



## Planning Director Staff Report Hearing on January 30, 2025

### County of Ventura • Resource Management Agency

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

## SAFADI HABITAT RESORATION PLAN PLANNED DEVELOPMENT PERMIT (PD), CASE NO. PL23-0129

### A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Planned Development (PD) Permit for a Habitat Restoration Plan (Case No. PL23-0129).
2. **Applicant/Property Owner:** Rami Safadi, 110 West Potrero Road, Thousand Oaks, CA 91361
3. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-4 and Section 8111-1.2 et seq.) the Planning Director is the decision-maker for the requested PD Permit.
4. **Project Site Size, Location, and Parcel Number:** The four-acre project site is located at 110 West Potrero Road, approximately 250 feet southwest of the intersection of West Potrero Road and Lake Sherwood Drive, in the Lake Sherwood Community, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 695-0-031-150 (Exhibit 2).
5. **Project Site Land Use and Zoning Designations (Exhibit 2):**
  - a. Countywide General Plan Land Use Map Designation: Rural
  - b. Lake Sherwood/Hidden Valley Area Plan Land Use Map Designation: Rural Residential, 2-5 Acre Minimum Parcel Size
  - c. Zoning Designation: RE-4 ac / SRP (Rural Exclusive 4-acre Minimum Parcel Size / Scenic Resource Protection Zone).
6. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	OS-40 ac/SRP (Open Space minimum 40-acre lot size / Scenic Resource Protection Overlay)	Agriculture and Animal Husbandry
East	RE-4 ac/SRP (Rural Exclusive four acre minimum/Scenic Resource Protection Zone)	Residence

Location in Relation to the Project Site	Zoning	Land Uses/Development
South	RPD-1 du/ac (Residential Planned Development one dwelling unit per acre).	Residence
West	OS-40 ac/SRP (Open Space minimum 40-acre lot size / Scenic Resource Protection Overlay)	Country Club

**7. History:** The subject Parcel was created in 1978 by Parcel Map No. 2909.

On December 16, 2002 Zoning Clearance No. ZC62140 approved a 7,812 sq. ft. single family dwelling with a three car garage and a covered porch.

On November 22, 2006 Zoning Clearance No. ZC06-1496 approved the addition of a bathroom to an existing recreation room.

On January 31, 2007 Zoning Clearance No. ZC07-0128 approved the addition of a pool and spa.

On April 18, 2007 Zoning Clearance No. ZC07-0500 approved an eight foot tall fence and electric gate.

On April 6, 2023 a Notice of Violation No. CV23-0250 was sent to the property owner citing that over 1,000 sf. ft. of vegetation was removed in the Scenic Resource Protection Overlay Zone. A Habitat Restoration Plan prepared by Padre & Associates (September 2023 and amended February 2024) identified approximately 1.15 acres of native vegetation was removed.<sup>1</sup> The applicant initiated the Habitat Restoration Plan in October 2024.

**8. Project Description:** The applicant proposes to restore approximately 1.15 acres (50,094 sq. ft.) of native vegetation that has been removed from the northern portion of the property. A Habitat Restoration Plan (September 2023 and amended February 2024) shall be implemented to restore the area with the planting 53 arroyo willow cuttings. A bio-swale will also be constructed to act as low flow crossing to direct water that collects at the northern end of the lot to the west end of the lot. This bio-swale will be planted with Saltgrass, Toad Rush, Western goldenrod, Succulent lupine, and Heliotrope Alkali mallow.

Maintenance of the restoration will be in accordance with the approved Habitat Restoration Plan (Padre, September 2023 and amended February 2024). Annual monitoring reports will be submitted to the Planning Division for five years after planting.

<sup>1</sup> The estimated area of vegetation removal excludes the required 100 foot vegetation clearance buffer required by the Ventura County Fire Control district.

No new development is proposed. (Exhibit 3).

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

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code 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 considered exempt under Section 15333, Class 33 (Small Habitat Restoration Projects) because the area to be restored ("Project") is less than five acres, and the applicant is proposing to rehabilitate a disturbed area with native vegetation. 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 15333 of the CEQA Guidelines.

## **C. CONSISTENCY WITH THE GENERAL PLAN AND LAKE SHERWOOD/HIDDEN VALLEY 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 4 of this staff report.

## **D. ZONING ORDINANCE COMPLIANCE**

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

Pursuant to the requirements of the Ventura County NCZO Sections 8105-4, the proposed work is allowed in the Rural Exclusive (RE) zone district with the granting of a PD Permit. Upon the granting of the PD Permit, the proposed project will comply with the requirements of the Ventura County NCZO.

- 1. Ventura County NCZO, § 8106-1.1:** The subject lot is developed with a single-family dwelling and accessory dwelling unit; no new development is proposed. Table 1 lists the applicable development standards and a description confirming existing development complies with these development standards.

**Table 1 – Development Standards Consistency Analysis**

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	10,000 sq. ft. minimum lot size	Yes, the lot size is 174,675 sq. ft.
Maximum Percentage of Building Coverage	25% lot coverage	5%
Front Setback	20 feet	201 feet
Side Setback	5 feet	38 feet
Rear Setback	15 feet	60 feet

2. **Ventura County NCZO § 8109-4.1:** The proposed project is located within the Scenic Resource Protection Overlay Zone and, therefore, is subject to the standards of the Ventura County NCZO Section 8109-4.1. The following are applicable SRP Overlay Zone standards and a description of whether the proposed project complies with those standards.

- a. **Viewshed Preservation** (NCZO § 8109-4.1.5(a)(1)): *“All discretionary development shall be sited and designed to [p]revent significant degradation of a scenic view or vista.”*
- b. **Land Alteration** (NCZO § 8109-4.1.5(a)(2)): *“All discretionary development shall be sited and designed to [m]inimize alteration of the natural topography, physical features, and vegetation.”*
- c. **Revegetation with Native Plants** (NCZO § 8109-4.1.5(a)(3)): *“All discretionary development shall be sited and designed to [u]tilize native plants indigenous to the area for re-vegetation of graded slopes, where appropriate considering the surrounding vegetative conditions.”*
- d. **Silhouetting** (NCZO § 8109-4.1.5(a)(4)): *“All discretionary development shall be sited and designed to [a]void silhouetting of structures on ridge tops that are within public view.”*
- e. **Colors and Materials** (NCZO § 8109-4.1.5(a)(5)): *“All discretionary development shall be sited and designed to [u]se materials and colors that blend in with the natural surroundings and avoid materials and colors that are highly reflective or that contrast with the surrounding vegetation and terrain, such as large un-shaded windows, light colored roofs, galvanized metal, and white or brightly colored exteriors.”*
- f. **Outdoor Lighting** (NCZO § 8109-4.1.5(a)(6)): *“All discretionary development shall be sited and designed to [m]inimize lighting that causes glare, illuminates adjacent properties, or is directed skyward in rural areas.”*

Staff Analysis:

The proposed project is to restore a previously undisturbed vegetated area with native vegetation. The area to be restored is located in the northern portion of the property,



adjacent to West Potrero Road. Following restoration, the degraded area will be an extension of the surrounding vegetative conditions. No development is proposed.

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

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

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

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

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

The project site is a four-acre parcel located in the Lake Sherwood community. The site is currently developed with a single-family dwelling and accessory dwelling unit. The property to the north (557 acres) and the property to the west (56 acres) are developed with agricultural uses. The parcels to the south and east are less than five-acres and developed with residential uses. Lake Sherwood is approximately 400 feet to the east and is separated from the subject lot by a residentially developed parcel.

The subject property and the adjoining lots to the north, east and west are located within the SRP Overlay Zone. The purpose of this zone is to preserve and protect the visual quality within the viewshed of selected County lakes, along the County's adopted scenic highways, and at other locations as determined by an Lake Sherwood/Hidden Valley Area Plan. The purpose of this PD permit is to restore a previously vegetated area along the northern boundary of the subject lot to its pre-existing condition. The Habitat Restoration Plan (Padre, 2023) includes a planting plan using native vegetation, and a maintenance and monitoring plan to ensure the restoration of the affected area is successful. Annual monitoring reports will ensure performance criterion are met and the area is enhanced and compatible with the surrounding development and open space areas.

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

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

The proposed project is limited to the restoration of 1.15 acres of native vegetation in areas where native vegetation was previously removed. No structural development is proposed. Restoration activities will not be obnoxious or harmful or impair the utility of neighboring property or uses. Restoration will involve the planting of native vegetation allowing for natural regeneration and establishment to repopulate the area, with minimal human intervention. Restoration work will be monitored annually for a five-year period.

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

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

As discussed in Section C and D of the staff report, the existing development has adequate public resources and infrastructure. Water is provided by the Lake Sherwood Community Services District and the site receives sewer services from Trifuno Sanitation District. The proposed area to be restored is in an area where water drains to so irrigation of the restoration areas will be minimal. No development is proposed, therefore, no additional traffic, noise, or an increase in water or sanitation services than what has previously been approved is expected to occur.

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

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

The proposed habitat restoration does not require a Conditional use Permit, therefore, this finding does not apply to the proposed project.

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

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

The subject property (APN 695-0-031-150) is comprised of one legal lot of record created in 1978 by Parcel Map No. 2909.

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

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

As discussed in section B, above, the proposed project meets the criteria for a Class 33 categorical exemption (CEQA Guidelines § 15333). A Class 33

categorical exemption applies to small habitat restoration projects not exceeding five acres in size. As the project is categorically exempt from CEQA, preparation of an Initial Study was not necessary.

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

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

The project is located in the Scenic Resource Protection (SRP) Overlay Zone. The project complies with the standards for this overlay zone, as discussed in Section D (above). Under the SRP zone, a PD Permit is required, because the project would involve removal of 1,000 sq. ft. or more of native vegetation. The project meets all applicable SRP standards as proposed and conditioned.

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

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

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), Ventura County NCZO (Section 8111-3.1). On January 21, 2025, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located. On January 20, 2025 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 15333 (Small Habitat Restoration Projects) of the CEQA Guidelines.
3. **MAKE** the required findings to grant a PD Permit pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
3. **GRANT** PD Permit Case No. PL23-0129, subject to the conditions of approval (Exhibit 5).

4. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.


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

If you have any questions concerning the information presented above, please contact Aubrie Richardson at (805) 654-5097 [Aubrie.Richardson@ventura.org](mailto:Aubrie.Richardson@ventura.org).

Prepared by:

  
Aubrie Richardson, Case Planner  
Residential Permitting  
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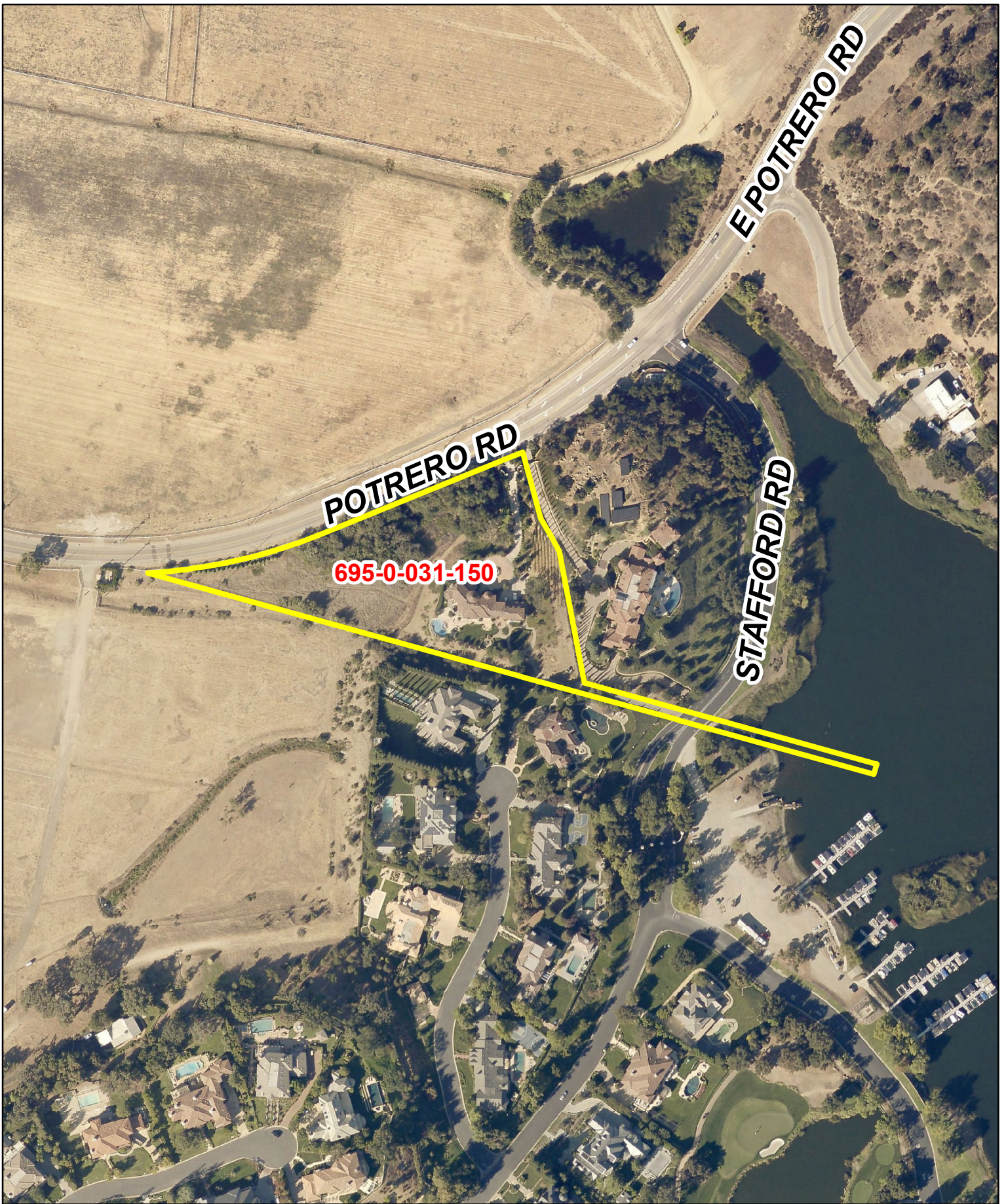
Reviewed by:

  
Jennifer Trunk, Manager  
Residential Permitting  
Ventura County Planning Division

**EXHIBITS**

- Exhibit 2 Maps
- Exhibit 3 Plans
- Exhibit 4 Conditions of Approval
- Exhibit 5 General Plan Consistency Analysis





Ventura County, California  
Resource Management Agency  
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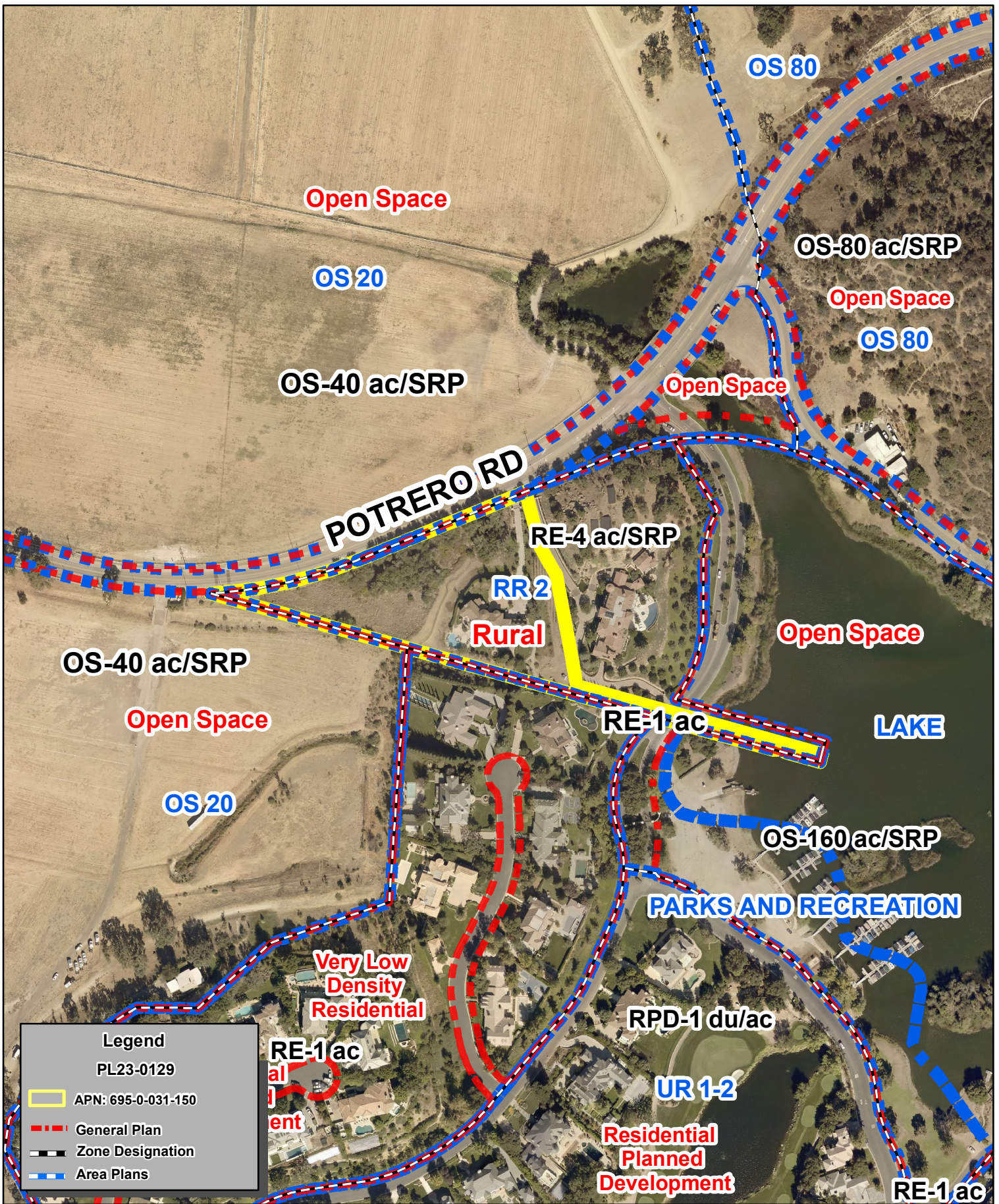
County of Ventura  
Planning Director Hearing  
January 30, 2025  
Case No. PL23-0129  
Exhibit 2 - Maps



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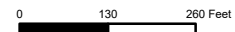




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County of Ventura  
 Planning Director Hearing  
 110 W. Potrero Rd.  
 Thousand Oaks CA. 91361  
 APN: 695-0-031-150  
 PL23-0129  
 General Plan & Zoning Map

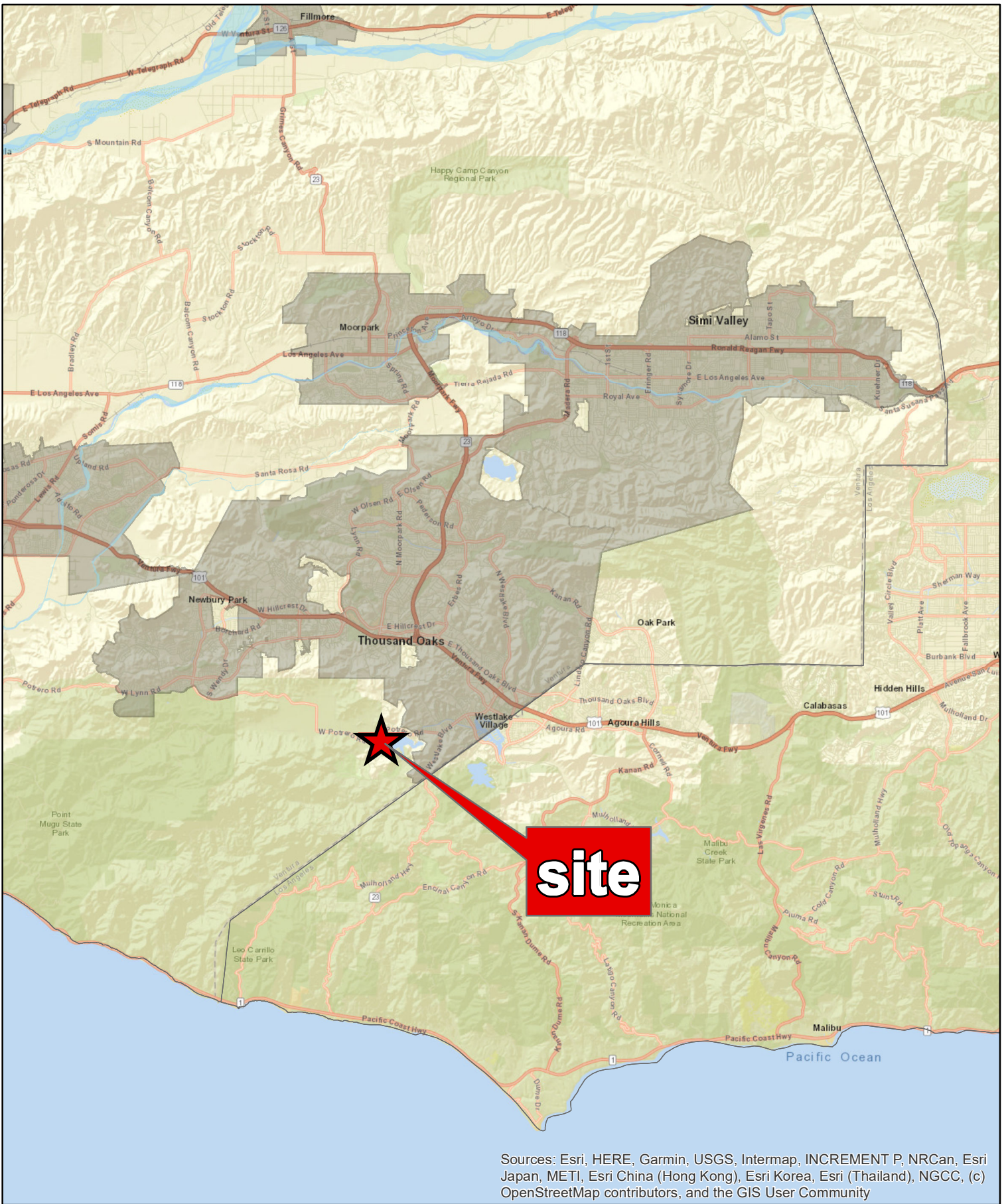


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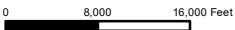
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Ventura County, California  
Resource Management Agency  
GIS Development & Mapping Services  
Map created on 12-10-2024



**County of Ventura**  
**Planning Director Hearing**  
**110 W. Potrero Rd.**  
**Thousand Oaks CA. 91361**  
**APN: 695-0-031-150**  
**PL23-0129**  
**Location Map**



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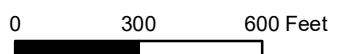




County of Ventura  
 Resource Management Agency  
 Development & Mapping Services  
 Map created on 12-10-2024  
 Source: Newbury Park U.S.G.S.  
 7.5 Minutes Quadrangle  
 Contour Interval = 20 ft



**County of Ventura  
 Planning Director Hearing  
 110 W. Potrero Rd.  
 Thousand Oaks CA. 91361  
 APN: 695-0-031-150  
 PL23-0129  
 Topo Map**



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# HABITAT RESTORATION PLAN

## 110 W. POTRERO ROAD, THOUSAND OAKS

### Case no. PL23-0129



Prepared for:

**Rami Safadi**

110 W. Potrero Road  
Thousand Oaks, California 91361

Prepared by:

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**September 2023, revised February 2024**

County of Ventura  
Planning Director Hearing  
January 30, 2025  
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Exhibit 3 - Plans



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- A Pre-Distance Aerial Photograph
- B Habitat Restoration Area Map
- C Site Photographs
- D LC Engineering Restoration Exhibit

## DOCUMENT HISTORY

This Habitat Restoration Plan (Plan) was completed in September 2023 and submitted to the Ventura County Resource Management Agency Planning Division. The property owner (Rami Safadi) received comments on the Plan in a Determination of Application Completeness letter dated January 31, 2024. The Plan has been revised to address comments provided in this letter.

## QUALIFICATIONS OF THE PREPARER

This Plan was prepared by Matt Ingamells of Padre Associates, a qualified biologist approved by the Planning Division. He has earned a B.S in Environmental and Systematic Biology from California Polytechnic State University, San Luis Obispo and a M.A. in Biology from the University of California, Santa Barbara and has over 33 years of local experience as a professional biologist.

## BACKGROUND

A portion of the property at 110 W. Potrero Road, Thousand Oaks (near Lake Sherwood, APN 695-0-031-150) was affected by removal of native vegetation in 2022 and the property owner was issued a Notice of Violation and Notice of Impending Civil Administrative Penalties (code violation CV23-0250) by the Ventura County Resource Management Planning Division on April 6, 2023. The basis of the code violation is:

*“Removal of one thousand square feet or more of native vegetation from an area of the property that is in the scenic protection overlay zone without an approved Planned Development Permit. The vegetation removed consists of several protected trees and native brush.”*

The codes violated were reported as the Ventura County Non-Coastal Zoning Ordinance Sections 8101-3 (General Prohibitions), 8105-4 (Permitted Uses) and 8111-1 (Entitlement Required).

As part of abatement of the code violation, the Planning Division required the submittal of a habitat restoration plan to replace native vegetation removed. This Habitat Restoration Plan was prepared to meet this requirement.

## DESCRIPTION OF THE PROPERTY AND ADJACENT PARCELS

The subject property has a street address of 110 W. Potrero Road, Thousand Oaks (APN 695-0-031-150). The 4.01-acre property is located immediately south of Potrero Road and approximately 300 feet west of Lake Sherwood. A 4.32-acre residential parcel (APN 695-0-031-160) is located between Lake Sherwood and the subject property. Seven smaller parcels (0.95 to 1.25 acres) supporting single-family residences are located to the south along Marshbrook Court. The subject property and adjacent parcel (APN 695-0-031-160) are located on a small knoll. Undeveloped pastureland is located to the south, north and west of the subject property, at the eastern end of Hidden Valley which supports agricultural uses and horse pasture. Open space areas supporting native vegetation occur north and south of Hidden Valley.



## DESCRIPTION OF THE AFFECTED AREA

### PRE-DISTURBANCE

The area affected by removal of native vegetation (affected area) comprises approximately 0.87 acres and is located immediately south of Potrero Road and north of the wrought iron fence surrounding the developed portion of the parcel (see Exhibits A and C). The affected area is a small topographic depression located between residential development to the south and east (including a small knoll adjacent to Lake Sherwood) and the elevated Potrero Road roadbed.

Based on review of aerial photographs and Google Street View photographs, this area supported arroyo willow scrub, composed of small arroyo willow trees (*Salix lasiolepis*) mostly less than 20 feet tall. Non-native vegetation was present south and east of the affected area. Exhibit A provides an aerial view of pre-disturbance conditions, and delineates the native vegetation removed.

### CURRENT CONDITIONS

Based on a site survey conducted on August 24, 2023, the affected area currently supports mostly native plant species including bulrushes, rush and scattered small arroyo willows. Dominant species include three-square bulrush (*Schoenoplectus americanus*), southern bulrush (*Schoenoplectus californicus*) and brown-headed rush (*Juncus phaeocephalus*). Other native species occurring in this area include broad-leaf cattail (*Typha latifolia*), spike rush (*Eleocharis macrostachya*) and western goldenrod (*Euthamia occidentalis*). Southern bulrush is more common in the eastern portion, and three-square bulrush is more common in the western portion of the affected area. The current extent of native vegetation is comprised of 1.03 acres and is shown in Exhibit B. Current site photographs are provided in Exhibit C. A second site visit was conducted on February 27, 2024 to determine wet season conditions at the affected area.

Soils of the entire affected area are saturated and standing water (mostly obscured by emergent vegetation) was present in about one-third of the area at the time of the August 24, 2023 site survey. The source of this water is apparently stormwater run-off from pasture areas to the south and west, and local storm flow from residential developments to the south and east. A large pond forms on the pastureland to the north during the winter and may contribute to the hydrology of the affected area. Based on the presence of saturated soils and standing water during the summer, it appears that grading associated with vegetation removal has not substantially affected the hydrology of the affected area.

It appears much of the willows removed were chipped and spread over the affected area as mulch. This mulch appears to displace native vegetation, especially in the western portion of the affected area (Exhibit C, photograph d).

The affected area under current and pre-disturbance conditions support wetlands based on the definition provided in the 2040 General Plan, based on the presence of surface water, saturated soils and vegetation requiring saturated or seasonally saturated soil conditions.

## HABITAT RESTORATION GOALS

The purpose of this Habitat Restoration Plan is to facilitate long-term persistence of native vegetation within the affected area. Currently, virtually the entire affected area supports native vegetation, such that extensive planting is not needed. Therefore, the primary goal of this Plan is to increase the area of native vegetation. As discussed below, the area of native vegetation following implementation of this Habitat Restoration Plan will be 1.15 acres (including the willow planting area and low flow crossing) as compared to 0.87 acres prior to disturbance.

## SITE PREPARATION

Site preparation will include:

- Existing native vegetation and planting areas will be delineated with low impact fencing such as plastic snow fence (minimum four feet-high) to prevent any inadvertent disturbance by planned earthwork to remedy unauthorized grading adjacent to the affected area including construction of the low flow crossing shown in the Restoration Exhibit prepared by the LC Engineering Group (see Exhibit D). The proposed location of the temporary fencing is shown in Exhibit B.
- Removal of exposed mulch by hand (100 to 200 cubic yards, including the willow planting area shown on Exhibit B) to allow bulrushes to spread naturally by rhizomes. Existing native vegetation will be avoided.
- Re-establishment of the drainage connection (low flow crossing) between the affected area and pastures to the south, as shown in Exhibit D. The low flow crossing will be raked to a depth of three inches prior to planting to reduce soil compaction associated with construction.

## IMPLEMENTATION

Implementation of the Plan (less performance monitoring) will be conducted by a licensed landscape contractor with experience in habitat restoration.

## PLANTING PLAN

Exhibit B provides a planting plan, showing the 0.08-acre willow planting area and the 0.09-acre low flow crossing which will be planted with native, mostly wetland plant species. The willow planting area was selected as this area has not been colonized by native plant species due to the presence of mulch and supports seasonally saturated soils conducive to willow growth. Note that a portion of the proposed low flow crossing is located outside the affected area as it did not support native vegetation and is not part of code violation CV23-0250.

## PLANTING METHODS

**Willow Planting Area.** Arroyo willow cuttings will be obtained from the subject property. If a sufficient willow cutting size or number of cuttings is not available on-site, willows will be purchased from a native plant nursery and cuttings taken from these plants. Collection of cuttings will be conducted such that donor stands will not be substantially affected. Four to six foot-long cuttings will be obtained between October and February and planted within 24 hours of cutting. Cuttings will be stored (if required) with the lower end immersed in water. Planting holes will be excavated using hand tools (shovel, crowbar or post-hole digger) or powered auger. The lower end of cuttings will be dipped in rooting hormone (3-indole-butyric acid, or equivalent), and planted vertically in the holes, at a depth of 3 to 4 feet. Planting holes will be filled with water and backfilled. If a sufficient number of cuttings is available, willow cuttings may be planted in bundles, with more than one per hole. Cuttings will be planted eight feet apart, but will be adjusted as needed in the field to avoid adjacent native vegetation and poor substrate. The total number of willow cuttings required (one per hole) is estimated to be 53.

**Low Flow Crossing.** The native seed mix for the low flow crossing is provided as Table 1. Species selected are those commercially available with a range of wetland affinity to address seasonal changes in soil moisture. All seed will be obtained from commercial supplier (S&S Seeds, or equivalent), using a seed source as close to the site as possible. One part seed will be mixed with three parts clean, weed-free sand and applied using a broadcast seeder, at a rate of approximately 43 pounds per acre (see Table 1). The area will be raked immediately prior to and following seeding. A portion of the mulch removed from the affected area may be used to cover the applied seed (one-inch mulch layer) immediately after planting to retain soil moisture and minimize the loss of seeds to birds and rodents. The seeded area will be irrigated immediately after planting, and periodically thereafter as needed to maintain optimal soil moisture and facilitate germination and seedling establishment. Irrigation will be terminated once seedlings have become established, unless monitoring visits indicate additional irrigation is warranted. Irrigation will be provided by handheld hoses using potable water supplied by the subject property.

**Table 1. Low Flow Crossing Native Seed Mix**

Common Name	Scientific Name	Bulk Pounds/Acre	Total Pounds (0.1 acres)
Saltgrass	<i>Distichlis spicata</i>	10	1.0
Toad rush	<i>Juncus bufonius</i>	10	1.0
Western goldenrod	<i>Euthamia occidentalis</i>	5	0.5
Succulent lupine	<i>Lupinus succulentus</i>	8	0.8
Heliotrope	<i>Heliotropium curassavicum</i>	5	0.5
Alkali mallow	<i>Malvella leprosa</i>	5	0.5
<b>TOTAL</b>		<b>43</b>	<b>4.3</b>

## **MAINTENANCE**

### **ACTIVITIES**

The following activities will be implemented during the maintenance period within the planting areas as needed:

- General hand weeding under the supervision of a qualified biologist, focusing on control of invasive species.
- Focused weed-whipping under the supervision of a qualified biologist (if required to control invasive plant infestations).
- Irrigation (by hand using hoses) only if necessary during seed germination and drought periods.

Maintenance will be conducted by a licensed landscape contractor with experience in habitat restoration.

### **SCHEDULE**

Weeding and irrigation will be conducted as needed to prevent displacement of planted species by weeds and facilitate expansion of native plant species. It is anticipated the landscape contractor will conduct monitoring visits weekly the first month and monthly thereafter during the first year to assess the need for and perform maintenance. The qualified biologist will be present for weeding as scheduled by the landscape contractor. A maintenance schedule will be developed each year based on the abundance of weeds as identified during monitoring visits.

## **PERFORMANCE MONITORING**

### **PERFORMANCE MONITORING SCHEDULE**

Performance monitoring will be conducted annually for up to five years after planting, by a qualified biologist, until performance standards are met.

### **PERFORMANCE STANDARDS**

The plantings should attain 40 percent native cover after one year and 90 percent native cover after three years, and meet or exceed the pre-disturbance area supporting native vegetation (0.87 acres). Replacement planting will be conducted if required by the Planning Division based on the results of the annual monitoring reports.

### **MONITORING METHODS**

Monitoring activities will include establishment of photo-documentation stations in each planting area, botanical surveys, and line intercept surveys. Photographs will be taken during each monitoring visit at established stations to document overall progress. Botanical surveys will be conducted to document the increase in the number and proportion of native species over time. Line intercept surveys will be conducted to determine the percent cover of planted species.

**ANNUAL MONITORING REPORTS**

An annual report will be prepared, including the following information:

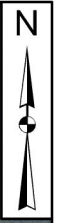
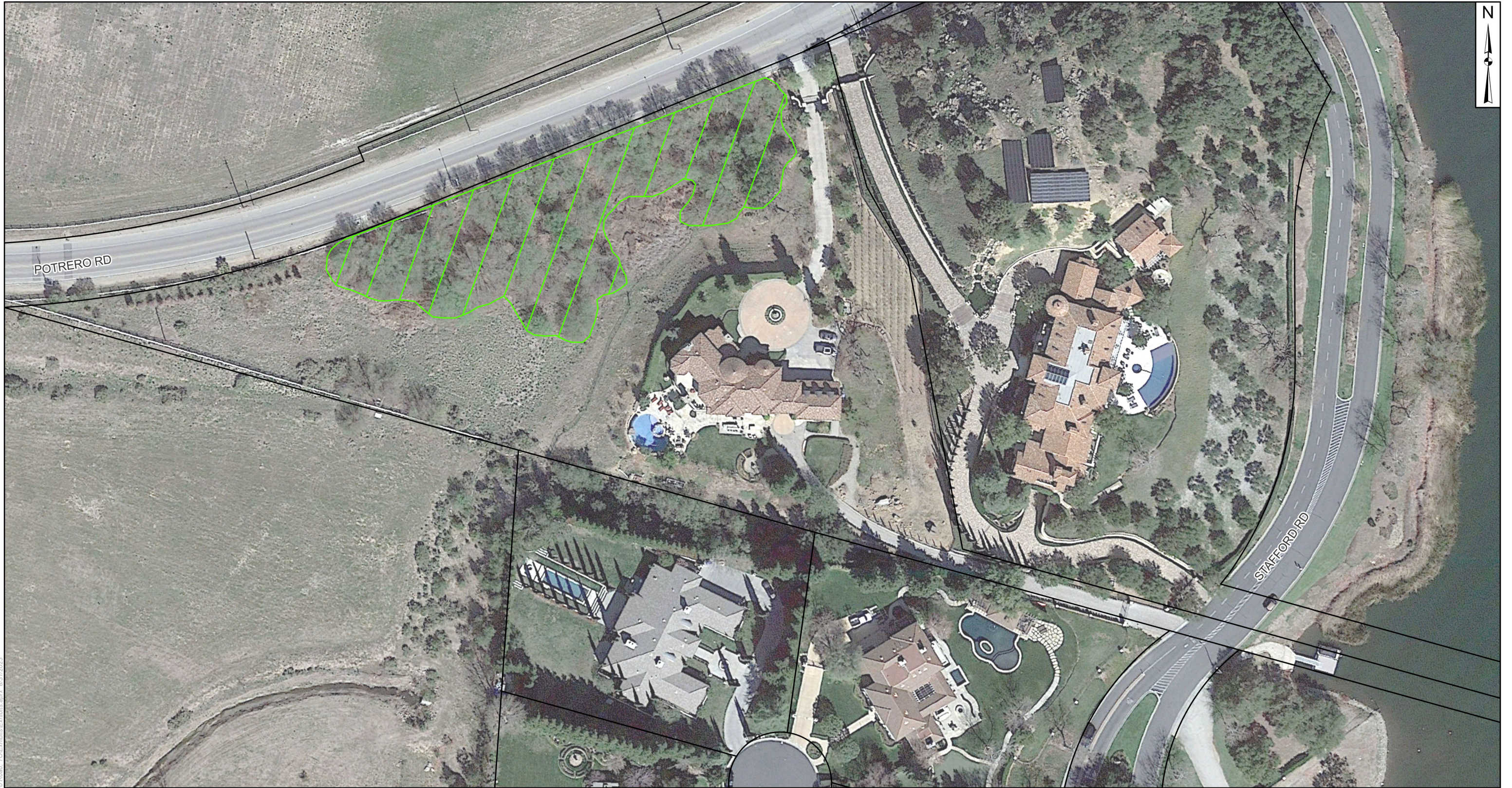
- Project name and Case no., applicant's address and phone number.
- Location and description of the affected area and planting areas.
- Description of all habitat restoration-related activities completed to date.
- Reporting forms and photographs.
- Discussion of monitoring methods and dates activities were completed.
- Discussion of problems encountered with respect to survival and growth of native plants.
- Discussion of activities conducted to improve survival and growth of native plants.
- Recommendations to minimize future mortality, excessive weeds, herbivory losses, slow growth and human impacts.

## **Exhibit A**

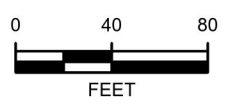
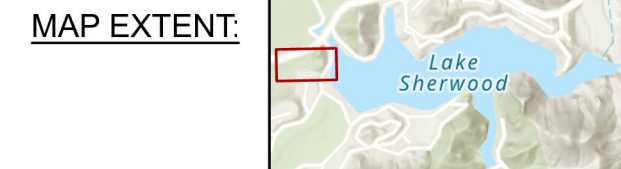
### **Pre-Disturbance Aerial Photograph**

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**LEGEND:**  
 County Parcel  
 Native Vegetation



Source: Google Earth Imagery March 2021  
 Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet  
 Notes: This map was created for informational and display purposes only.

<b>padre</b> associates, inc. <small>ENGINEERS, GEOLOGISTS &amp;          ENVIRONMENTAL SCIENTISTS</small>	PROJECT NAME: 110 W POTRERO ROAD, THOUSAND OAKS VENTURA COUNTY, CA	
	PROJECT NUMBER: 2302-3101	DATE: August 2023

**PRE- DISTURBANCE  
 AERIAL PHOTOGRAPH**

**EXHIBIT  
 A**

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## **Exhibit B**

# **Habitat Restoration Area Map**

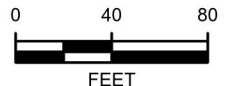
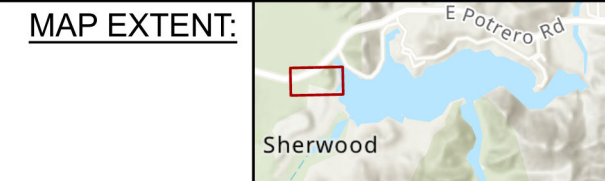
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- LEGEND:**
- County Parcel
  - Existing Native Vegetation (August 2023)
  - Low Flow Crossing
  - Willow Planting Area
  - Project Parcel
  - Temporary Fence

- 100 Foot Fuel Modification Area (from residence)



Source: Google Earth Imagery April 2023  
 Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet  
 Notes: This map was created for informational and display purposes only.



PROJECT NAME:  
 110 W POTRERO ROAD, THOUSAND OAKS  
 VENTURA COUNTY, CA

PROJECT NUMBER: 2302-3101      DATE: February 2024

**HABITAT RESTORATION PLAN**

EXHIBIT  
**B**

F:\GIS\Projects\GIS Maps\Map Project\110 W Potrero Road - FO\Exhibits\Exhibits.aprx 2/28/2024



# **Exhibit C**

## **Site Photographs**

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a. Western portion of the affected area (8/24/23)



b. Central portion of the affected area (8/24/23)



c. Proposed low flow crossing site (2/27/24)



d. Willow planting area (8/24/23)

## **Exhibit D**

# **LC Engineering Restoration Exhibit**

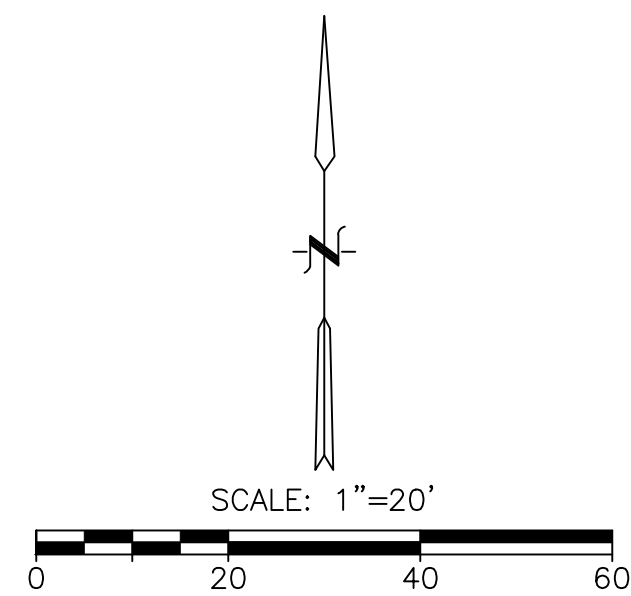
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**LEGEND**  
 C CENTER LINE  
 FG FINISH GRADE  
 FL FLOW LINE  
 GB GRADE BREAK  
 HP HIGH POINT  
 NG NATURAL GRADE  
 P PROPERTY LINE  
 UNO UNLESS NOTED OTHERWISE



**811** DIAL TOLL FREE 8 1 1  
 Know what's below. Call before you dig.  
 UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA  
 AT LEAST TWO DAYS BEFORE YOU DIG



WDID: N/A APN: 695-003-115 GP

DESCRIPTION OF REVISION	RCE	DATE	APP.	APP. DATE

**LC ENGINEERING GROUP, INC.**  
 CONSULTING ENGINEERS  
 889 Pierce Court, Suite 101, Thousand Oaks, California 91360  
 818-991-7148 • 805-497-1244 • lcggroupinc.com • workfiles@lcgroupinc.com  
 11/2/2023

APPROVED FOR GRADING & DRAINAGE IMPROVEMENTS:  
 LAND DEVELOPMENT SERVICES  
 ENGINEERING SERVICES  
 VENTURA COUNTY PUBLIC WORKS AGENCY  
 DATE

**VENTURA COUNTY  
 PUBLIC WORKS AGENCY  
 LAND DEVELOPMENT SERVICES**

SPEC. NO.  
 PROJ. NO.  
 8337

**RESTORATION EXHIBIT  
 SAFADI RESIDENCE  
 110 POTRERO RD., THOUSAND OAKS, CA.**

SHEET 2  
 OF 2  
 VCPWA DRAWING NO.



**EXHIBIT 4 - DRAFT CONDITIONS OF APPROVAL FOR PD PERMIT CASE NO.  
PL23-0129**

**RESOURCE MANAGEMENT AGENCY (RMA)**

**Planning Division Conditions**

1. Project Description

This Planned Development Permit is based on and limited to compliance with the project description stated in this condition below, Exhibits 2, 3, and 6 of the Planning Director hearing on January 30, 2025, 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 applicant proposes to restore approximately 1.15 acres (50,094 sq. ft.) of native vegetation that has been removed from the northern portion of the property. A Habitat Restoration Plan (September 2023 and amended February 2024) shall be implemented to restore the area with the planting 53 arroyo willow cuttings. A bio-swale will also be constructed to act as low flow crossing to direct water that collects at the northern end of the lot to the west end of the lot. This bio-swale will be planted with Saltgrass, Toad Rush, Western goldenrod, Succulent lupine, and Heliotrope Alkali mallow.

Maintenance of the restoration will be in accordance with the approved Habitat Restoration Plan (Padre, September 2023 and amended February 2024). Annual monitoring reports will be submitted to the Planning Division for five years after planting.

The grading and maintenance of the landscaped areas shall conform to the project description above and all approved County land use hearing exhibits in support of the Project and conditions of approval below.

2. Required Improvements for PD

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

**Requirement:** The Permittee shall ensure that all required off-site and on-site improvements for the Project, including landscaping are completed in conformance with the approved plans stamped as hearing Exhibit 3 and Habitat Restoration Plan Exhibit 6.

County of Ventura  
Planning Director Hearing  
January 30, 2025  
Case No. PL23-0129  
Exhibit 4 - Conditions of Approval

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. PD Modification

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

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

5. Construction Activities

Prior to any construction, the Permittee shall obtain a Zoning Clearance for use inauguration from the Planning Division, and a Building Permit from the Building and Safety Division. Prior to any grading, the Permittee shall obtain a Grading Permit from the Public Works Agency.

6. Acceptance of Conditions and Schedule of Enforcement Responses

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

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

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

7. Time Limits

a. Use inauguration:

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

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

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

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

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

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

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

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

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

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

**Documentation:** The Permittee shall maintain a current set of PD Permit conditions and exhibits at the project site to present to the Planning Division staff copies of the conditions, upon Planning Division staff's request.

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

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

10. Recorded Notice of Land Use Entitlement

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

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

**Documentation:** Recorded "Notice of Land Use Entitlement" form and conditions of this PD Permit.

**Timing:** The Permittee shall record the "Notice of Land use Entitlement" form and conditions of this PD Permit prior to issuance of a Zoning Clearance for use inauguration.

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

11. Financial Responsibility for Compliance Monitoring and Enforcement

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

**Establishment of Revolving Compliance Account:**

Within 10 calendar days of the effective date of the final decision approving this PD Permit, the Permittee shall submit the following deposit and reimbursement agreement to the Planning Director:

- (1) A payment of \$500.00 for deposit into a revolving condition compliance and enforcement account to be used by the Planning Division to cover costs associated with condition compliance review, monitoring, and enforcement activities described in 12.a (above), and any duly-imposed civil administrative penalties regarding this. The Permittee shall replenish such account to the above-stated amount within 10 calendar days after receiving notice of the requirement to do so from the Resource Management Agency.
- (2) An executed reimbursement agreement, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.

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

12. Defense and Indemnification

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

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.

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

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

13. Invalidation of Condition(s)

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



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

#### 14. Consultant Review of Information and Consultant Work

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

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

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

No condition of this PD Permit for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules, or

regulations, or orders of an authorized governmental agency. Neither the approval of this PD Permit, nor compliance with the conditions of this PD Permit, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

#### 16. 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 PD Permit.

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

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

#### 17. Archeological Resources

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

**Requirement:** The Permittee shall implement the following procedures:

- a. If any archaeological or historical artifacts are uncovered during ground disturbance or construction activities, the Permittee shall:
  - (1) Cease operations and assure the preservation of the area in which the discovery was made;
  - (2) Notify the Planning Director in writing, within three days of the discovery;

- (3) Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
  - (4) Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development; and
  - (5) Implement the agreed upon recommendations.
- b. If any human burial remains are encountered during ground disturbance or construction activities, the Permittee shall:
- (1) Cease operations and assure the preservation of the area in which the discovery was made;
  - (2) Immediately notify the County Coroner and the Planning Director;
  - (3) Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
  - (4) Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development on-site; and
  - (5) Implement the agreed upon recommendations.

**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,

**Conditions for PD Permit Case No. PL23-0129**

**Date of Public Hearing:** January 30, 2025

**Date of Approval:**

**Permittee:** Rami Safadi

**Location:** 110 W Potrero Rd

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consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

**Ventura County Fire Protection District (VCFPD) Conditions**

**NOTICE IS HEREBY PROVIDED THAT THE SUBJECT PROPERTY (APN: 695-0-031-15) IS WITHIN A VERY HIGH FIRE HAZARD SEVERITY ZONE, AS DESIGNATED BY THE CALIFORNIA STATE FIRE MARSHALL, OR A LOCAL HAZARDOUS FIRE AREA, AS DESIGNATED BY THE VENTURA COUNTY FIRE PROTECTION DISTRICT.**



# Exhibit 5 – General Plan Consistency Analysis

County of Ventura • Resource Management Agency • Planning Division

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## CONSISTENCY WITH THE GENERAL PLAN AND LAKE SHERWOOD/HIDDEN VALLEY AREA PLAN FOR A HABITAT RESTORATION PLAN, CASE NO. PL23-0129

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 restore approximately 1.15 acres of unpermitted vegetation removal within the Scenic Resources Protection (SRP) Overlay Zone.

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.*

**Lake Sherwood / Hidden Valley Area Plan Policy LS-1.1 (General Plan Consistency):** *The County shall require all development to be consistent with all elements of the County General Plan.*

#### Staff Analysis:

The project involves the restoration of approximately 1.5 acres of native vegetation within a four acre residentially developed lot located in the Lake Sherwood community and SRP Overlay Zone. Water service to the existing residential development is provided by the Lake Sherwood Community Services District and

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sewer services from Trifuno Sanitation District. The proposed area to be restored is in an area where water drains to so irrigation of the restoration areas will be minimal. No development is proposed, therefore, no additional traffic, noise, or an increase in water or sanitation services than what has previously been approved is expected to occur.

The Habitat Restoration Plan (Padre, 2023) identifies the area to be restored, a planting palette, and maintenance and monitoring plan. Proposed restoration will repopulate areas that were previously disturbed restoring the visual quality of the viewshed and reestablishing the value of the scenic resources along West Potrero Road.

Based on the discussion above, the proposed project is consistent with General Plan Policies LU-16.1, LU-16.10, and Lake Sherwood Area Plan Policy LS-1.1.

## Conservation and Open Space Element

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

**General Plan Policy COS-3.2 (Tree Canopy):** *The County shall encourage the planting of trees and the protection of existing urban forests and native woodlands, savannahs, and tree canopy throughout the county, including along State or County designated scenic roadways and in residential and commercial zones throughout the county, especially those located within designated disadvantaged communities.*

Staff Analysis: On August 24, 2023 and February 27, 2024 Padre Associates conducted surveys on the subject property. A Habitat Restoration Plan prepared by Padre & Associates (September 2023 and amended February 2024) identified approximately 1.15 acres of native vegetation was removed, and it was determined that the removed vegetation will be replaced like for like. The Habitat Restoration Plan includes the planting of 53 arroyo willow cuttings. A bio-swale will also be constructed to act as low flow crossing to direct water that collects at the northern end of the lot to the west end of the lot. This bio-swale will be planted with Saltgrass, Toad Rush, Western goldenrod, Succulent lupine, and Heliotrope Alkali mallow. Maintenance of the restoration will be in accordance with the approved Habitat Restoration Plan (Padre, 2023). Annual monitoring reports shall be

submitted to the Planning Division for five years after planting. The applicant initiated the Habitat Restoration Plan in October 2024.

Based on the discussion above, the proposed project is consistent with General Plan Policies COS-1.12, COS-3.2, Lake Sherwood Area Plan Policy LS-35.1.

- 3. General Plan Policy COS-5.2 (Erosion Control):** *The County shall require discretionary development on hillsides and slopes, which have an average natural slope of 20 percent or greater in the area where the proposed development would occur, to be sited and designed in a manner that will minimize grading, alteration of natural landforms, and vegetation removal to avoid significant impacts to sensitive biological resources to the extent feasible.*

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

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

Staff Analysis: The project involves the restoration of approximately 1.5 acres of native vegetation within a four acre residentially developed lot; no structural development is proposed. The area to be restored is in the northern portion of the site in a low depressed area that collects water. Ariel imagery indicates vegetation was removed from the site in 2023. Restoration of the affected areas with native vegetation will aid in protecting the site from soil erosion, rockslides, landslides.

Based on the discussion above, the proposed project is consistent with General Plan Policies COS-5.2, HAZ-4.5 and HAZ-4.6.

## **Hazards and Safety Element**

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

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

**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-47.8 (Species Requirements for Landscape Plans):** *The County shall require landscape plans to use non-invasive, fire-resistant native species, to the maximum extent feasible.*

**Lake Sherwood / Hidden Valley Area Plan Policy LS-47.10 (Fuel Modification Zone Planting):** *The County shall require fuel modification zones as required by the Fire Prevention District to be planted with fire-retardant native plants and irrigated until vegetation is well established.*

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

Staff Analysis: The Ventura County Fire Control District reviewed the project and determined that adequate fire access has been provided to the site. The project has been conditioned to maintain a 100-foot fuel buffer around residential development. This clearing will affect the area to be restored (Exhibit 2).

Based on the discussion above, the proposed project is consistent with General Plan Policies HAZ-1.1 and HAZ-1.2 and Lake Sherwood Area Plan Policies LS-31.1, LS-47.8, LS-47.10, and LS-47.12.

## Water Resources

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

Staff Analysis: The new seedlings and willow trees will initially be irrigated by hand using hoses. The restoration area is in a low depressed area that collects water. Once the seedlings become established, irrigation will no longer be necessary.



Therefore, the installation of a new irrigation system will not be required for the proposed project.

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

## **Cultural Resources**

- 6. 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-4.4 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: An archeological report was prepared for the property during the review of the existing single-family dwelling and identified an area on the lot which contained an archaeological sensitive area. (Archaeological Survey by Robert Lopez dated March 12, 1999). In response to this survey a restrictive covenant was recorded which prohibited development within the identified area. The proposed Habitat Restoration Project does is outside of the mapped area. However, In an effort of precaution, the project has been conditioned to include the inadvertent discovery protocol of cultural resources (Exhibit 4, Condition 17). Based on the discussion above, the proposed project is consistent with General Plan Policy COS-4.2(a) and COS-4.4.