



Planning Director Staff Report – Hearing on April 14, 2022

County of Ventura • Resource Management Agency • Planning Division

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • vcrma.org/divisions/planning

AMERICAN TOWER SOUTH MOUNTAIN CONDITIONAL USE PERMIT (CUP) CASE NO. PL20-0048

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a reinstated Conditional Use Permit (CUP) for the minor modification, continued use, operation, and maintenance of two existing Wireless Communication Facilities (WCF) on site known as American Tower South Mountain for a 10-year time period (ATC # 8573 and 8126) (PL20-0048).
2. **Applicant:** American Tower LLC., 10 Presidential Way, Woburn, MA 01801
3. **Property Owner:** Ojai Oil Company, 300 South Grand Avenue, Los Angeles, CA 90071
4. **Applicant's Representative:** John Merritt, 630 Quintana Road, Suite 321, Morro Bay, CA 93442
5. **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 CUP.
6. **Project Site Size, Location, and Parcel Number:** The 88.85-acre project site is located at 19100 South Mountain Road in the unincorporated area of Ventura County. The Tax Assessor parcel number for the parcel that constitutes the project site is 108-0-010-115.
7. **Project Site Land Use and Zoning Designations:**
 - a. Countywide General Plan Land Use Map Designation: Open Space
 - b. Zoning Designation: OS-160 ac (Open Space, 160-acre minimum lot size)
8. **Adjacent Zoning and Land Uses/Development:**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	OS-160 ac	Open Space/Oil Operations
East	OS-160 ac	Open Space/Oil Operations
South	OS-160 ac	Open Space/Oil Operations
West	OS-160 ac	Open Space/Oil Operations

- 9. History:** The subject property is owned by the Ojai Oil Company and is located off South Mountain Road on a private dirt road which is maintained by the property owner. The site is currently developed with oil operations and existing telecommunication facilities. The existing WCF's that are the subject of this CUP have been in operation since 1994.

In 1994, the Planning Director approved Conditional Use Permit CUP 4545 for the installation, operation, and maintenance of a wireless communication facility consisting of two towers operated by American Tower.

In 2007, the Planning Director approved a Minor Modification of Conditional Use Permit LU07-0132 for a 10-year time extension to the existing American Tower facility ending on November 13, 2017.

- 10. Project Description:** The applicant requests that a CUP be granted to authorize a 10-year time extension for the continued use, operation, and maintenance of the existing Wireless Communication Facility consisting of the following (Exhibit 2, Site Plans):

- One 100-foot tall non-stealth antenna support structure (124'-6" to top of antenna)
- One 60-foot tall non-stealth antenna support structure (80'-6" to top of antenna)
- Antennas mounted at various heights;
- Associated ground equipment within enclosure;

The WCF will be unmanned, except for occasional periodic maintenance visits, and will operate 24 hours a day, 365 days per year. Access to the facility is available from South Mountain Road, a public, paved road. Water service is not required to operate or maintain the proposed project, and no exterior lighting or grading is proposed. No fencing is proposed as part of this project.

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 includes the continued use, operation, and maintenance of an existing WCF. The proposed project qualifies for Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

Therefore, this project is categorically exempt pursuant to Section 15301 of the CEQA Guidelines.

C. CONSISTENCY WITH THE GENERAL PLAN

The proposed project has been analyzed and determined to be consistent with all applicable General Plan policies. An 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 (Section 8105-4), the proposed use is allowed in the OS zone district with the granting of a CUP. Upon the granting of the CUP, the proposed project will comply with this requirement.

The proposed WCF is subject to the special use standards of the Ventura County NCZO (Section 8107-45.4). Table 1 lists the applicable special use standards and a description of whether the proposed project complies with the special use standards.

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p>Section 8107-45.4(n), Accessory Equipment:</p> <p><i>All accessory equipment associated with the operation of a wireless communication facility shall be located and screened to prevent the facility from being prominently visible from a public viewpoint to the maximum extent feasible.</i></p>	<p>Yes, none of the accessory equipment is visible from offsite.</p>
<p>Section 8107-45.4(o), Colors and Materials:</p> <p><i>All wireless communication facilities shall use materials and colors that blend in with the natural or man-made surroundings. Highly reflective materials are prohibited.</i></p>	<p>Yes, the facility uses colors that blend into the surroundings. No reflective materials will be used.</p>
<p>Section 8107-45.4(p), Noise:</p> <p><i>All wireless communication facilities shall be operated and maintained to comply at all times with the noise standards outlined in Section 2.16 of the Ventura County General Plan Goals, Policies, and Programs.</i></p>	<p>Yes, the WCF will always be operated and maintained to comply with the Ventura County noise standards.</p>
<p>Section 8107-45.4(r), Security:</p> <p>1. <i>Each Facility shall be designed to prevent unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous situations or visual blight.</i></p>	<p>Yes, the facility is located up a gated private access and all ground mounted equipment cabinets are located in a fenced lease area. No new fencing is</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p><i>The approving authority may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism.</i></p> <p>2. <i>All fences shall be constructed of materials and colors that blend in with the existing setting. The use of a chain link fence is prohibited within areas designated as Urban and Existing Community in the General Plan, and areas that are prominently visible from a public viewpoint, unless the chain link fence is fully screened.</i></p>	<p>proposed.</p>
<p>Section 8107-45.4(s), Lighting:</p> <p>1. <i>No facility may be illuminated unless specifically required by the FAA or other government agency.</i></p> <p>2. <i>Any necessary security lighting shall be down-shielded and controlled to minimize glare or light levels directed at adjacent properties and to minimize impacts to wildlife.</i></p>	<p>Yes, the existing WCF is not illuminated.</p>
<p>Section 8107-45.4(t), Signage:</p> <p><i>A permanent, weather-proof identification sign, subject to Planning Director approval, shall be displayed in a prominent location such as on the gate or fence surrounding the wireless communication facility or directly on the facility. The sign must identify the facility operator(s) and type of use, provide the operator’s address, FCC-adopted standards, and specify a 24-hour telephone number at which the operator can be reached during an emergency.</i></p>	<p>Yes, the equipment shelter includes signage indicating all necessary information related to the operation of the facility.</p>
<p>Section 8107-45.4(u), Access Roads:</p> <p>1. <i>Where feasible, wireless communication facility sites shall be accessed by existing public or private access roads and easements.</i></p> <p>2. <i>Wireless communication facility sites shall minimize the construction of new access roads, particularly when such roads are located in areas with steep slopes, agricultural resources, or biological resources as determined by the County’s Initial Study Assessment Guidelines. When required, new access roads shall be designed to meet standards established by the Ventura County Public Works Agency and Ventura County Fire Department District.</i></p>	<p>Yes, the proposed WCF is accessed by an existing public road, up a private dirt access, to the WCF location. No new roads are proposed with this project.</p>

E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a CUP pursuant to Section 8111-1.2.1.1 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 8111-1.2.1.1.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 8111-1.2.1.1.b].**

The existing WCF that is the subject of this CUP application has been in operation since 1994. The continued use of this WCF will not alter the appearance of the site or the character of the land uses in the area. No new impact on public views will result from the continued operation of the existing WCF.

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 8111-1.2.1.1.c].**

As discussed in Section E.2 above, the proposed project involves the continued use of an existing WCF on the subject property. No adverse effect on neighboring properties or ongoing uses has been identified that would result from the proposed project. Implementation of the conditions of approval (Exhibit 3) will ensure the compatibility of the project with the ongoing uses in the vicinity.

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 8111-1.2.1.1.d].**

No adverse effect of the proposed project on the environment or the use of adjacent properties has been identified. Similarly, no effect of the project has been identified that would be detrimental to the public interest, health, safety, or welfare.

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

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

The existing WCF is located on a property which is currently developed with existing communication facilities and oil operations. The location of the antennas and equipment are not prominently visible from offsite. In addition, no new development is proposed on any of the surrounding parcels.

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

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

Assessor's parcel no. 108-0-010-115 is a legally created parcel as a remainder of a deed recorded October 18, 1922 in the General Land office of the United States, the Certificate of the Register of the Land Offices at Los Angeles, California, Record of Patent: Patent no. 883910, after deed to Southern California Edison recorded April 4, 1960, 1960 in Book 1851, page 051 of Official Records, prior to regulation by the Subdivision Map Act.

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.

As discussed in Section B above, the proposed project involves the continued use and minor modification of an existing WCF on the subject property. The proposed project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

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), NCZO (Section 8111-3.1). On April 1, 2022, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located and placed a legal ad in the *Ventura County Star*. As of the date of this document, the Planning Division has not received any comments from this noticing.

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 15301 of the CEQA Guidelines.
3. **MAKE** the required findings to grant a CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** CUP Case No. PL20-0048, subject to the conditions of approval (Exhibit 3).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

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

If you have any questions concerning the information presented above, please contact Thomas Chaffee at (805) 654-2406 or Thomas.Chaffee@ventura.org.

Prepared by:

Reviewed by:

Thomas Chaffee

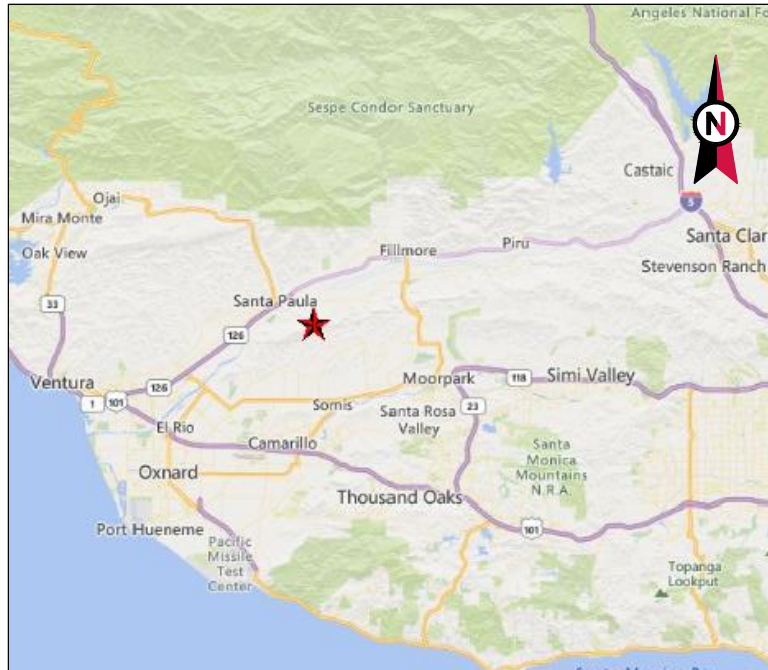
MJ 2022

Thomas Chaffee, Case Planner
Commercial and Industrial Permits Section
Ventura County Planning Division

Mindy Fogg, Manager
Commercial/Industrial Permits Section
Ventura County Planning Division

EXHIBITS:

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



VICINITY MAP



AMERICAN TOWER®

SITE NAME: SOUTH MOUNTAIN #2, T3
SITE NUMBER: 8126, 8573
SITE ADDRESS: 19100 S. MOUNTAIN RD
SANTA PAULA, CA 93060



LOCATION MAP

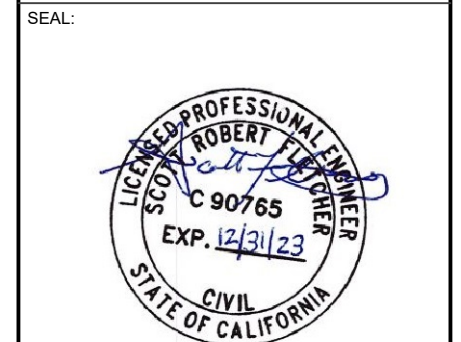
CONDITIONAL USE PERMIT RENEWAL

AMERICAN TOWER®
ATC TOWER SERVICES, LLC
3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112

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REV.	DESCRIPTION	BY	DATE
0	FOR CONSTRUCTION	AB	03/07/22

ATC SITE NUMBER:
8126
 ATC SITE NAME:
SOUTH MOUNTAIN #2, T3
 SITE ADDRESS:
 19100 S. MOUNTAIN RD
 SANTA PAULA, CA 93060



DATE DRAWN: 03/07/22
 ATC JOB NO: 14046725_E1

TITLE SHEET

SHEET NUMBER:
G-001
 REVISION:
0

COMPLIANCE CODE	PROJECT SUMMARY	PROJECT DESCRIPTION	SHEET INDEX				
ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. 1. 2019 CALIFORNIA ADMINISTRATIVE CODE 2. 2019 CALIFORNIA BUILDING CODE 3. 2019 CALIFORNIA RESIDENTIAL CODE 4. 2019 CALIFORNIA ELECTRICAL CODE 5. 2019 CALIFORNIA PLUMBING CODE 6. 2019 CALIFORNIA ENERGY CODE 7. 2019 CALIFORNIA FIRE CODE 8. 2019 CALIFORNIA EXISTING BUILDING CODE 9. 2018 INTERNATIONAL BUILDING CODE (IBC) 10. NATIONAL ELECTRIC CODE (NEC) 11. LOCAL BUILDING CODE 12. CITY/COUNTY ORDINANCES	<u>SITE ADDRESS:</u> 19100 S. MOUNTAIN RD SANTA PAULA, CA 93060 COUNTY: VENTURA <u>GEOGRAPHIC COORDINATES:</u> LATITUDE: 34.33321944 LONGITUDE: -119.0184 GROUND ELEVATION: 2288' AMSL <u>ZONING INFORMATION:</u> JURISDICTION: COUNTY OF VENTURA PARCEL NUMBER: 108001011 ZONING: OS-160 AC (OPEN SPACE)	THIS SUBMITTAL IS FOR THE RENEWAL OF CONDITIONAL USE PERMIT AND THE PROPOSED COLLOCATION OF SITESERVER AND CA INTERNET. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS. NO CHANGES TO EXISTING ARE PROPOSED. PROJECT NOTES 1. THE FACILITY IS UNMANNED. 2. A TECHNICIAN WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR ROUTINE INSPECTION AND MAINTENANCE. 3. EXISTING FACILITY MEETS OR EXCEEDS ALL FAA AND FCC REGULATORY REQUIREMENTS. 4. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT LAND DISTURBANCE OR EFFECT OF STORM WATER DRAINAGE. 5. NO SANITARY SEWER, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED. 6. HANDICAP ACCESS IS NOT REQUIRED. 7. THE PROJECT DEPICTED IN THESE PLANS QUALIFIES AS AN ELIGIBLE FACILITIES REQUEST ENTITLED TO EXPEDITED REVIEW UNDER 47 U.S.C. § 1455(A) AS A MODIFICATION OF AN EXISTING WIRELESS TOWER THAT INVOLVES THE COLLOCATION, REMOVAL, AND/OR REPLACEMENT OF TRANSMISSION EQUIPMENT THAT IS NOT A SUBSTANTIAL CHANGE UNDER CFR § 1.61000 (B)(7).	SHEET NO:	DESCRIPTION:	REV:	DATE:	BY:
	PROJECT TEAM <u>TOWER OWNER:</u> AMERICAN TOWER, LLC 10 PRESIDENTIAL WAY WOBURN, MA 01801 <u>PROPERTY OWNER:</u> OJAI OIL CO INC 19100 SOUTH MOUNTAIN RD SANTA PAULA, CA 93060 <u>ENGINEER:</u> ATC TOWER SERVICES 3500 REGENCY PARKWAY SUITE 100 CARY, NC 27518 <u>AGENT:</u> BONNIE BELAIR ATTORNEY, AMERICAN TOWER 10 PRESIDENTIAL WAY WOBURN, MA 01801	PROJECT LOCATION DIRECTIONS FROM HWY 126 IN FILLMORE: GO SOUTH ON HWY CA-23 (GRIMES CANYON RD) TO BARSDALE AVE, GO RIGHT. TO SESPE RD, GO LEFT. TO SOUTH MOUNTAIN RD, GO RIGHT. TO YELLOW GATE ON LEFT (NOT FIRST YELLOW GATE YOU SEE; ½ KEEP DRIVING!), GO LEFT THROUGH GATE "VINTAGE PETROLEUM". GO UP .9 TO MAINT AREA AND PASSING SVC YARD ON RT, BEAR RT, GO .1 TO FORK. BEAR LT, GO 1.0M TO "T" ("MANY BLIND CURVES") AND BEAR LEFT. .1M TO FORK, BEAR RT ("CAUTION LOCKED GATE") THRU GATE, 1.2M TO SUMMIT. AT "T" TURN LFT. TO FIRST PAVED ACCESS ROAD, TURN LEFT TO SITE.	G-001	TITLE SHEET	0	03/07/22	AB
	UTILITY COMPANIES POWER COMPANY: SOUTHERN CALIFORNIA EDISON PHONE: (800) 655-4555 TELEPHONE COMPANY: SBC PHONE: (800) 244-4444	PROJECT LOCATION DIRECTIONS FROM HWY 126 IN FILLMORE: GO SOUTH ON HWY CA-23 (GRIMES CANYON RD) TO BARSDALE AVE, GO RIGHT. TO SESPE RD, GO LEFT. TO SOUTH MOUNTAIN RD, GO RIGHT. TO YELLOW GATE ON LEFT (NOT FIRST YELLOW GATE YOU SEE; ½ KEEP DRIVING!), GO LEFT THROUGH GATE "VINTAGE PETROLEUM". GO UP .9 TO MAINT AREA AND PASSING SVC YARD ON RT, BEAR RT, GO .1 TO FORK. BEAR LT, GO 1.0M TO "T" ("MANY BLIND CURVES") AND BEAR LEFT. .1M TO FORK, BEAR RT ("CAUTION LOCKED GATE") THRU GATE, 1.2M TO SUMMIT. AT "T" TURN LFT. TO FIRST PAVED ACCESS ROAD, TURN LEFT TO SITE.	C-101	OVERALL SITE PLAN	0	03/07/22	AB
			C-102	DETAILED SITE PLAN	0	03/07/22	AB
			C-103	TOWER ELEVATION	0	03/07/22	AB
			C-501	SIGNAGE	0	03/07/22	AB

County of Ventura
 Planning Director Hearing
 Case No. PL20-0048

 Exhibit 2 - Site Plans



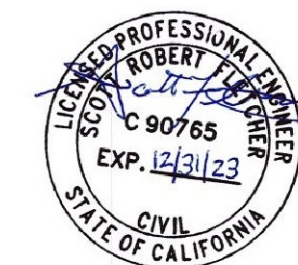
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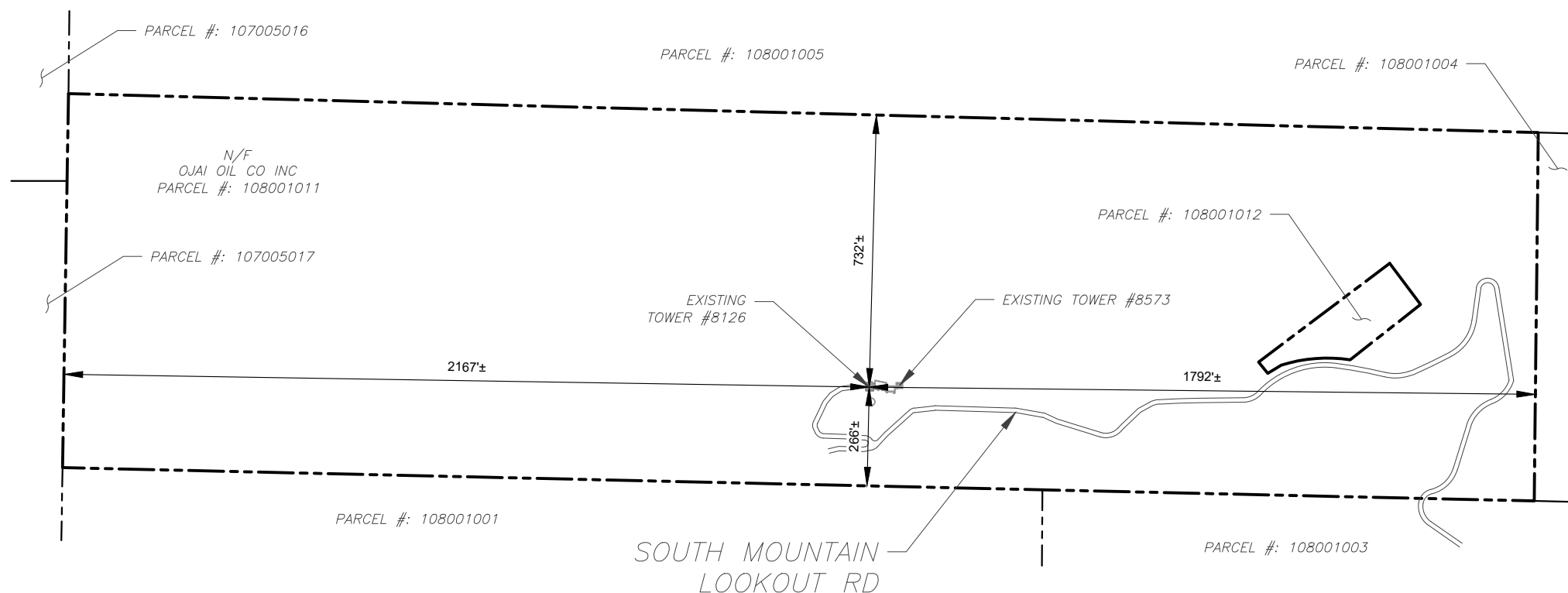
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DATE DRAWN:	03/07/22
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OVERALL SITE PLAN

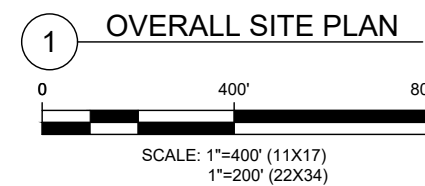
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C-101
 REVISION:
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- NOTES:**
- THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS ONLY. THE PROJECT WILL NOT RESULT IN ANY PROPOSED WORK.
 - BOUNDARY INFORMATION OBTAINED FROM: GIS VENTURA

SURVEY LEGEND

- EXISTING PROPERTY
- EXISTING ADJ. PROPERTY
- EXISTING CHAINLINK FENCE
- EXISTING BUILDING
- EXISTING ROAD (DIRT)
- EXISTING CONCRETE



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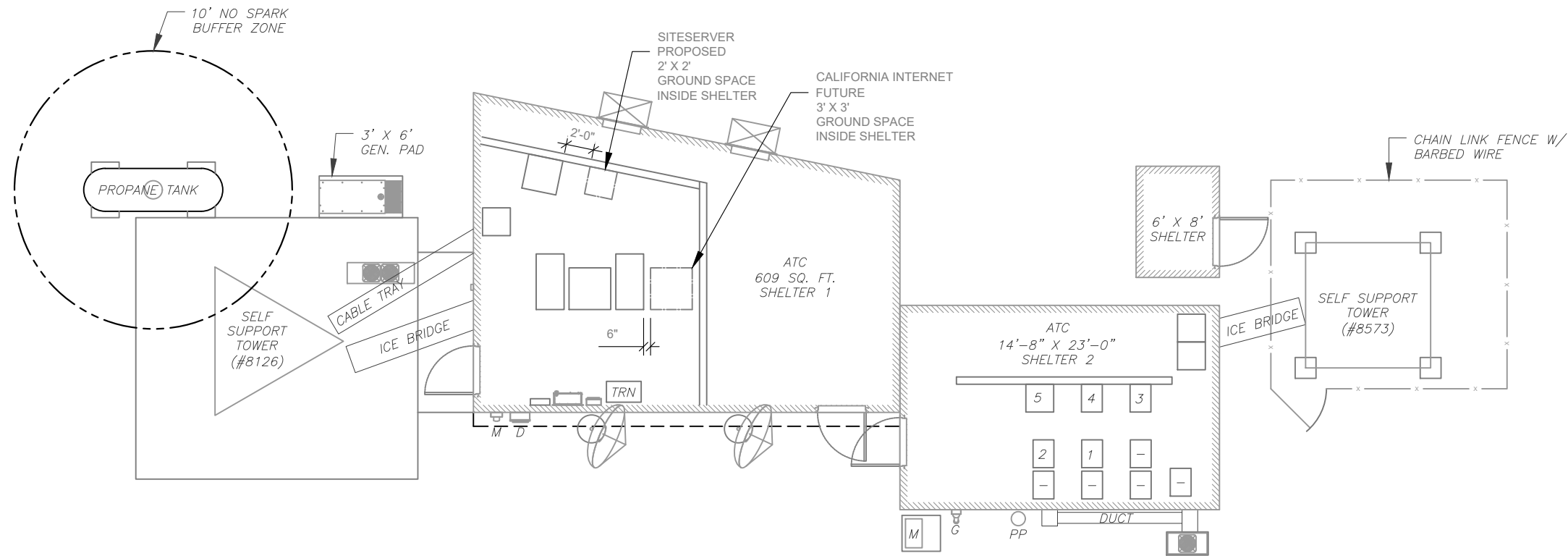
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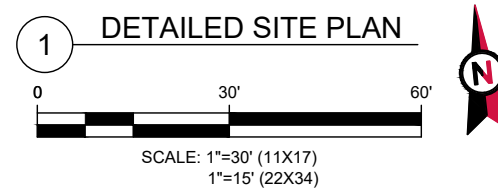
DETAILED SITE PLAN

SHEET NUMBER:
C-102
 REVISION:
0



ATC SHELTER 1			
CARRIER	EQUIP. #	EQUIP. SIZE	GROUND SPACE
AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA	-	N/A	2' X 2'

ATC SHELTER 2			
CARRIER	EQUIP. #	EQUIP. SIZE	GROUND SPACE
SOUTHERN CALIFORNIA GAS (SEMPRA)	1,2,3,4,5	N/A	2' X 16'
US DOJ (FBI)	-	N/A	2' X 8' 2' X 4'
(ABANDONED)	-	N/A	N/A



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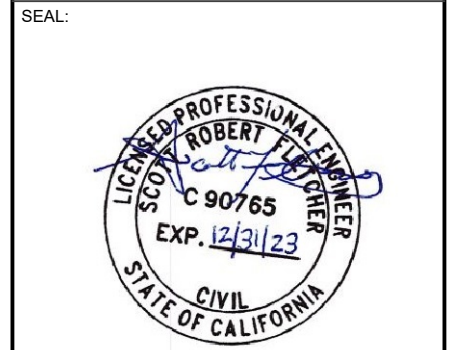


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DATE DRAWN: 03/07/22
 ATC JOB NO: 14046725_E1

TOWER ELEVATION

SHEET NUMBER: **C-103** REVISION: **0**

TOP OF HIGHEST APPURTENANCE
 ELEV. 124'-6" A.G.L.

TOP OF EXISTING TOWER
 ELEV. 100'-0" A.G.L.

EXISTING CARRIER ANTENNAS
 RAD CENTER @ 117'

TOP OF HIGHEST APPURTENANCE
 ELEV. 80'-6" A.G.L.

TOP OF EXISTING TOWER
 ELEV. 60'-0" A.G.L.

FUTURE CALNET EQUIPMENT
 RAD CENTER 70' A.G.L.
 FUTURE CALNET EQUIPMENT
 RAD CENTER 65' A.G.L.
 FUTURE SITESERVER EQUIPMENT
 RAD CENTER 60' A.G.L.

EXISTING CARRIER ANTENNAS
 RAD CENTER @ 71.58' A.G.L.

EXISTING TOWER (#8526)

FUTURE SITESERVER EQUIPMENT
 RAD CENTER 25' A.G.L.

EXISTING CARRIER ANTENNAS
 RAD CENTER @ 48'

EXISTING CARRIER ANTENNAS
 RAD CENTER @ 42'

EXISTING CARRIER ANTENNAS
 RAD CENTER @ 35'

EXISTING CARRIER ANTENNAS
 RAD CENTER @ 25'

EXISTING CARRIER ANTENNAS
 RAD CENTER @ 50'

EXISTING TOWER (#8573)

EXISTING CARRIER ANTENNAS
 RAD CENTER @ 29'

EXISTING CARRIER ANTENNAS
 RAD CENTER @ 20'

EXISTING TOP OF DISH 13' A.G.L.
 EXISTING TOP OF SHELTER 10' A.G.L.

EXISTING DISH (TYP)

EXISTING SHELTER

EXISTING TOP OF FENCE 7" A.G.L.

EXISTING TOP OF BASE PLATE

EXISTING TOP OF BASE PLATE

1 TOWER #8126 ELEVATION
 SCALE: NOT TO SCALE

2 TOWER #8573 ELEVATION
 SCALE: NOT TO SCALE

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**Beyond this point:
Radio frequency fields at this site
may exceed FCC rules for human
exposure.**

**For your safety, obey all posted signs
and site guidelines for working in radio
frequency environments.**

In accordance with Federal Communications
Commission rules on radio frequency emissions 47 CFR 1.1307(b)

NO TRESPASSING

ATC CAUTION AND NO TRESPASSING SIGN



**Beyond this point:
Radio frequency fields at this site
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**For your safety, obey all posted signs
and site guidelines for working in radio
frequency environments.**

In accordance with Federal Communications
Commission rules on radio frequency emissions 47 CFR 1.1307(b)

ATC RF WARNING AND FCC NUMBER SIGN

FCC TOWER REGISTRATION #

Posting of sign required by law

ATC STAND-ALONE FCC TOWER
REGISTRATION SIGN



**AMERICAN TOWER™
CORPORATION**

SITE NAME: SOUTH MTN #2
SITE NUMBER: 8024 / 8126 / 8573
FCC REGISTRATION NUMBER: NOT REQUIRED

FOR LEASING INFORMATION: 877-282-7483
877-ATC-SITE

IN CASE OF EMERGENCY: 877-518-6937
877-51-TOWER

NO TRESPASSING

www.americantower.com
POSTING OF THIS SIGN REQUIRED BY LAW

EXISTING SIGNAGE PHOTO

NOTICE

**GUIDELINES FOR WORKING IN
RADIOFREQUENCY ENVIRONMENTS**

- All personnel should have electromagnetic energy (EME) awareness training.
- All personnel entering this site must be authorized.
- Obey all posted signs.
- Assume all antennas are active.
- Before working on antennas, notify owners and disable appropriate transmitters.
- Maintain minimum 3 feet clearance from all antennas.
- Do not stop in front of antennas.
- Use personal RF monitors while working near antennas.
- Never operate transmitters without shields during normal operation.
- Do not operate base station antennas in equipment room.

ATC RF PROGRAM NOTICE SIGN



AMERICAN TOWER

SITE NAME : SOUTH MTN #2
SITE NUMBER : 8024, 8126, 8573
FCC REGISTRATION # : NOT REQUIRED

FOR LEASING INFORMATION: 877-282-7483
877-ATC-SITE

FOR EMERGENCIES CALL: 877-518-6937
877-51-TOWER

NO TRESPASSING

www.americantower.com

POSTING OF THIS SIGNAGE REQUIRED BY LAW

ATC SITE SIGN

REPLACEMENT OF SIGNAGE:

AS SIGNAGE BECOMES STOLEN, DAMAGED, BRITTLE OR FADED, IT SHOULD BE REPLACED WITH SIGNAGE PER THIS SPECIFICATION. ANY ACQUIRED SITE SHOULD HAVE NEW SIGNS POSTED WITHIN 60 DAYS UNLESS OTHERWISE SPECIFIED. ANY SITE SOLD SHOULD HAVE THE ATC SIGNS REMOVED WITHIN 30 DAYS UNLESS OTHERWISE SPECIFIED. ALL FCC OR REGULATORY SIGNAGE MUST BE INSTALLED OR REPLACED AS REQUIRED TO MEET OUR STANDARD. SIGNS SHOULD BE REPLACED ON NORMAL, QUARTERLY MAINTENANCE VISITS BY CONTRACTORS OR SITE MANAGERS, UNLESS OTHERWISE REQUIRED ON A CASE-BY-CASE BASIS.

NOTE:

EXTERIOR SIGNS ARE NOT PROPOSED EXCEPT AS REQUIRED BY THE FCC. ALL EXISTING SIGNAGE AND ANY FUTURE SIGNAGE WILL BE COMPLIANT WITH STATUTE 164-43.4 NO HIGH-VOLTAGE SIGNAGE IS NECESSARY. NO HIGH-VOLTAGE EQUIPMENT PRESENT.



**AMERICAN TOWER®
ATC TOWER SERVICES, LLC**
3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OR SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NOT THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTOR(S) MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.


REV.	DESCRIPTION	BY	DATE
0	FOR CONSTRUCTION	AB	03/07/22

ATC SITE NUMBER:
8126

ATC SITE NAME:
SOUTH MOUNTAIN #2, T3

SITE ADDRESS:
19100 S. MOUNTAIN RD
SANTA PAULA, CA 93060

SEAL:



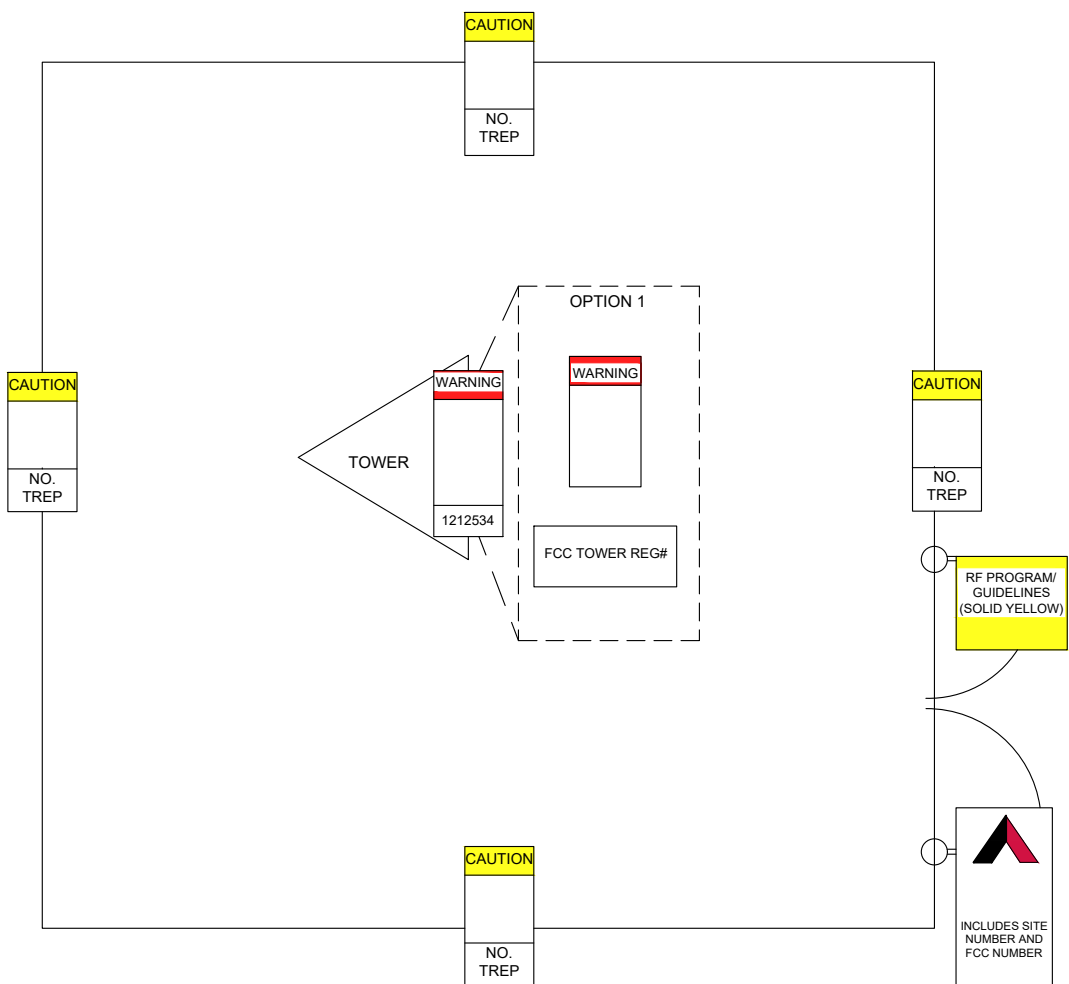
DATE DRAWN:	03/07/22
ATC JOB NO:	14046725_E1

SIGNAGE

SHEET NUMBER: **C-501**

REVISION: **0**

A "NO TRESPASSING" SIGN MUST BE POSTED A MINIMUM OF EVERY 50'.



THERE MUST BE AN ATC SIGN WITH SITE INFORMATION AND FCC REGISTRATION NUMBER AT BOTH THE ACCESS ROAD GATE (GATE OFF OF MAIN ROAD, IF APPLICABLE) AND COMPOUND FENCE (IF NO COMPOUND FENCE, THEN IN A CONSPICUOUS PLACE UPON DRIVE UP). IN ADDITION, PLEASE LOOK AT DIAGRAM FOR ALL ADDITIONAL SIGNS REQUIRED.

OPTION 1 MAY BE USED TO POST TOWER REGISTRATION NUMBERS AT THE BASE OF THE TOWER IF A WARNING SIGN DOES NOT HAVE SPACE FOR THE TOWER REGISTRATION NUMBER.

IMPORTANT: FOR ANY ATC SIGN THAT DOES NOT MEET THE ATC SPECIFICATION FOR SIGNAGE (I.E., SHARPIE/PAINT PEN, WORN LABELS, ETC.), BRING IT INTO COMPLIANCE (RE-WRITE IF WORN) AND FLAG FOR REPLACEMENT ASAP WITH THE APPROPRIATE PERMANENT SIGN (YOU CAN ORDER THESE THROUGH THE WAREHOUSE).

ONLY LABELS PRINTED BY A ZEBRA LABEL PRINTER WILL BE ACCEPTED.

EXHIBIT 3

**CONDITIONS OF APPROVAL FOR AMERICAN TOWER COMMUNICATION FACILITY CONDITIONAL USE PERMIT (CUP)
CASE NO. PL20-0048**

RESOURCE MANAGEMENT AGENCY (RMA) CONDITIONS

Planning Division

1. Project Description

This Conditional Use Permit (CUP) is based on and limited to compliance with the project description stated in this condition below, all exhibits of the Planning Director hearing on April 14, 2022, and conditions of approval set forth below. Together, these conditions and documents describe the “Project.” Any changes in the Project must 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 in 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 requests that a CUP be granted to authorize the continued use, operation, and maintenance of a Wireless Communication Facility (WCF) consisting of the following:

- One 100-foot tall non-stealth antenna support structure (124'-6" to top of antenna)
- One 60-foot tall non-stealth antenna support structure (80'-6" to top of antenna)
- Antennas mounted at various heights;
- Associated ground equipment within enclosure;

The WCF will be unmanned, except for occasional periodic maintenance visits, and will operate 24 hours a day, 365 days per year. Access to the facility is available from South Mountain Road, a public, paved road and up a private dirt driveway.

The development, use, and maintenance of the property, the size, shape, arrangement, and location of the structure, shall conform to the project description above and all approved County land use hearing exhibits in support of the Project and remaining conditions of approval below.

2. 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.

3. CUP 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 CUP. 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 CUP modification is required. If a CUP 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.

4. Construction Activities

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

5. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and/or operations under this CUP shall constitute the Permittee's formal agreement to comply with all conditions of this CUP. Failure to abide by and comply with any condition for the granting of this CUP 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 CUP 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 CUP.

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

6. Time Limits

a. Use Inauguration:

- (1) The approval decision for this CUP becomes effective upon the expiration of the 10-day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval 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 CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for Use Inauguration within one year from the date the approval decision of this CUP 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 all 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 CUP.

b. Permit Life or Operations Period: This CUP will expire on **TBD**. The lack of additional notification of the expiration date provided by the County to the Permittee shall not constitute grounds to continue the uses that are authorized by this CUP after the CUP expiration date. The uses authorized by this CUP may continue after the CUP expiration date if:

(1) The Permittee has filed a permit modification application pursuant to § 8111-6 of the *Ventura County Non-Coastal Zoning Ordinance* prior to **TBD**; and

(2) The County decision-maker grants the requested modification.

The uses authorized by this CUP may continue during processing of a timely-filed modification application in accordance with § 8111-2.10 of the *Ventura County Non-Coastal Zoning Ordinance*.

7. Documentation of Compliance with Other Agencies' Requirements Related to this CUP

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 CUP.

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 CUP) 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 the Planning Division 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 or as dictated by the respective agency.

Monitoring and Reporting: The Planning Division shall maintain 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.

8. Notice of CUP Requirements and Retention of CUP Conditions On-Site

Purpose: To ensure full and proper notice of these CUP 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 regularly dealing with the daily operation of the proposed activities, of the pertinent conditions of this CUP.

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

Timing: Prior to issuance of a Zoning Clearance for 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*.

9. Recordation of Notice of Land Use Entitlement

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

Requirement: The Property Owner 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 CUP, with the deed of the property that is subject this CUP.

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

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

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

10. 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 CUP. Such condition compliance review, monitoring, and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.
- b. Pursuant to the requirements of CUP LU10-0063, the Resource Management Agency created Condition Compliance Case No. CC11-0063 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding LU10-0063. The Planning Division will continue to use Condition Compliance Case No. CC11-0063 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 10.a (above), and any duly-imposed civil administrative penalties regarding this CUP.

Within 10 calendar days of the effective date of the final decision approving this CUP, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC11-0063, 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.

- c. **Billing Process:** The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to 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 CUP. The

Permittee shall have the right to challenge any charge or penalty prior to payment.

11. 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 CUP. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.
- c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this CUP, 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 CUP, 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 CUP serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

12. Invalidation of Condition(s)

If any of the conditions or limitations of this CUP 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 CUP 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 CUP, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This CUP 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 CUP, 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 any significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

13. 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 may 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 CUP, 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. 10 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.

14. Relationship of CUP Conditions, Laws and Other Permits

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

No condition of this CUP 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 CUP, nor compliance with the conditions of this CUP, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

The Permittee shall obtain and maintain a business tax certificate for the operation of the wireless communications facility.

15. Contact Person

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

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP. The designated contact person shall be available, via telecommunication, 24 hours a day.

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

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall provide the Planning Division the contact information of the Permittee's agent(s) for the Project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide Planning Division staff with the new information in writing within three calendar days of the change in the Permittee's field agent.

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

16. Resolution of Complaints

The following process shall be used to resolve complaints related to the Project:

- a. The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 15 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about a use as it is occurring may directly contact the Contact Person;
- b. If County staff receives a written complaint about the Project, Planning Division staff may contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and,
- c. If, following a complaint investigation by County staff, a violation of Ventura County Code or a condition of this CUP is confirmed, County may initiate enforcement actions pursuant to § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

17. Reporting of Major Incidents

Purpose: To ensure that the Planning Director is notified of major incidents associated with, or resulting from, the Project.

Requirement: The Permittee shall immediately notify the Planning Director by telephone, email, and/or voicemail of any incidents (e.g., fires, explosions, spills, landslides, or slope failures) that could pose a hazard to life or property inside or outside the CUP area.

Documentation: Upon request of any County agency, the Permittee shall provide a written report of any incident that shall include but is not limited to: a description of the facts of the incident; the corrective measures used, if any; and, the steps taken to prevent a recurrence of the incident.

Timing: The Permittee shall provide the written report to the requesting County agency and Planning Division within seven days of the request.

Monitoring and Reporting: The Planning Division maintains any documentation provided by the Permittee related to major incidents in the Project file.

18. 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 name(s), address(es), telephone number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s).

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 and Property Owner'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) acknowledging and agreeing to comply with all conditions of this CUP.

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 shall maintain 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*.

19. Removal of Facility Upon Abandonment of Use or Expiration of Permit

Purpose: In compliance with § 8111-2.8 and § 8111-8.1 of the *Ventura County Non-Coastal Zoning Ordinance* and in order to ensure that the use of the subject property remains compatible with existing and potential uses of other property within the general area, the communication facility shall be removed if this CUP expires or if the facility is abandoned.

Requirement: Upon the expiration of this CUP, or abandonment of the use of the communication facility, the Permittee shall:

- a. notify the County that the Permittee has discontinued the use of the facility;
- b. remove the facility and all appurtenant structures; and,
- c. restore the premises to the conditions existing prior to the issuance of the CUP, to the extent feasible, as determined by the Planning Director.

In the event that the Permittee fails to perform the required actions, the Property Owner shall be responsible for compliance with the requirements set forth in this condition. The facility shall be considered to be abandoned if it has not been in use for 12 continuous months.

Documentation: The Permittee shall provide photos of the site after restoration is completed to the Planning Division.

Timing: The Permittee shall complete the notification, removal, and restoration activities within 60 days of the expiration of this CUP, or abandonment of the use, unless the Planning Director grants (in writing) additional time.

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

20. Future Collocation of Wireless Communication Facilities and Equipment

Purpose: To reduce the number of communication facilities and minimize the potential environmental impacts associated with such facilities.

Requirement: The Permittee shall make the facility and site available to other telecommunication carriers, and, in good faith, accommodate all reasonable requests for collocation in the future, subject to the following parameters:

- a. the party seeking the collocation shall be responsible for all facility modifications, environmental review, mitigation measures, associated costs, and permit processing;
- b. the Permittee shall not be not be required to compromise the operational effectiveness of its facility or place its prior approval at risk;
- c. the Permittee shall make its facilities and site available for collocation on a non-discriminatory and equitable cost basis; and,
- d. the County retains the right to verify that the use of the Permittee's facilities and site conforms to County policies.

Documentation: Permittee shall demonstrate to the satisfaction of the Planning Director that the wireless communications tower associated with the subject facility is engineered in a manner that can accommodate supplementary antennas to collocate at least one additional telecommunication carrier.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall submit evidence to the Planning Division that the facility is engineered to accommodate the collocation of at least one additional carrier.

Monitoring and Reporting: Prior to the issuance of a Certificate of Occupancy, Building and Safety inspectors and Planning Division staff have the authority to inspect the facility to confirm that it is constructed as approved.

FIRE DEPARTMENT CONDITIONS

21. Fire Department Clearance: The Permittee shall obtain VCFPD Form #126

“Requirements for Construction” prior to obtaining a building permit for any new structures or additions to existing structures.

22. Post Address Numbers: Address numbers, a minimum of 10” high, shall be installed on the fence outside the facility facing the street. The numbers shall be of contrasting color to the background and shall be readily visible at night. Brass or gold-plated numbers shall not be used. Address numbers may be increased at the discretion of the VCFPD.
23. Fire Code Permits: Applicant and/or tenant shall obtain all applicable Fire Code permits prior to use of any system or item requiring a Fire Code permit. The applicant shall obtain a Fire Code permit, prior to use, if the stationary lead-acid battery system has a liquid capacity of more than 100 gallons or if any individual lead-acid batteries exceed 20 gallons each. A Fire Code Permit will be required for any propane or flammable/combustible liquids used/stored for emergency generator(s).
24. Hazard Abatement: All grass or brush exposing any structure(s) to fire hazards shall be cleared for a distance of 100 feet prior to construction of any structure and shall be maintained in accordance with VCFPD Ordinance.
25. Access Road Gates: Any gates to control vehicle access are to be located to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of 20 feet shall be provided. If gates are to be locked, a Knox system shall be installed.
26. Fire Extinguishers: Fire extinguishers shall be installed in accordance with the Fire Code. The placement of extinguishers shall be subject to review by the Fire District.

ENVIRONMENTAL HEALTH CONDITIONS

27. Compliance with Stormwater Development Construction Program: The storage, handling, and disposal of any potentially hazardous material shall be in compliance with applicable state regulations.



Exhibit 4 – General Plan Consistency Analysis

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CONSISTENCY WITH THE GENERAL PLAN

The 2040 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.

Evaluated below is the consistency of the proposed project with the applicable policies of the General Plan *Goals, Policies and Programs*.

- 2. 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.*

The existing facility is designed to have the least amount of visual impact while ensuring the adequate provision of public facilities and services. The wireless facilities are both needed for public safety and emergency services. The WCF provides wireless telecommunication services to the surrounding area and is compatible with the neighboring uses. The project site is surrounded by existing communication facilities and oil operations and the continued use of the WCF will maintain the character of the unincorporated area.

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

- 3. LU-16.2 Urban Design Standards for Commercial and Industrial Development:** *The County shall require that discretionary commercial and industrial developments maintain high standards of urban design and environmental quality by incorporating compact form, maximizing pedestrian access and safety, and minimizing land use conflicts and traffic congestion.*

The existing WCF is at the minimum required height in order to maintain seamless emergency communication services throughout the County. The design of the facility is the least intrusive means to maintain the communication capacity of the site. There will be no increase in traffic congestion related to the project

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Exhibit 4 - General Plan Consistency Analysis

Based on the above discussion, the proposed project is consistent with General Plan Policy LU-16.2.

4. **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.*

The existing WCF is located within an existing oil field with additional communication facilities located nearby. As currently designed, and previously permitted, the wireless facilities are considered to be non-stealth. Exemptions to non-stealth facilities apply and allow the County to permit non-stealth facilities that are visible from public viewpoints when the applicant demonstrates that the minimum height cannot be achieved with one or more stealth facilities. The applicant provided ample justification to support this exemption.

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

5. **PFS-7.1 Accessible Public Utilities:** *The County shall work with utility companies and service providers to ensure that gas, electric, broadband, cellular mobile communications, cable television, and telephone utility transmission lines are located appropriately to provide for adequate services throughout the unincorporated area.*

The existing WCF ensures that cellular mobile communications infrastructure is provided for adequate services throughout the unincorporated area. The location of the facility is located appropriately to not be prominently visible from the surrounding environment. The design of the site is the least intrusive means to maintain emergency communication infrastructure in the unincorporated County.

Based on the above discussion, the proposed project is consistent with General Plan Policy PFS-7.1.

6. **PFS-7.5 Broadband Service Access:** *The County shall encourage broadband service providers to expand service areas and provide high quality access to broadband (high-speed internet) and cellular mobile communications services to residents and businesses, including unserved and underserved areas.*

The existing WCF provides service to the unincorporated Santa Paula and Somis areas and provides high quality access to communications services as well as cellular mobile communications. The continued use of the facility and ability to add additional antennas ensures that the residents and businesses will maintain a high quality of service.

Based on the above discussion, the proposed project is consistent with General Plan Policy PFS-7.5.

- 7. COS-3.1 Scenic Roadways:** *The County shall protect the visual character of scenic resources visible from state of County designated scenic roadways.*

The existing WCF is not prominently visible from any County designated scenic roadways. No new visual impacts will be generated from the implementation of the proposed project.

Based on the above discussion, the proposed project is consistent with General Plan Policy COS-3.1.

- 8. COS-3.5 Ridgeline and Hilltop Preservation:** *The County shall ensure that ridgelines and major hilltops remain undeveloped and that discretionary development is sited and designed to remain below significant ridgelines, except as required for communication or similar activity.*

The existing WCF is located on a hilltop but is required to provide service to the surrounding area from the communication facility. The location on top of South Mountain is required to ensure continued communication for vital emergency services throughout the unincorporated County. The location of the existing site is not prominently visible from public viewpoints, and no new conflicts will occur with the implementation of the proposed project.

Based on the above discussion, the proposed project is consistent with General Plan Policy COS-3.5.

- 9. COS-3.6 Open Space Character:** *The County shall require discretionary development outside of Existing Communities be planned and designed to maintain the scenic open space character of the surrounding area, including view corridors from highways. Discretionary development should integrate design, construction, and maintenance techniques that minimize the visibility of structures from public viewing locations within scenic vistas.*

The existing WCF does not conflict with the scenic open space character of the surrounding area. The surrounding area consists of additional communication facilities and oil operations. The existing facilities are not prominently visible from public viewing locations within scenic vistas. The antennas are mounted on the existing facilities and all ground mounted equipment is located within an existing equipment area. No new conflicts will occur with the implementation of the proposed project.

Based on the above discussion, the proposed project is consistent with General Plan Policy COS-3.6.

10.COS-9.1 Open Space Preservation: *The County shall preserve natural open space resources through:*

- *The concentration of development in Urban Areas and Existing Communities;*
- *Use of cluster or compact development techniques in discretionary development adjacent to natural open space resources;*
- *Maintaining large lot sizes in agricultural areas, rural, and open space areas;*
- *Discouraging conversion of lands currently used for agricultural production or grazing;*
- *Limiting development in areas constrained by natural hazards; and*
- *Encouraging agricultural and ranching interests to maintain natural habitat in open space areas where the terrain or soil is not conducive to agricultural production or grazing.*

The existing WCF does not conflict with the adjacent open space designated lands or uses of those lands. The antennas are mounted on an existing structure and all ground mounted equipment is located within an existing equipment area. No new conflicts will occur with the implementation of the proposed project.

Based on the above discussion, the proposed project is consistent with General Plan Policy COS-9.1.

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

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.*

The existing WCF meets all Ventura County Fire Protection District standards. The Fire Protection District has conditioned the project to comply with all requirements. No new conflicts will occur with the implementation of the proposed project.

Based on the above discussion, the proposed project is consistent with General Plan Policy HAZ-1.1 and HAZ-1.2.



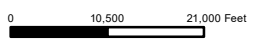
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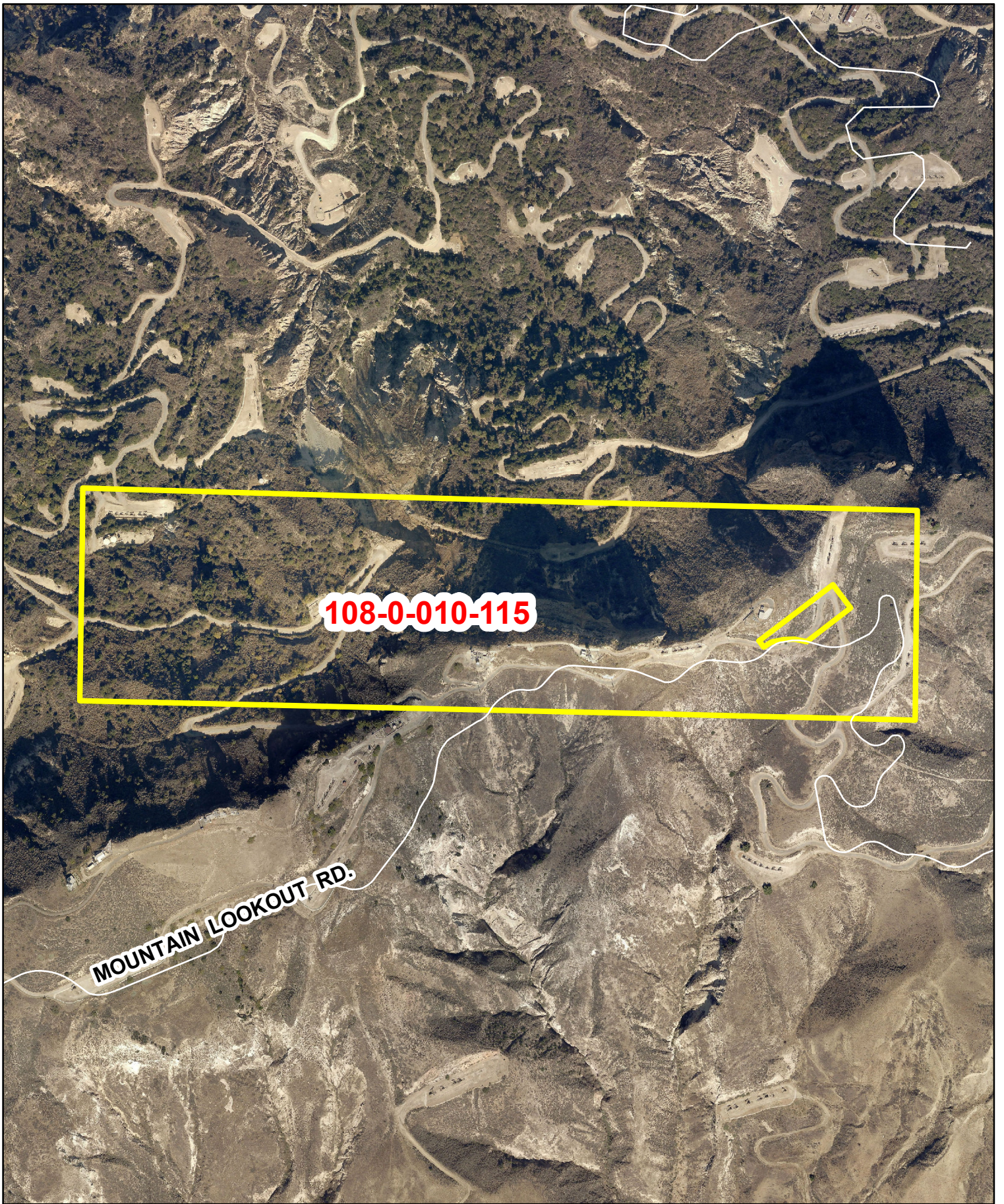


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Exhibit 5 - Site Maps



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108-0-010-115

MOUNTAIN LOOKOUT RD.



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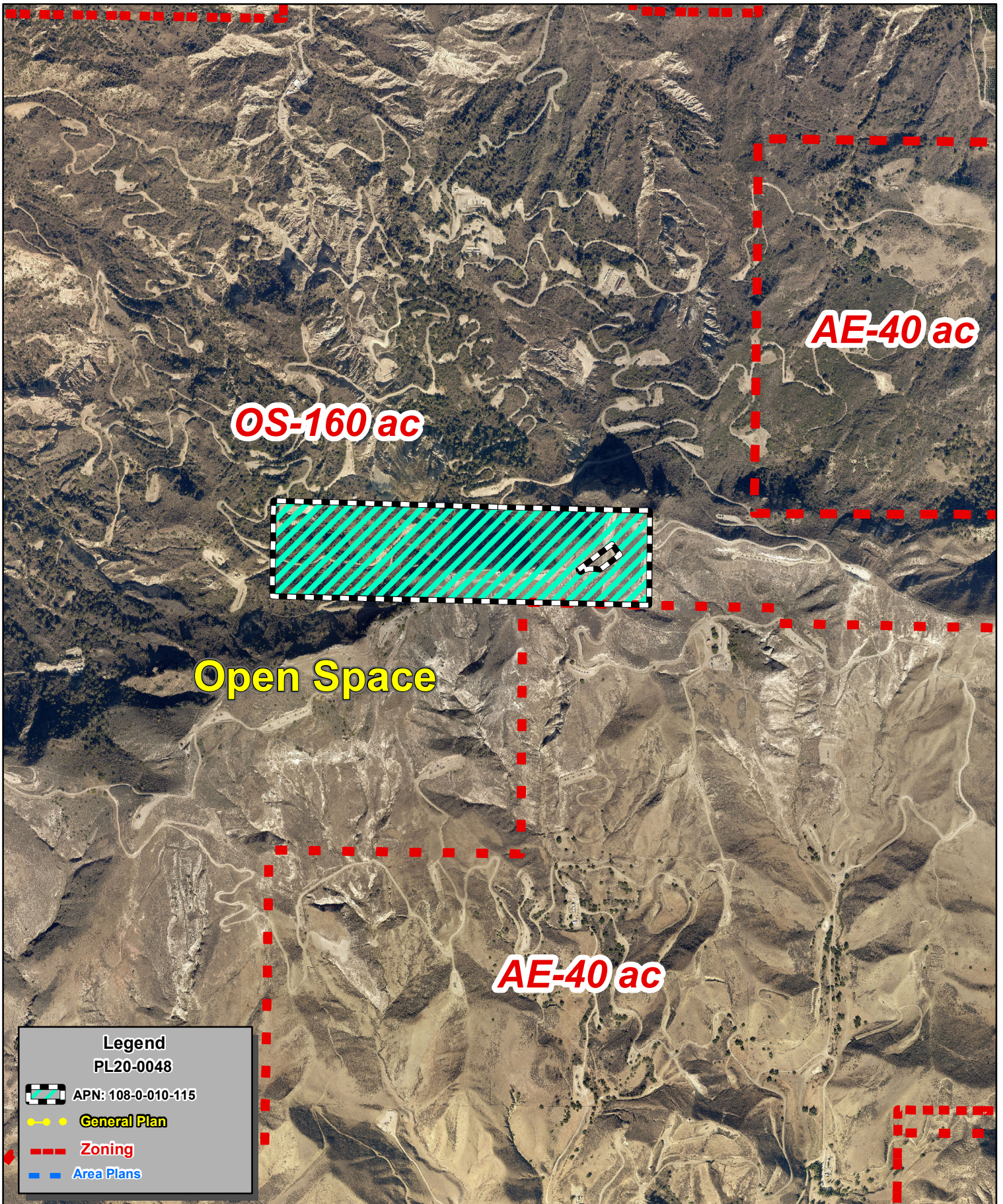
**County of Ventura
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Aerial Photography**

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Legend
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 APN: 108-0-010-115

 **General Plan**

 **Zoning**

 **Area Plans**



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 General Plan & Zoning Map**



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