for paleontological resources the project area does not contain the underlying geology to contain paleontological resources.

In an effort of precaution, the project has been conditioned to include the inadvertent discovery protocol of cultural resources (Exhibit 5, Condition 20).

Based on the discussion above, the proposed project is consistent with General Plan Policies General Plan Policy COS-4.2(a), COS-4.2(b), and COS-4.4.