



Planning Division  
501 Poli Street  
Ventura, CA 93001  
805.654-7893  
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**NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION  
CITY OF SAN BUENAVENTURA, CALIFORNIA**

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I. The City of Ventura has reviewed an application for the following proposed project:

**Project Description for Project-10085, The Kellogg Park Project:** This environmental document (EIR-10-15-31001) (and an associated EA) analyzes the proposed project, a request for a General Plan Amendment (GPA-10-15-31000) and Rezone (Z-10-15-31001) to facilitate the conversion of a vacant parcel along the 100 block of Kellogg Street located in and owned by the City of Ventura into a new, 2.41-acre neighborhood park. The existing City of Ventura General Plan Land Use Designations for the proposed Project site are *Neighborhood High* (Parcels A and B) and *Neighborhood Medium* (Parcel C). The Project requires a General Plan Amendment, with a proposed Land Use Designation of *Parks Open Space* for the entire site. Existing Zoning is M-1 Limited Industrial Zone (Parcels A and B) and R-2 Two Family Residential Zone (Parcel C). The Project would involve a rezone of the entire project site to the P - Parks Zone.

The proposed project would serve residents within the Westside Community. The proposed park would offer a wide variety of amenities and activities to residents of the neighborhood and wider community. These amenities would include a new playground area (for ages 2-12 with a nature and adventure focus); four bicycle racks; 0.25-mile walking path with mile markers; fitness equipment; grassy play area/open space; picnic areas; interpretive signage; outdoor learning/nature play areas; entry plaza, screen plantings; raised community garden beds; community garden orchard; interactive water play area; amphitheater/multi-use space; community art elements; site furnishings; gates/fencing; lighting and 1.47 acres of native and adapted plantings.

The Project site is 2.41 acres located within the City of San Buenaventura's (Ventura's) Westside Community Plan Area, located along the Ventura Avenue Corridor north of West Main Street and south of West Stanley Avenue in the western region of the City. The site is on the 100 block of Kellogg Street, bounded by Cameron Street to the east, East Barnett Street to the north, Ventura Avenue to the west, and Kellogg Street to the south. The site currently consists of three vacant parcels: Parcel A (0.57 acres) with APN 071-0-031-110; Parcel B (1.62 acres) with APN 071-0-031-100; and Parcel C (approximately 6,750 square feet [sf]) with APN 071-0-031-050. In addition, the site contains a 0.07-acre right-of-way (ROW) between Parcels A and B. Filed by The Trust for Public Land, 135 West Green Street 2<sup>nd</sup> Floor, Pasadena, CA 91105.

- A. Proposed finding.** In accordance with the California Environmental Quality Act (CEQA) (Public Resource Code Section 21000 *et seq.*), and consistent with State CEQA Guidelines (California Code of Regulations) Section 15070, and following the completion of an Initial Study (IS), the Planning Division of the City of Ventura has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and that a Mitigated Negative Declaration (MND) may be adopted.
- B. Fish and Wildlife Impacts:** On the basis of the information contained in the Initial Study, and on the record as a whole, there is no evidence that there will be an adverse effect on fish or wildlife habitats or resources since none of the factors listed in Section 2R.450.610 of the Municipal Code are present.
- D. Hazards:** The project site is not on any of the lists enumerated under Government Code Section 65962.5 including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, and hazardous waste disposal sites.

**E. Document Review and Comment.** A 30-day public review and comment period of the draft Mitigated Negative Declaration begins on February 3, 2016 and ends on March 7, 2016. To view the draft document, please visit the city's website at <http://www.cityofventura.net/cd/planning/EIRs>. Alternatively, the draft Mitigated Negative Declaration and referenced documents are available for review Monday through Friday between 8:00 a.m. to 5:00 p.m., beginning Wednesday, November 18<sup>th</sup> through Tuesday, December 8, 2015 at the Planning Counter, City Hall, 501 Poli Street, Ventura CA 93001.

**F. Public Hearing and Comments.** A public hearing on the project described above is tentatively scheduled for March 9, 2016 at 6:00 pm before the Planning Commission and March 21, 2016 at 6:00 p.m. before the City Council at the City Council Chambers at City Hall located at 501 Poli Street, Ventura, CA 93001. Separate public noticing, confirming the date, time and location, will be provided prior to each public hearing. All comments concerning the draft MND should be provided in writing and received before 5:00 p.m. on the last day of the review period. Inquiries should be directed to Jerry Hittleman, at (805) 644-4455. Written comments may be mailed or faxed (805/ 653-0763) to the City of Ventura, Planning Division, 501 Poli Street, CA 93001 or emailed directly to [jhittleman@rinconconsultants.com](mailto:jhittleman@rinconconsultants.com).

2/2/16  
Date

  
Scott Kolwitz, Principal Planner

cc: Applicant and property owner, County Clerk, and MND Distribution List



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**EXECUTIVE SUMMARY**

**MITIGATED NEGATIVE DECLARATION EIR-10-15-31001  
 CITY OF SAN BUENAVENTURA, CALIFORNIA**

On the basis of an initial study, and in accordance with Section 15070 of the California Code of Regulations, the Planning Division has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment:

**Case EIR-10-15-31001:** This environmental document (EIR-10-15-31001) (and an associated EA) analyzes the proposed project, a request for a General Plan Amendment (GPA-10-15-31000) and Rezone (Z-10-15-31001) to facilitate the conversion of a vacant parcel along the 100 block of Kellogg Street located in and owned by the City of Ventura into a new, 2.41-acre neighborhood park. The existing City of Ventura General Plan Land Use Designations for the proposed Project site are *Neighborhood High* (Parcels A and B) and *Neighborhood Medium* (Parcel C). The Project requires a General Plan Amendment, with a proposed Land Use Designation of *Parks Open Space* for the entire site. Existing Zoning is M-1 Limited Industrial Zone (Parcels A and B) and R-2 Two Family Residential Zone (Parcel C). The Project would involve a rezone of the entire project site to the P - Parks Zone. The Project site is 2.41 acres located within the City of San Buenaventura's (Ventura's) Westside Community Plan Area, located along the Ventura Avenue Corridor north of West Main Street and south of West Stanley Avenue in the western region of the City. The site is on the 100 block of Kellogg Street, bounded by Cameron Street to the east, East Barnett Street to the north, Ventura Avenue to the west, and Kellogg Street to the south. Park amenities would include a new playground area (for ages 2-12 with a nature and adventure focus); four bicycle racks; 0.25-mile walking path with mile markers; fitness equipment; grassy play area/open space; picnic areas; interpretive signage; outdoor learning/nature play areas; entry plaza, screen plantings; raised community garden beds; community garden orchard; interactive water play area; amphitheater/multi-use space; community art elements; site furnishings; gates/fencing; lighting and 1.47 acres of native and adapted plantings.

Attached is a copy of the initial study documenting the reasons to support the finding of no significant effect on the environment. Mitigation measures are included in the initial study to reduce the identified potential effects to a less than significant level:

Impact	Recommended Mitigation Measures	After Mitigation	Responsible Party
AQ-1	<p>The following control measures provided in the VCAPCD Ventura County Air Quality Assessment Guidelines to minimize the generation of fugitive dust (PM10 and PM2.5), ROC, and NO<sub>x</sub> during construction activities shall be implemented during construction:</p> <ul style="list-style-type: none"> <li>• The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.</li> <li>• Pre-grading/excavation activities shall include watering the areas to be graded or excavated before grading or excavation operations commences. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.</li> </ul>	Less than significant	City of Ventura and Applicant

	<ul style="list-style-type: none"> <li>• Fugitive dust produced during grading excavation and construction activities shall be controlled by the following activities: <ul style="list-style-type: none"> <li>○ All trucks shall be required to cover their loads as required by California Vehicles Code Section 23114.</li> <li>○ All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization material, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.</li> </ul> </li> <li>• Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants to prevent excessive fugitive dust.</li> <li>• Signs limiting traffic to 15 miles per hour or less shall be posted on site.</li> <li>• During periods of winds 25 miles per hour or greater (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties) or at the direction of the City, all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off site or on site. The site superintendent/supervisor shall use discretion in conjunction with the VCAPCD in determining when winds are excessive.</li> <li>• Adjacent streets and roads shall be swept at</li> </ul>		
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	<p>least once per day, preferably at the end of the day if visible soil material is carried over to adjacent streets and roads.</p> <ul style="list-style-type: none"> <li>Personnel involved in grading operations, including contractors and subcontractors, should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.</li> </ul>		
<b>AQ-2</b>	<p>During construction, contractors shall comply with the following measures, as feasible, to reduce NO<sub>x</sub> and ROC from heavy equipment as recommended by the VCAPCD in its Ventura County Air Quality Assessment Guidelines:</p> <ul style="list-style-type: none"> <li>Minimize equipment idling time.</li> <li>Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications.</li> <li>Lengthen the construction period during smog season (May through October) to minimize the number of vehicles and equipment operating at the same time.</li> <li>Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, if feasible.</li> </ul>	Less Than Significant	City of Ventura and Applicant
<b>CR-1</b>	<p>Prior to earthmoving activities, a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (2008) shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel shall be informed of the types of cultural and paleontological resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains (see <i>Mitigation Measure Cul-4</i>). DRP shall ensure that construction personnel attend the training and shall retain documentation demonstrating attendance.</p>	Less than significant	City of Ventura and Applicant
<b>CR-2</b>	<p>In the event of the discovery of archaeological materials, the construction manager shall immediately halt all work activities in the vicinity (within approximately 100 feet) of the discovery until it can be evaluated by a qualified archaeologist. After cessation of earthmoving activities, the construction manager shall immediately contact Ventura Parks &amp; Recreation. Work shall not resume until</p>	Less than significant	City of Ventura and Applicant

	<p>authorized by Ventura Parks &amp; Recreation and the qualified archaeologist.</p> <p>If the qualified archaeologist determines that the discovery constitutes a significant resource under CEQA, preservation in place is the preferred manner of mitigation. In the event preservation in place is demonstrated to be infeasible, and data recovery is determined to be the only feasible mitigation option, a detailed Cultural Resources Treatment Plan shall be prepared and implemented by a qualified archaeologist in consultation with Ventura Parks &amp; Recreation. Ventura Parks &amp; Recreation shall consult with appropriate Native American representatives in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in origin. Archaeological materials recovered during any investigation shall be put into curation at an accredited facility. The report(s) documenting implementation of the Cultural Resources Treatment Plan shall be submitted to DRP and to the SCCIC.</p>		
<b>CR-3</b>	<p>In the event fossil materials are exposed during ground disturbing activities, work (within 100 feet of the discovery) shall be halted until a qualified paleontologist meeting the criteria established by the Society for Vertebrate Paleontology is retained to assess the find. If the find is identified as significant, appropriate treatment as determined by the paleontologist shall be implemented prior to the re-commencement of ground disturbance in the area. A report documenting the methods and results of the treatment shall be prepared and submitted to Ventura Parks &amp; Recreation and filed with the local repository.</p>	Less than significant	City of Ventura and Applicant
<b>CR-4</b>	<p>If human remains are encountered, DRP shall halt work in the vicinity (within 100 feet) of the find and contact the Los Angeles County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the County Coroner determines that the remains are Native American in origin, the Native American Heritage Commission shall be notified, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code Section 5097.98 (as amended by AB 2641). The Native American Heritage Commission shall designate a Most Likely Descendant for the remains per PRC Section 5097.98. Ventura Parks &amp; Recreation shall ensure that the immediate vicinity where the Native American human remains are located is not damaged or disturbed by further development activity, according to generally accepted cultural or archaeological standards or practices, until the landowner has discussed and conferred with the Most Likely Descendant regarding their recommendations, as prescribed in Public</p>	Less than significant	City of Ventura and Applicant

	Resources Codes Section 5097.98, taking into account the possibility of multiple human remains.		
TR-1	The City shall install a zebra crossing that connects the south side and the north side of Kellogg Street near the intersection of North Ventura Avenue. The crosswalk shall be designed to improve pedestrian safety at the intersection of Kellogg Street and North Ventura Avenue.	Less than significant	City of Ventura
TR-2	<p>The applicant shall prepare, implement, and maintain a Construction Impact Mitigation Plan for review and approval prior to issuance of a building permit to address and manage traffic during construction. The Plan shall be designed to:</p> <ul style="list-style-type: none"> <li>• Prevent traffic impacts on the surrounding street network.</li> <li>• Minimize parking impacts both to public parking and access to private parking to the greatest extent practicable.</li> <li>• Ensure safety for both those constructing the project and the surrounding community.</li> <li>• Prevent substantial truck traffic through residential neighborhoods.</li> <li>• Facilitate coordination with adjacent or nearby construction projects.</li> </ul> <p>The Construction Impact Mitigation Plan shall be subject to review and approval by the following City departments: Public Works, Fire, Planning and Community Development, and Police to ensure that the Plan has been designed in accordance with this mitigation measure and meets City standards. This review shall occur prior to issuance of grading or building permits. It shall, at a minimum, include the following:</p> <ul style="list-style-type: none"> <li>• A Construction Impact Mitigation Plan for work zones shall be maintained. At a minimum, this shall include parking and travel lane configurations; warning, regulatory, guide, and directional signage; and area sidewalks, bicycle lanes, and parking lanes. The Plan shall include specific information regarding the project's construction activities that may disrupt normal pedestrian and traffic flow and the measures to address these disruptions. Such plans shall be implemented in accordance with the appropriate approval.</li> <li>• Work within the public right-of-way shall be performed between 9:00 AM and 4:00 PM. This work includes dirt and demolition material hauling and construction material delivery. Work within the public right-of-way outside of these hours shall only</li> </ul>	Less than significant	City of Ventura and Applicant

	<p>be allowed after the issuance of an after-hours construction permit.</p> <ul style="list-style-type: none"> <li>• Streets and equipment shall be cleaned in accordance with established Ventura Public Works Department requirements.</li> <li>• Trucks shall only travel on a City-approved construction route. Truck queuing/ staging shall not be allowed on Ventura streets. Limited queuing may occur on the construction site itself.</li> <li>• Materials and equipment shall be minimally visible to the public; the preferred location for materials is to be onsite, with a minimum amount of materials within a work area in the public right-of-way, subject to a current Use of Public Property Permit.</li> <li>• Any requests for work before or after normal construction hours within the public right-of-way shall be subject to review and approval through the After Hours Permit process administered by the Building and Safety Division.</li> <li>• Provision of off-street parking for construction workers, which may include the use of a remote location with shuttle transport to the site, if determined necessary by the City of Ventura.</li> <li>• The applicant shall advise the traveling public of impending construction activities (e.g., information signs, portable message signs, media listing/notification, and implementation of an approved Construction Impact Mitigation Plan).</li> <li>• The applicant shall obtain a Use of Public Property Permit, Excavation Permit, Sewer Permit, and/or Oversize Load Permit, as well as any Caltrans permits required, for any construction work requiring encroachment into public rights of way, detours, or any other work within a public right-of-way.</li> <li>• The applicant shall provide timely notification of construction schedules to all affected agencies (e.g., Ventura County Transportation Commission, Police Department, Fire Department, Ventura Public Works Department, and Ventura Planning and Community Development Department) and to all owners and residential and commercial tenants of property within a radius of 500 feet.</li> <li>• The applicant shall coordinate construction work with affected agencies in advance of start of work. Approvals may take up to two weeks per each submittal.</li> </ul>		
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	<ul style="list-style-type: none"><li>• The applicant shall obtain Ventura Planning and Community Development Department approval of any haul routes for earth, concrete, construction materials, and/or equipment hauling.</li></ul>		
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Attachments: A. Initial Study/MND EIR-10-15-31001