



Planning Director Staff Report – Hearing on March 18, 2021

County of Ventura • Resource Management Agency • Planning Division

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SPRINT CROWN CASTLE PITAS POINT CONDITIONAL USE PERMIT (CUP) CASE NO. PL20-0055

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a minor modification to an existing Conditional Use Permit (CUP) for a 10-year time extension for the continued operation of an existing Wireless Communication Facility (WCF) known as Sprint VR03XC049 Crown Site 881022 (PL20-0055).
2. **Applicant:** Sprint, 3120 Commerce #200, Irvine, CA 92602
3. **Property Owner:** Faria Family Partnership, P.O. Box 11, Ventura, CA 93002
4. **Applicant's Representative:** D4 Communications, c/o Scott Dunaway, 1114 State Street, Suite 234, Santa Barbara, CA 93101
5. **Decision-Making Authority:** Pursuant to the Ventura County Coastal Zoning Ordinance (CZO) (Section 8174-5 and Section 8181-3 et seq.), the Planning Director is the decision-maker for the requested CUP.
6. **Project Site Size, Location, and Parcel Number:** The approximately 256-acre project site is located at 3945 Pacific Coast Highway in the unincorporated area of Ventura County. The Tax Assessor parcel number for the parcel that constitutes the project site is 060-0-380-030.
7. **Project Site Land Use and Zoning Designations:**
 - a. Countywide General Plan Land Use Map Designation: Open Space
 - b. Coastal Area Plan Land Use Map Designation: Agriculture
 - c. Zoning Designation: CA-40 ac-sdf (Coastal Agriculture, 40-acre minimum lot size, slope density formula)
8. **Adjacent Zoning and Land Uses/Development:**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	OS-160 ac (Open Space, 160-acre minimum lot size)	Open Space

Location in Relation to the Project Site	Zoning	Land Uses/Development
East	COS-10 ac-sdf (Coastal Open Space, 10-acre minimum lot size, slope density formula)	Open Space
South	Highway 101	Highway 101
West	COS-10 ac-sdf	Open Space

9. History: The subject property is owned by Faria Family Partnership and is located off Padre Juan Canyon Road on a private paved road which is maintained by the property owner. The site is currently developed with a single-family residence, agricultural development and the existing WCF. The existing Sprint WCF that is the subject of this CUP has been in operation since 1999.

On February 4, 1999, CUP 5051 was approved for the installation and operation of a WCF owned and operated by Sprint. The WCF consisted of one 18-foot tall monopole with eight panel antennas (located in 2 arrays of 4 antennas each) for a total height of 22-feet. One 10-inch high GPS antenna, three equipment cabinets and a 400-square-foot lease area were also approved. This permit had a 10-year expiration date which ended on February 4, 2009.

On July 15, 2010, Minor Modification CUP LU09-0033 was approved for the continued use, operation, and maintenance of the existing WCF for an additional 10-year time period which had an expiration date on July 15, 2020.

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

- One (1) 18-foot tall monopole;
- Four (4) 6-foot tall panel antennas each with a tip height of 23-feet;
- Eight (8) Remote Radio Heads (RRH) mounted behind the antennas;
- 400-square-foot lease area.

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 Padre Juan Canyon Road, a public, paved road and up a private paved driveway. 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 COASTAL AREA PLAN

Evaluated below is the consistency of the proposed project with the applicable policies of the Ventura County Coastal Area Plan.

1. Coastal Act Policy Section 30240, Environmentally Sensitive Habitat Areas, Adjacent Developments:

- a) *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*
- b) *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas and shall be compatible with the continuance of such habitat areas.*

The proposed project involves the continued use and minor modification of an existing WCF. No new development will occur that could have impacts on any environmentally sensitive habitat areas. The proposed project is compatible with the surrounding development.

Based on the discussion above, the proposed project is consistent with Coastal Act Section 30240.

2. Coastal Area Plan Visual Resources Policy 4.1.7-3: *Wireless communication facilities – including accessory equipment, lighting, utility lines, security measures and access roads – shall be sited and designed to minimize adverse impacts on public access, ESHA and ESHA buffer zones.*

Implementation of the proposed project will require minimal construction activities and will not include the introduction of new uses that could adversely impact the surrounding area. The project site was previously cleared of vegetation to

accommodate the existing WCF. No new effects on biological resources would occur with implementation of the proposed project.

Based on the above discussion, the proposed project is consistent with Coastal Area Plan Visual Resources Policy 4.1.7-3.

- 3. Coastal Area Plan Visual Resources Policy 4.1.7-1:** *Wireless communication facilities shall be sited and designed to minimize alteration of natural land forms and to blend with the surrounding area in a manner that is consistent with community character, the natural environment, and existing development.*

The location of the existing WCF is sited and designed to minimize the alteration of natural land forms and blend into the surrounding area. The facility blends in with the surrounding area and is not prominently visible from public viewpoints. The project is consistent with the community character, the natural environment, and existing development.

Based on the discussion above, the proposed project is consistent with Coastal Area Plan Visual Resources Policy 4.1.7-1.

- 4. Coastal Area Plan Visual Resources Policy 4.1.7-2:** *Wireless communication facilities shall be sited and designed to protect views from public viewing areas to the ocean or to scenic resources.*

The location of the existing WCF is sited and designed to protect views from public viewing areas to the ocean and scenic resources. The location of the facility, located in an orchard and setback from the nearest roadways, helps the facility blend in with the surrounding area and is not prominently visible from public viewpoints.

Based on the discussion above, the proposed project is consistent with Coastal Area Plan Visual Resources Policy 4.1.7-2.

- 5. Coastal Act Section 30251:** *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding area and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

The proposed project involves the continued use and minor modification of an existing WCF. Permitted development is required to be sited and designed to

protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, and to be visually compatible with the character of surrounding areas. Due to this being an existing facility, no new impacts to scenic and visual qualities of ocean areas will occur. Therefore, the proposed project would not degrade visual resources.

Based on the discussion above, the proposed project is consistent Coastal Act Section 30251.

D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the requirements of the Ventura County CZO (Section 8174-4), the proposed use is allowed in the CA 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 CZO (Section 8175-5.20). 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 prominently 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. The approving authority</i></p>	<p>Yes, the facility is enclosed within an existing equipment enclosure which prevents access and vandalism to the project site. No new fencing is proposed as part of this project.</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p><i>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>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 existing facility is accessed by existing roadways. No new roadways or access roads are proposed with this project.</p>

E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to determine that the proposed project is consistent with the permit approval standards of the Ventura County CZO (Section 8181-3.5 et seq.). The proposed findings and supporting evidence are as follows:

1. The proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program [Section 8181-3.5.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 Certified Local Coastal Program can be made.

2. The proposed development is compatible with the character of surrounding development [Section 8181-3.5.b].

The existing WCF that is the subject of this CUP application has been in operation since 1999. 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, if a conditionally permitted use, is compatible with planned land uses in the general area where the development is to be located [Section 8181-3.5.c].

As discussed in Finding 2 (above), the proposed project consists of the continued operation of an existing WCF. The ongoing agricultural use of the project parcel and the surrounding open space parcels will be unaffected by the proposed project. Given the restrictive location and coastal nature of the area, a change in land uses in the general area is not foreseeable at this time. Thus, the project is and will remain compatible with the land uses in the general area.

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

4. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses [Section 8181-3.5.d].

As discussed in Section E.2 above, the proposed project involves the continued use of a 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.

5. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [Section 8181-3.5.e].

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.

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 of a 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), CZO (Section 8181-6.2 et seq.). On March 3, 2021, the Planning Division mailed notice to owners of property within 300 feet and residents within 100 feet of the property on which the project site is located. On March 8, 2021, the Planning Division placed a legal ad in the *Ventura County Star*.

G. RECOMMENDED ACTIONS

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

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto and has considered all comments received during the public comment process;
2. **FIND** that this project is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines.

3. **MAKE** the required findings to grant a Minor Modification of a CUP pursuant to Section 8181-3.5 of the Ventura County CZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** CUP Case No. PL20-0055, 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.

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EXHIBITS:

- Exhibit 2 Site Plans
- Exhibit 3 Draft Conditions of Approval
- Exhibit 4 Location Maps