



## Planning Director Staff Report Hearing on May 5, 2022

County of Ventura • Resource Management Agency

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

### “HOPPER CANYON” MODIFICATION OF CONDITIONAL USE PERMIT (CUP) LU10- 0059, CASE NO. PL21-0121

#### A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Minor Modification of Conditional Use Permit (CUP) LU10-0059 to authorize the continued use, operation and maintenance of an existing Wireless Communication Facility (WCF) for a 10-year period for a site known as the Hopper Canyon (Case No. PL21-0121).
2. **Applicant:** Verizon Wireless c/o John Merritt, 630 Quintana Road, # 321, Morro Bay, CA 93442.
3. **Property Owner:** Los Angeles SMSA LP, 4 Greenwich Office Park, #1, Greenwich, CT 06831.
4. **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 modification.
5. **Project Site Size, Location, and Parcel Number:** The 1.12-acre project site is located at 33 Hopper Canyon Road, near the intersection with E Telegraph Road, in the community of Piru, in the unincorporated area of Ventura County. The Tax Assessor’s parcel number for the parcel that constitute(s) the project site is 055- 0- 160-555 (Exhibit 2).
6. **Project Site Land Use and Zoning Designations (Exhibit 2):**
  - a. Countywide General Plan Land Use Map Designation: Agricultural
  - b. Piru Area Plan Land Use Map Designation: Agriculture (Exhibit 2)
  - c. Zoning Designation: AE-40 ac (Agricultural Exclusive, 40-acre minimum lot size) (Exhibit 2)
7. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	AE-40 ac (Agricultural Exclusive, 40-acre minimum lot size)	Agricultural Uses/Single family residence
East	AE-40 ac	Single family residence

Location in Relation to the Project Site	Zoning	Land Uses/Development
South	AE-40 ac/HCWC (Habitat Connectivity Wildlife Corridor Overlay)	Santa Paula Branch Line RR/ Transportation
West	AE-40 ac	Agricultural Uses/Single family residence

- 8. History:** On December 19, 2011, LU11-0059 was approved for the construction of a new mono-eucalyptus WCF within a 900-square-foot fenced lease area on a 1.92-acre property in the Piru Area.

On December 17, 2021, an application was submitted to allow for a 10-year time extension for the ongoing operation of the subject WCF.

- 10. Project Description:** The applicant requests that CUP LU10-0059 be modified to authorize the continued use, operation, and maintenance of an existing stealth WCF for an additional 10-year period. The WCF is a 62-foot mono-eucalyptus. Twelve (12) panel antennas were installed with RAD centers located at 55 feet above ground-level. A single microwave antenna was installed below the panel antennas. The associated equipment for the WCF is enclosed in a 176-square foot, 11-foot-high shelter. A GPS antenna was mounted onto the roof of the shelter. An emergency diesel generator has been installed within the lease area. There are no proposed operational or physical changes to the existing WCF.

The WCF would be unmanned and automated, except for occasional periodic maintenance visits that would occur once per month. The WCF would operate 24 hours per day. The site is located in the Piru Area and is accessed via unpaved driveway connected to the terminus of Hopper Canyon Road. Water service is not required to operate or maintain the proposed project, and no exterior lighting or grading is proposed. (Exhibit 3)

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

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

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. The proposed project would include the continued use, operation, and maintenance of an existing WCF. The proposed project qualifies for Class I Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

Further, the project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Therefore, no further environmental review is required.

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

### **C. CONSISTENCY WITH THE GENERAL PLAN AND PIRU AREA PLAN**

The proposed project has been analyzed and determined to be consistent with all applicable General Plan and Piru Area Plan policies. A consistency analysis which evaluates the project's consistency with the policies of the General Plan and Piru Area 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 AE zone district with the granting of a CUP. Upon the granting of the CUP, the proposed project will comply with the requirements of the Ventura County NCZO.

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 standard and a description of whether the proposed project complies with the special use standards.

**Table 1 – Special Use Standards Consistency Analysis**

<b>Special Use Standard</b>	<b>Complies?</b>
<b>Section 8107-45.4 (a), Partial and Full-Concealment Requirements:</b>  To minimize visual impacts, a wireless communication facility shall be designed as a stealth facility or building-concealed facility. A wireless communication facility may be designed as a non-stealth facility only if it meets standards provided in Sec. 8107-45.4(b) below.	Yes, the design of the existing WCF is a 62-foot-tall mono-eucalyptus.
<b>Section 8107-45.4 (c), Making Wireless Communication Facilities Compatible with the Existing Setting:</b>  To the extent feasible, all wireless communication facilities shall be located and designed to be compatible with the existing setting as follows: (1) Location: Facilities shall be located in areas where existing topography, vegetation, buildings, or structures	Yes, the WCF would be located in an area where existing topography, vegetation, and structures effectively camouflage the proposed facility. The WCF is designed as a 62-foot-tall mono-eucalyptus. The associated WCF equipment is colored to blend in with the existing topography, vegetation,

**Table 1 – Special Use Standards Consistency Analysis**

Special Use Standard	Complies?
<p>effectively screen and/or camouflage the proposed facility; and                      (2) Facility Design: The facility shall be designed (i.e. size, shape, color, and materials) to blend in with the existing topography, vegetation, buildings, and structures on the project site as well as its existing setting.</p>	<p>buildings, and structures in the existing setting.</p>
<p><b>Section 8107-45.4 (d), Preferred Wireless Communication Facility Locations:</b></p> <p>To the extent feasible, and in the following order of priority, new wireless communication facilities shall be sited in the following locations:</p> <ol style="list-style-type: none"> <li>1. On an existing wireless communication facility with adequate height and structure to accommodate additional wireless communication facilities (see Sec. 8107-45.6).</li> <li>2. Flush-mounted on an existing structure, pole, or building in the AE and OS zones.</li> <li>3. Where the wireless communication facility is not prominently visible from a public viewpoint.</li> <li>4. Within an area zoned Industrial.</li> <li>5. Near existing public or private access roads.</li> <li>6. On or near the same site as an existing wireless communication facility when visual or other environmental impacts can be mitigated to a level of less than significant under CEQA and when such “clustering” of facilities is consistent with the applicable Area Plan.</li> </ol>	<p>Yes, the existing WCF is located on the southwest portion of a parcel zoned AE. The facility is visible from a portion of State Route 126, which is an eligible state scenic highway. The stealth facility is designed to look like a mono-eucalyptus.</p>
<p><b>Section 8107-45.4 (f)(4)(b), Height: Stealth Facilities:</b></p> <p>Faux trees shall maintain a natural appearance and may not exceed the height of nearby natural trees (see i, ii, and iii below). A faux tree located among existing natural trees should not be obviously taller than the other trees. Smaller, natural trees may also be planted around the faux tree to mask its height from public viewpoints. The maximum allowable height of a faux tree shall be as follows:</p> <p>i. No Nearby Trees: Maximum heights in Table 2 apply if there are no trees within a 150-foot radius of the faux tree. (Also see the tree planting height requirement in Sec. 8107-45(i)(4).)</p>	<p>Yes, the design of the existing project is a stealth mono-eucalyptus tree. The height of the WCF is 62 feet above grade level. The WCF is located among existing trees that are between 33 and 52 feet in height.</p>

**Table 1 – Special Use Standards Consistency Analysis**

Special Use Standard	Complies?
<p>ii. <b>Tree Canopy:</b> The maximum height of a faux tree located within, or adjacent to, a tree canopy may extend up to 15 feet above the maximum height of the existing tree canopy when both of the following criteria are met: • The applicant demonstrates to the satisfaction of the Planning Division that a lower faux tree height would result in obstructed coverage of the proposed facility due to the existing tree canopy; and</p> <ul style="list-style-type: none"> <li>• The median tree height of the canopy is at least 30 feet high, and the nearest tree in the canopy is located within 150 feet of the faux tree; and the faux tree is sited behind the canopy relative to public viewpoints.</li> </ul> <p>iii. <b>Surrounding Trees (Non-canopy):</b> A faux tree may extend up to 5 feet above the maximum height of trees within a 150-foot radius. The maximum height of surrounding trees should be measured using existing tree heights, unless a certified arborist estimates average growth after five years, which may be added to existing height measurements.</p>	
<p><b>Section 8107-45.4 (g) Setbacks:</b></p> <ol style="list-style-type: none"> <li>1. All wireless communication facilities shall comply with the required minimum front, side, and rear yard setbacks for the zone in which the site is located. No portion of an antenna array shall extend beyond the property lines.</li> <li>2. Ground-mounted wireless communication facilities shall be set back a distance equal to the total facility height or 50 feet, whichever is greater, from any offsite dwelling unit.</li> <li>3. Whenever feasible, a new ground-mounted wireless communication facility shall be set back from the property line to avoid creating the need for fuel clearance on adjacent properties.</li> </ol>	<p>Yes, no portion of the antenna array extends beyond the property lines. The WCF meets all setbacks from the property lines.</p>
<p><b>Section 8107-45.4 (h) Retention of Concealment Elements:</b></p> <p>No modification to an existing wireless communication facility shall defeat concealment elements of the permitted facility. Concealment elements are defeated if any of the following occur:</p> <ol style="list-style-type: none"> <li>1. A stealth facility is modified to such a degree that it results in a non-stealth facility; or</li> </ol>	<p>Yes, there are no proposed modifications to the existing WCF.</p>

**Table 1 – Special Use Standards Consistency Analysis**

Special Use Standard	Complies?
<p>2. The stealth facility no longer meets the applicable development standards for stealth facilities in Sec. 8107-45.4; or</p> <p>3. Equipment and antennas are no longer concealed by the permitted stealth design features; or</p> <p>4. Proposed modifications to a stealth facility, designed to represent a commonly found element in the environment or community (such as a tree, rock, or building), result in a facility that no longer resembles the commonly found element due to its modified height, size, or design.</p>	
<p><b>Section 8107-45.4 (4a)(b)(c)(d)(e), Standards for Faux Trees:</b></p> <p>a) Shall incorporate a sufficient amount of “architectural branches” (including density and vertical height) and design material so that the structure is as natural in appearance as technically feasible.</p> <p>b) Shall be the same type of tree or a tree type that is compatible (i.e. similar in color, height, shape, etc.) with existing trees in the surrounding area (i.e. within approximately a 150 foot radius of the proposed facility location). If there are no existing trees within the surrounding area, the vicinity of the facility shall be landscaped with newly planted trees. The trees should be compatible with the faux tree design and be of a type and size that would be expected to reach 75 percent of the faux tree’s height within five (5) years. (Also see Sec. 8107-45.4(q) for additional information on landscaping.)</p> <p>c) Shall not exceed the maximum height limits established for faux trees stated in Sec. 8107-45.4(f)(4)(b).</p> <p>d) Shall include antennas and antenna support structures colored to match the components (i.e. branches and leaves) of the proposed artificial tree.</p> <p>e) New trees required as part of a landscape plan for a faux tree shall be a minimum size of 36-inch box to help ensure survival of the tree. Palm trees shall have a minimum brown trunk height of 16 feet.</p>	<p>Yes, the existing mono-eucalyptus WCF incorporates enough “structural branches” (including density and vertical height) and design materials so that the structure is as natural in appearance and technically feasible.</p>
<p><b>Section 8107-45.4 (j). Historical Landmarks/Sites of Merit:</b></p>	<p>Yes, the existing WCF is not constructed or installed on a structure,</p>

**Table 1 – Special Use Standards Consistency Analysis**

Special Use Standard	Complies?
<p>A wireless communication facility shall not be constructed, placed, or installed on a structure, site or district designated by a federal, state, or County agency as an historical landmark or site of merit unless that facility is designed to meet the Secretary of the Interior (SOI) Standards. If the facility does not meet the SOI standards, then the Cultural Heritage Board must determine that the proposed facility will have no significant, adverse effect on the historical resource.</p>	<p>site or district designated by a federal, state, or County agency as an historical landmark or site of merit.</p>
<p><b>Section 8107-45.4 (k), Environmentally Sensitive Areas:</b></p> <p>All wireless communication facilities and their accessory equipment shall be sited and designed to avoid or minimize impacts to habitat for special status species, sensitive plant communities, migratory birds, waters and wetlands, riparian habitat, and other environmentally sensitive areas as determined by the County's Initial Study Assessment Guidelines.</p>	<p>Yes, the WCF is existing and is not located within a ESHA zone. The WCF is located in an existing legally disturbed area. There are no proposed modifications to the existing facility.</p>
<p><b>Section 8107-45.4 (l) Ridgelines:</b></p> <p>A wireless communication facility shall not be sited on a ridgeline or hilltop that is prominently visible from a public viewpoint when alternative sites are available. Applicants shall demonstrate that no feasible, alternative locations are available when proposing a wireless communication facility on a ridgeline or shall demonstrate that alternative locations result in significant environmental impacts when compared to the proposed ridgeline location.</p>	<p>Yes, the facility is not located on a ridgeline or hilltop.</p>
<p><b>Section 8107-45.4 (m) Scenic Resource Protection Overlay Zone:</b></p> <p>With the exception of public safety described in Sec. 8107-45.2.4, a wireless communication facility shall not be prominently visible from a public viewpoint, and shall be designed as a stealth facility, when located within a Scenic Resource Protection Overlay Zone.</p>	<p>Yes, the existing WCF is just south of State Route 126, which is an eligible State Scenic Highway. The WCF is visible from portions of the highway. The stealth WCF is designed as a mono-eucalyptus and is 62 feet in height, which is smaller than the maximum allowed height.</p>
<p><b>Section 8107-45.4 (n), Accessory Equipment:</b></p> <p>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.</p>	<p>Yes, all accessory equipment associated with the existing WCF are placed at ground-level and are screened to prevent the facility from being prominently visible from the public viewing area to the maximum extent feasible.</p>
<p><b>Section 8107-45.4 (o), Colors and Materials:</b></p>	<p>Yes, all colors and materials used for the WCF blend in with the natural surroundings. There are no reflective materials.</p>

**Table 1 – Special Use Standards Consistency Analysis**

Special Use Standard	Complies?
<p>All wireless communication facilities shall use materials and colors that blend in with the natural or man-made surroundings. Highly reflective materials are prohibited.</p>	
<p><b>Section 8107-45.4 (p), Noise:</b></p> <p>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.</p>	<p>Yes, the operation of the WCF does not generate noise. The WCF is always operated and maintained to comply with the Ventura County noise standards.</p>
<p><b>Section 8107-45.4 (q), Landscaping and Screening:</b></p> <p>The permittee shall plant, irrigate and maintain additional landscaping during the life of the permit when landscaping is deemed necessary to screen the wireless communication facility from being prominently visible from a public viewpoint. New landscaping shall not incorporate any invasive species or watch species, as defined by the California Invasive Plant Council (Cal-IPC) and shall be in conformance with Section 8106-8.2.5. (AM. ORD. 4577 – 3/9/21)</p>	<p>Yes, the design of the existing project is a stealth mono-eucalyptus tree. The height of the WCF is 62 feet above grade level. The WCF is located among existing trees that are between 33 and 52 feet in height. New landscaping is not necessary to screen the WCF at the time of the subject renewal.</p>
<p><b>Section 8107-45.4 (r), Security:</b></p> <ol style="list-style-type: none"> <li>1. 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 may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism.</li> <li>2. 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.</li> </ol>	<p>Yes, the chain-link fence around the WCF is not visible from public viewing areas. The site also includes “No Trespassing” signs around the fence. All fences have been constructed of materials and colors that blend in with the existing setting. The WCF is not located within areas designated as Urban and Existing Community in the General Plan.</p>
<p><b>Section 8107-45.4 (s), Lighting:</b></p> <ol style="list-style-type: none"> <li>1. No facility may be illuminated unless specifically required by the FAA or other government agency.</li> <li>2. 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.</li> </ol>	<p>Yes, the existing WCF is not illuminated.</p>



**Table 1 – Special Use Standards Consistency Analysis**

Special Use Standard	Complies?
<p><b>Section 8107-45.4 (t), Signage:</b></p> <p>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.</p>	<p>Yes, the site includes signage indicating all necessary information related to the operation of the facility. A sign is posted at the access road gate and compound fence.</p>
<p><b>Section 8107-45.4 (u), Access Roads:</b></p> <ol style="list-style-type: none"> <li>1. Where feasible, wireless communication facility sites shall be accessed by existing public or private access roads and easements.</li> <li>2. 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 Protection District.</li> </ol>	<p>Yes, access to the WCF is via an existing private access road maintained by the property owner. No new roads are proposed.</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 Exhibit 4 and Section 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 is not out of character with the agricultural and open space uses surrounding the site. The stealth WCF is a 62-foot-high eucalyptus tree design, and the equipment shelter is painted with an earth tone color to blend in with the surrounding landscape. A portion of the mono-eucalyptus is visible from State Route 126. However, it is located among existing trees that are between 33 feet and 52 feet in height. Given the location and design of the existing project, the WCF is compatible with the character of the surrounding lots and uses.

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].**

The WCF does not generate substantial noise or pose a health threat. The facility is entirely contained within a fenced area at the rear of the subject parcel. No adverse effect on neighboring property or uses has been identified. Additionally, the project is conditioned (Exhibit 5, Condition No. 14) to identify a contact person for the timely resolution of complaints.

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].**

As discussed in Findings 1-3 (above), the WCF does not cause an nuisances or safety hazards. The facility is contained within a fenced area at the rear of the subject parcel.

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 stealth facility blends in with the surrounding environment. No changes are proposed and, therefore, the character of the site would not change. No new effects on the surrounding agricultural uses would occur with this modification for additional 10 years of use.

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].**

The subject lot (APN 055-0-160-245) is a legally created lot as evidenced by Certificate of Compliance No. 11-02-771 (a legal lot certificate) recorded February

28, 2011, Document No. 20110228-00034679-0 of Official Records of Ventura County.

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 CUP modification involves the continued use of an existing WCF on the subject property. The 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.

**8. The establishment or maintenance of this use will not significantly reduce, restrict or adversely affect agricultural resources or the viability of agricultural operations in the area [Section 8111-1.2.1.2.a].**

The project site is not located on land designated with Prime or Unique soils. In addition, grading is not proposed at the site. Thus, agricultural soil will not be disturbed.

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

**9. The structures will be sited to minimize conflicts with agriculture, and other uses will not significantly reduce, restrict or adversely affect agricultural activities on-site or in the area, where applicable [Section 8111-1.2.1.2.b].**

The project is a renewal of CUP LU10-0059 for an additional 10-year period. No new effects on the surrounding farmland will result from this renewal. Therefore, agricultural activities will not be impacted.

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

**10. The use will be sited to remove as little land from agricultural production (or potential agricultural production) as possible [Section 8111-1.2.1.2.c].**

The project does not involve grading or loss of important agricultural soil. It is an existing facility that would continue to operate for an additional 10-year term.

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

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

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), Ventura County NCZO (Section 8111-3.1). On April 22, 2022, the Planning Division mailed notice to owners of property within 300 of the property on which the project site is located. On April 22, 2022 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 CUP LU10-0059 pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section D of this staff report and the entire record;
4. **GRANT** Minor Modification of CUP LU10-0059 (Case No. PL21-0121), subject to the conditions of approval (Exhibit 5).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

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

If you have any questions concerning the information presented above, please contact Christopher Alberts at (805) 654-3136 or [Christopher.Alberts@ventura.org](mailto:Christopher.Alberts@ventura.org).

Prepared by:



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Christopher Alberts, Case Planner  
Commercial/Industrial Permits Section  
Ventura County Planning Division

Reviewed by:

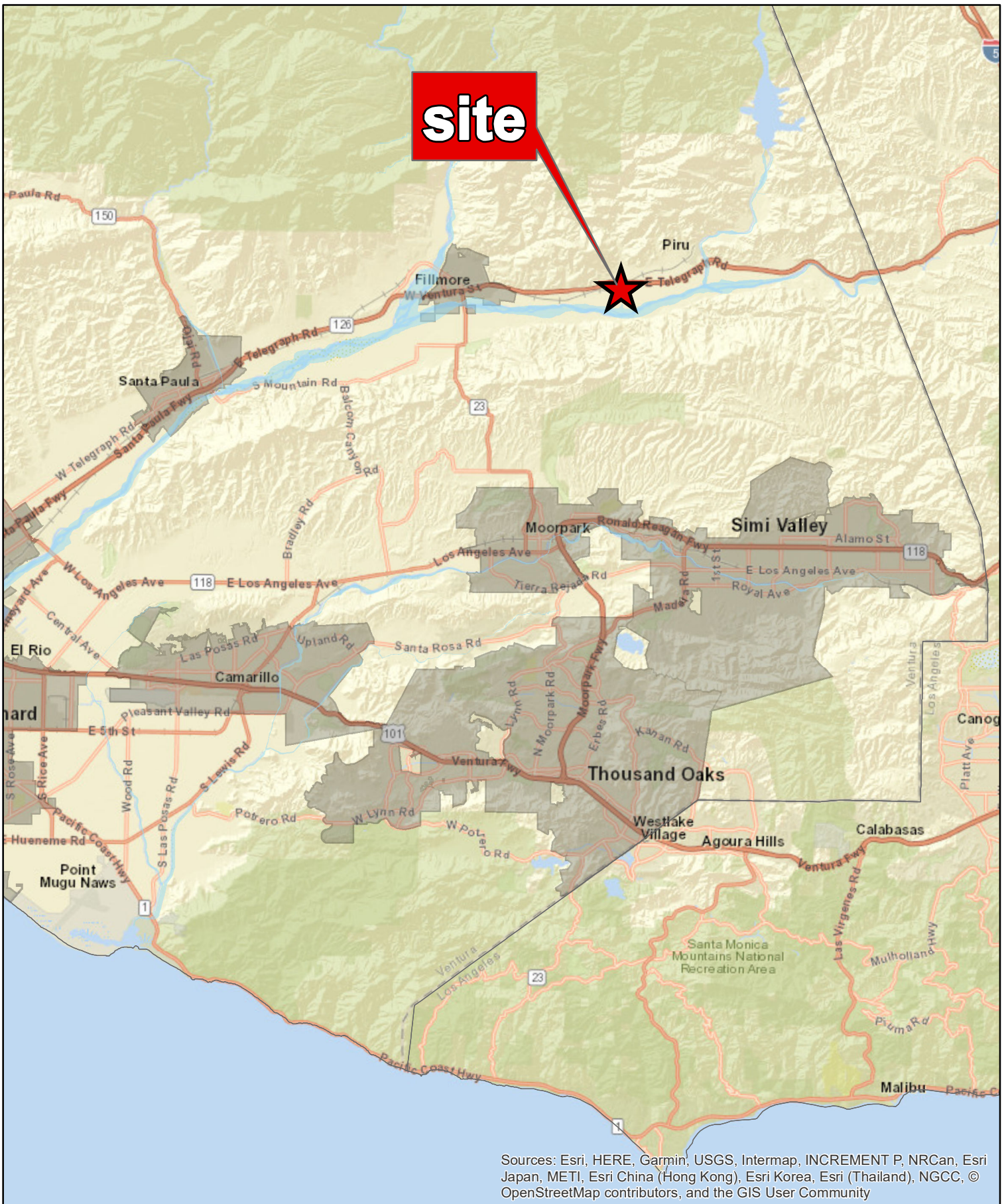


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Mindy Fogg, Manager  
Commercial/Industrial Permits Section  
Ventura County Planning Division

**EXHIBITS**

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



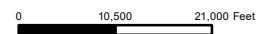
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Ventura County, California  
Resource Management Agency  
GIS Development & Mapping Services  
Map created on 03-28-2022

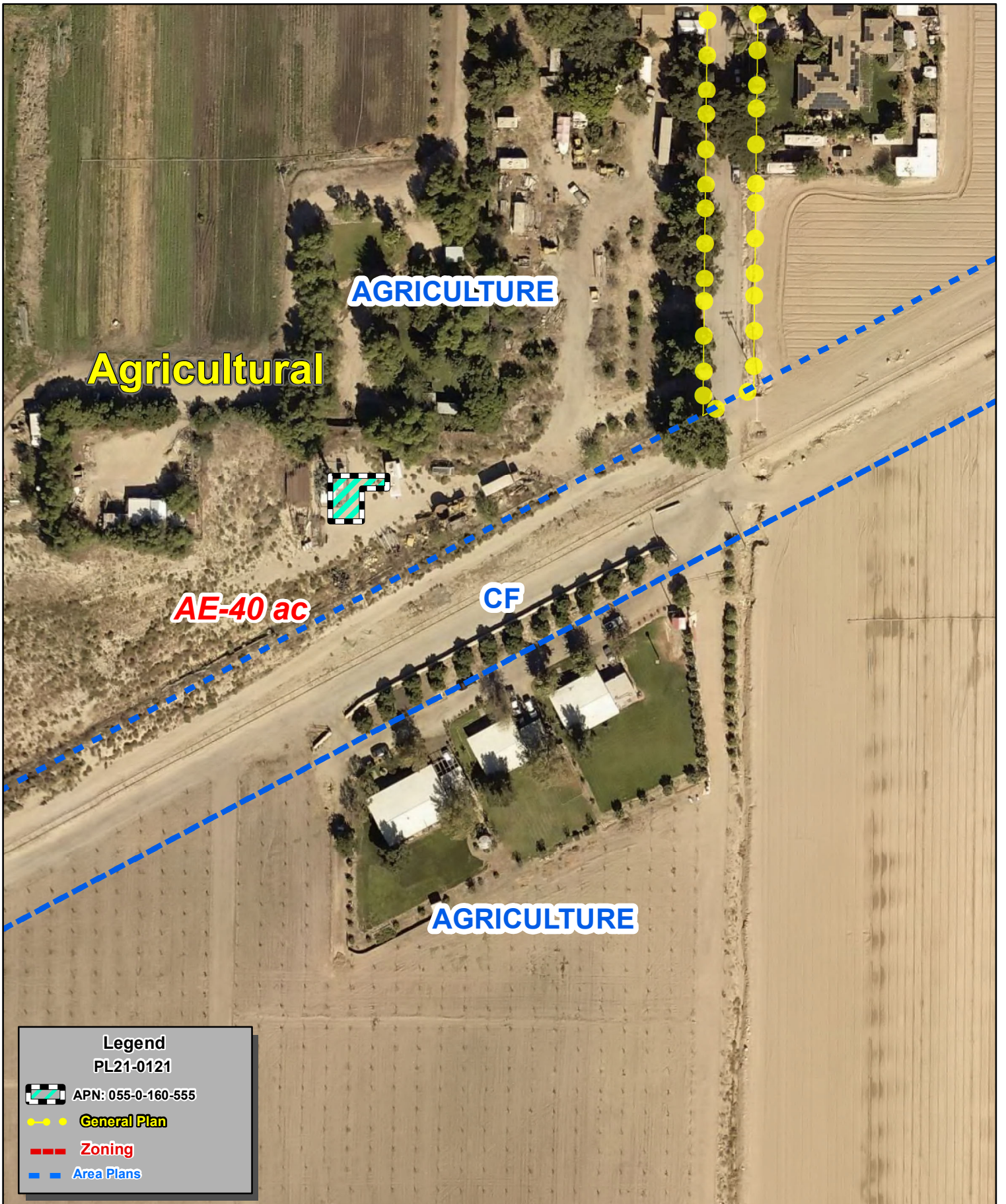


County of Ventura  
Planning Director Hearing  
PL21-0121  
Exhibit 2 - Maps




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





**Legend**

PL21-0121

 APN: 055-0-160-555

 **General Plan**

 **Zoning**

 **Area Plans**



Ventura County, California  
 Resource Management Agency  
 GIS Development & Mapping Services  
 Map Created on 03-28-2022  
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**County of Ventura  
 Planning Director Hearing  
 PL21-0121  
 General Plan & Zoning Map**



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055-0-160-555

SANTA PAULA BRANCH LINE



Ventura County, California  
Resource Management Agency  
GIS Development & Mapping Services  
Map Created on 03-28-2020  
This aerial imagery is under the  
copyrights of Pictometry: DEC. 2019



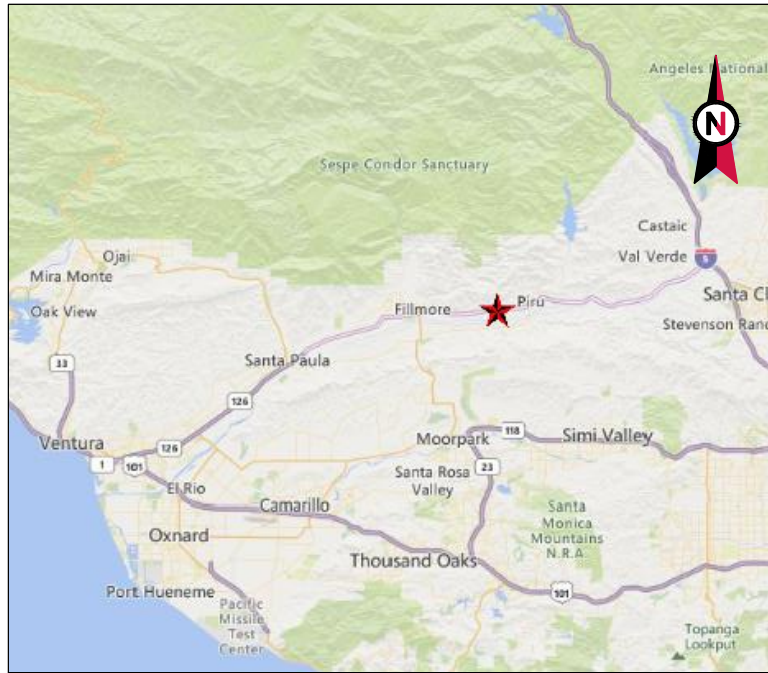
County of Ventura  
Planning Director Hearing  
PL21-0121  
**Aerial Photography**



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.







VICINITY MAP



**AMERICAN TOWER®**

**SITE NAME: HOLEGRAPH CA**  
**SITE NUMBER: 420083**  
**SITE ADDRESS: 33 HOPPER CANYON RD**  
**FILLMORE, CA 93015**



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
△	PRELIM	TA	10/06/21
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ATC SITE NUMBER:  
**420083**  
 ATC SITE NAME:  
**HOLEGRAPH CA**  
 SITE ADDRESS:  
 33 HOPPER CANYON RD  
 FILLMORE, CA 93015

SEAL:

PRELIMINARY:  
 NOT FOR  
 CONSTRUCTION

DATE DRAWN:	10/06/21
ATC JOB NO:	13738810

**TITLE SHEET**

SHEET NUMBER: <b>G-001</b>	REVISION: <b>A</b>
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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> 33 HOPPER CANYON RD FILLMORE, CA 93015 COUNTY: VENTURA  <u>GEOGRAPHIC COORDINATES:</u> LATITUDE: 34.39889339 LONGITUDE: -118.8333657 GROUND ELEVATION: 590' AMSL  <u>ZONING INFORMATION:</u> JURISDICTION: COUNTY OF VENTURA PARCEL NUMBER: 055-0-160-180	THIS SUBMITTAL IS FOR RE-PERMITTING WITH VENTURA COUNTY. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS. NO CHANGES TO EXISTING ARE PROPOSED.  <b>PROJECT NOTES</b> 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:	
	<b>UTILITY COMPANIES</b>  POWER COMPANY: SOUTHERN CALIFORNIA EDISON PHONE: (800) 655-4555  TELEPHONE COMPANY: VERIZON WIRELESS PHONE: (800) 264-6620	<u>TOWER OWNER:</u> ATC SEQUOIA LLC 10 PRESIDENTIAL WAY WOBURN, MA 01801  <u>PROPERTY OWNER:</u> VICENTE N VILLACANA & ANTONIO G MAGANA 33 HOPPER CANYON RD FILLMORE, CA 93015  <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	<b>PROJECT LOCATION DIRECTIONS</b>  JUST EAST OF FILLMORE ON CA-126. OFF CA-126 TURN SOUTH ON HOPPER CANYON RD AND GO ALL THE WAY TO THE DEAD END (YOU'LL SEE RAILROAD TRACKS IN FRONT OF YOU). ENTER THE NEW GATE TO YOUR RIGHT. FOLLOW DIRT PATH TO THE FIBERBOND BUILDING UNDER THE MONO-EUCALYPTUS.	G-001	TITLE SHEET	A	10/06/21	TA
				V-101	SITE SURVEY			
			C-101	OVERALL SITE PLAN	A	10/06/21	TA	
			C-102	DETAILED SITE PLAN & TOWER ELEVATION	A	10/06/21	TA	
			C-501	SIGNAGE	A	10/06/21	TA	

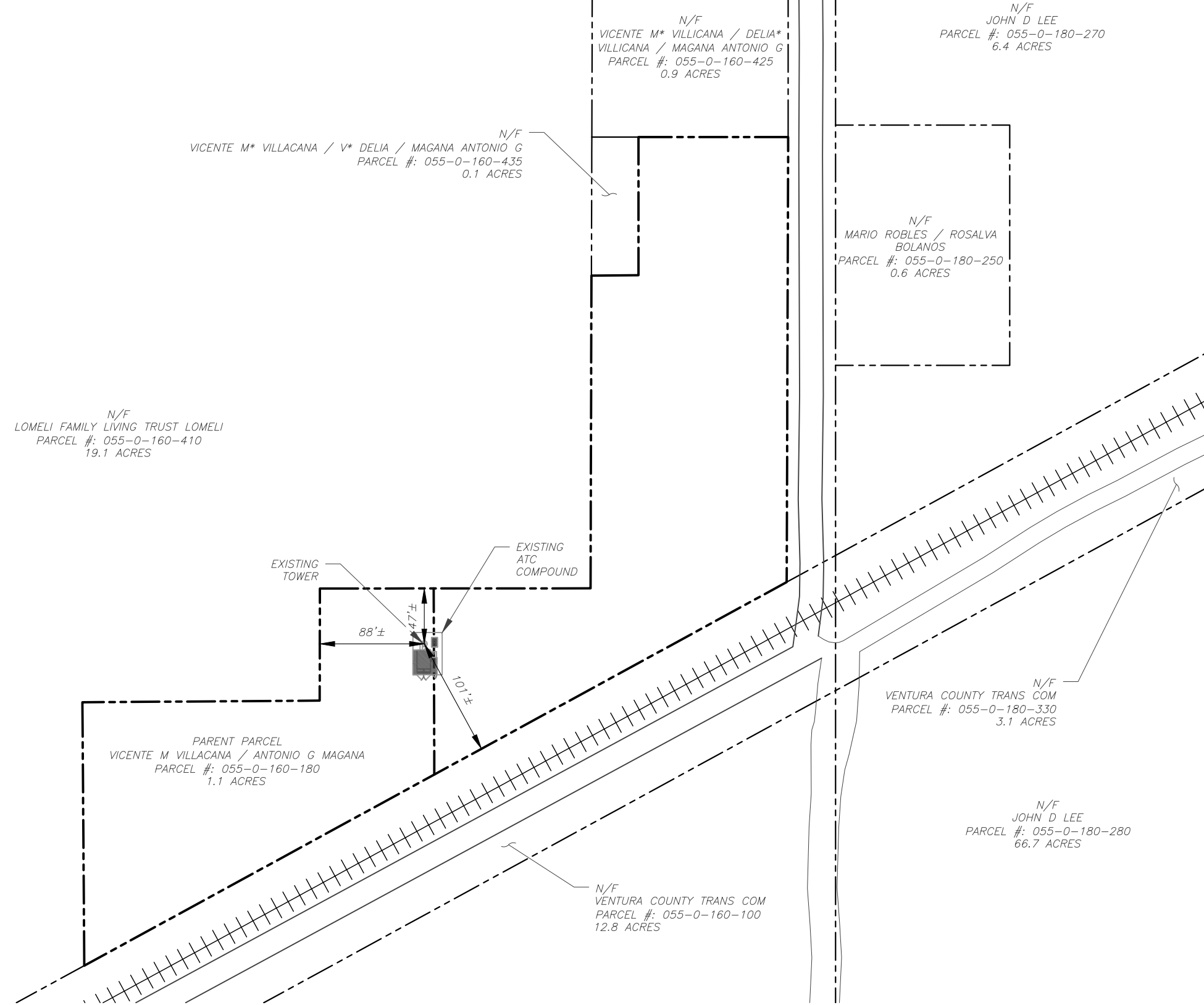
County of Ventura  
 Planning Director Hearing  
 PL21-0121  
 Exhibit 3 - Site Plans





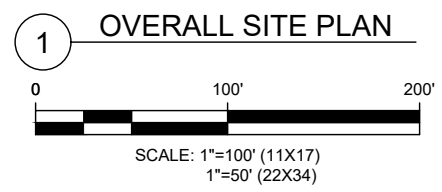
**NOTES:**

- 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: DATATREE ONLINE GIS



**SURVEY LEGEND**

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



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A	PRELIM	TA	10/06/21

ATC SITE NUMBER:  
**420083**

ATC SITE NAME:  
**HOLEGRAPH CA**

SITE ADDRESS:  
33 HOPPER CANYON RD  
FILLMORE, CA 93015

SEAL:

PRELIMINARY:  
NOT FOR  
CONSTRUCTION

DATE DRAWN:	10/06/21
ATC JOB NO:	13738810

**OVERALL SITE PLAN**

SHEET NUMBER: <b>C-101</b>	REVISION: <b>A</b>
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**AMERICAN TOWER®**  
**ATC TOWER SERVICES, LLC**  
 3500 REGENCY PARKWAY  
 SUITE 100  
 CARY, NC 27518  
 PHONE: (919) 468-0112

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ATC JOB NO: 13738810

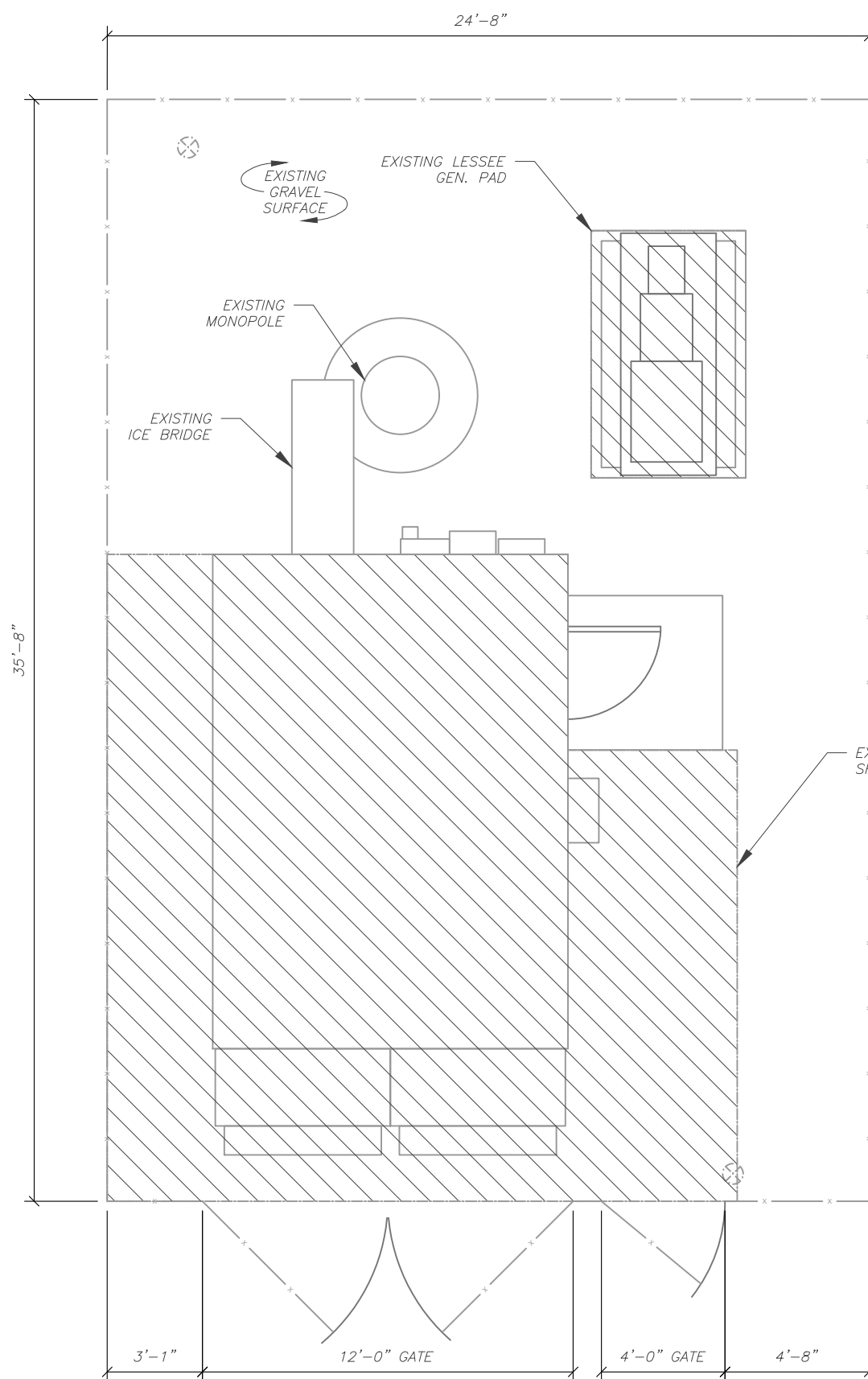
**DETAILED SITE PLAN &  
 TOWER ELEVATION**

SHEET NUMBER:

**C-102**

REVISION:

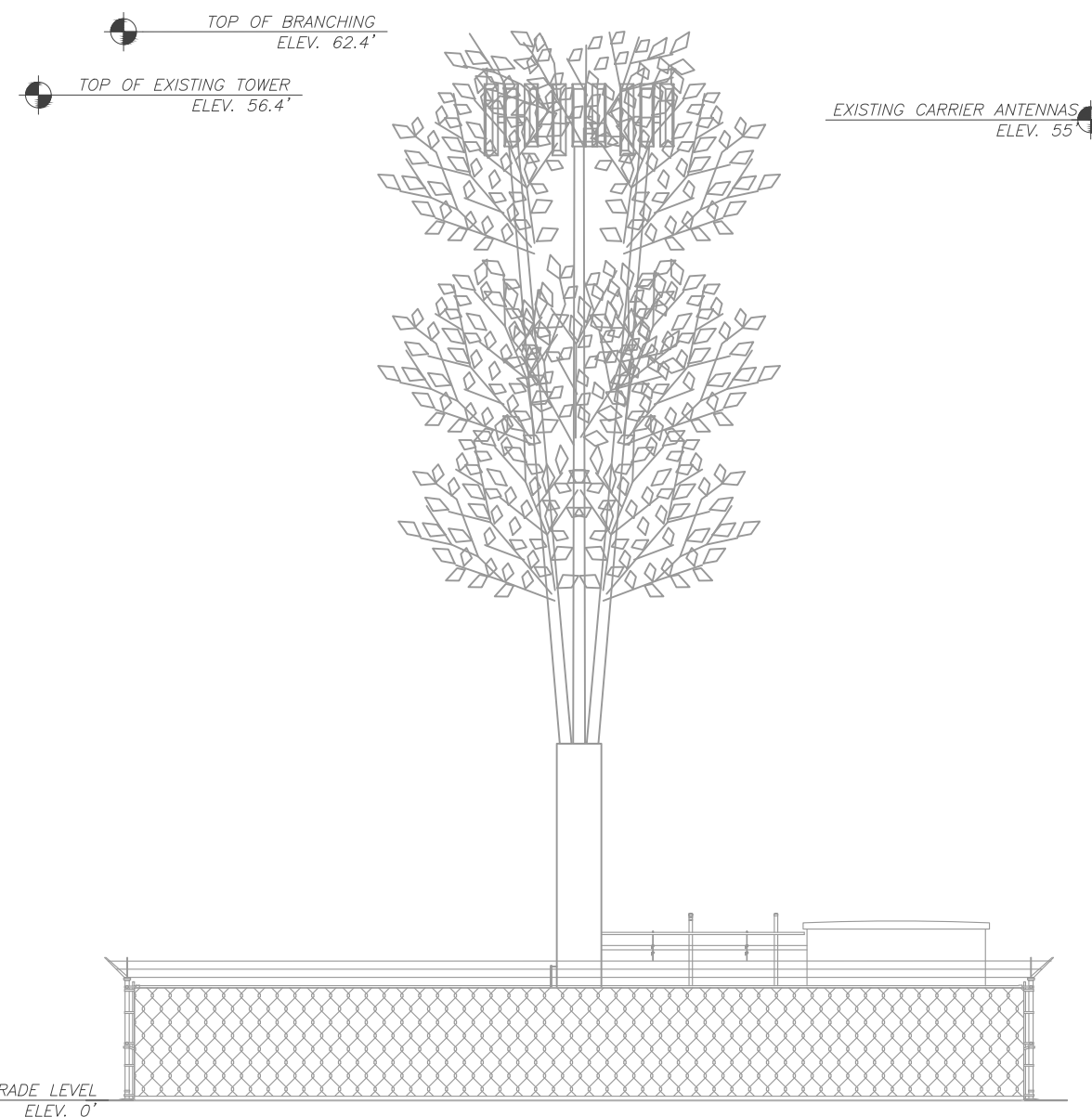
**A**



**1 DETAILED SITE PLAN**



SCALE: 1"=5' (11X17)  
 1"=2.5' (22X34)



**2 TOWER ELEVATION**

SCALE: NOT TO SCALE

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# CAUTION



**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

# WARNING



**Beyond this point:  
Radio frequency fields at this site  
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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)

ATC RF WARNING AND FCC NUMBER SIGN

**FCC TOWER REGISTRATION #**

**Posting of sign required by law**

ATC STAND-ALONE FCC TOWER  
REGISTRATION SIGN



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

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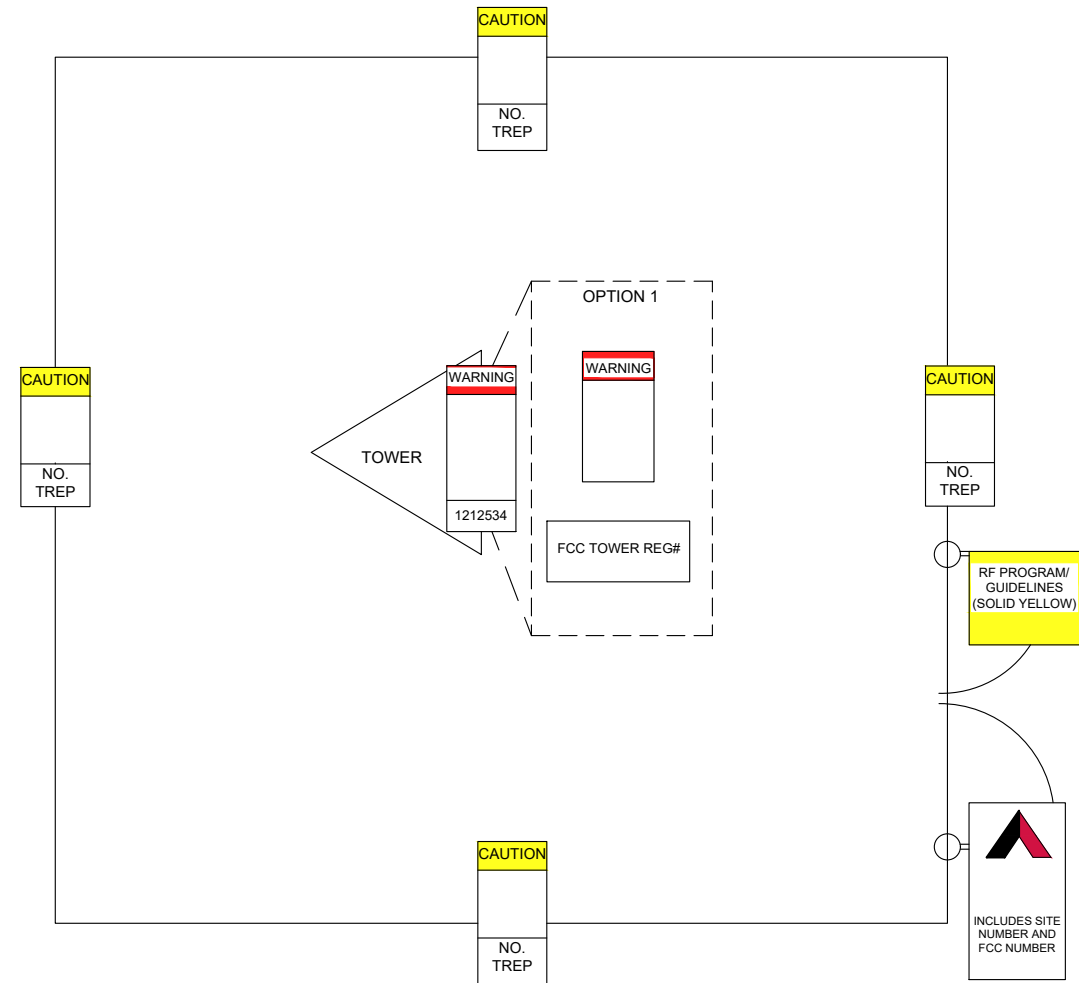
PRELIMINARY:  
NOT FOR  
CONSTRUCTION

DATE DRAWN:	10/06/21
ATC JOB NO:	13738810

SIGNAGE

SHEET NUMBER: <b>C-501</b>	REVISION: <b>A</b>
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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.

**AMERICAN TOWER**

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**SITE NAME :** HOLEGRAPH CA  
**SITE NUMBER :** 420083  
**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.



# Exhibit 4 – General Plan and Piru Area Plan Consistency Analysis

County of Ventura • Resource Management Agency • Planning Division

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

## Exhibit 4

### CONSISTENCY WITH THE GENERAL PLAN AND PIRU AREA 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 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*.

- 1. LU-6.1 Agricultural Buffers:** *The County shall require non-agricultural land uses adjacent to agricultural uses to incorporate adequate buffers (e.g., fences, setbacks) to limit conflicts with adjoining agricultural operations.*

**P-65.3:** *The County shall condition discretionary development adjacent to Agricultural designated land to provide an agricultural buffer (which may include a setback, vegetative screen, roadway, and/or an agricultural easement). The County shall require such buffer be subject to review and approval by the Agricultural Commissioner.*

The existing WCF is located on the southwest corner of the parcel. The parcel is developed with a single-family residence. The subject parcel is surrounded by agricultural uses. All equipment is located behind a chain-link fence. No conflict with the adjoining agricultural operations has occurred or would occur with the continuation of the project. Thus, no buffers are warranted.

Based on the discussion above, the proposed project is consistent with General Plan Policy LU-6.1 and P-65.3.

- 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.*

County of Ventura  
Planning Director Hearing  
PL21-0121  
Exhibit 4 - General Plan Consistency Analysis

**P-37.1 Adequate Public Facilities and Services for Discretionary Development:** *The County shall permit discretionary development only if adequate water supply, access, and response time for fire protection can be made available.*

The existing WCF has been designed to look like a mono-eucalyptus tree. The WCF would continue to be a stealth mono-eucalyptus and blend in with the existing land uses (Condition of Approval No. 1). The site is accessed via Hopper Canyon Road. The WCF would continue to provide wireless telecommunication services to the surrounding area and would remain compatible with the neighboring uses. The design and the color of the WCF would continue to blend in with the surrounding land uses. No new land use conflicts would occur with the continued use of the WCF. The WCF is located approximately 0.14-miles from State Route 126, which is an Eligible State Scenic Route. The WCF is visible from portions of the Highway. However, the visual impact of the WCF is minimized with the stealth mono-eucalyptus design. No water is required for this project.

Based on the discussion above, the proposed project is consistent with General Plan Policy LU-16.1 and P-37.1.

3. **LU-17.3 Environmental Protection:** *The County shall apply environmental protection measures equally among geographic and socioeconomic sectors within designated disadvantaged communities of the county.*

The existing WCF would be located in an area designated as a disadvantaged community. The nearest residential community is located approximately 0.57-miles east from the project site. The WCF is designed as a faux mono-eucalyptus and blends in with the surrounding land uses. Thus, there are no existing or proposed impacts to nearby residents.

Based on the discussion above, the proposed project is consistent with General Plan Policy LU-17.3.

4. **PFS- 1.1 Equitable Provision of Public Facilities and Services:** *The County shall require that facilities and services that are essential for public health and safety shall be equitably provided for all residents and businesses.*

**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 Piru area. The

facility would continue to be located appropriately, blending seamlessly into the surrounding environment.

Based on the discussion above, the proposed project is consistent with General Plan Policy PFS-1.1 and PFS-7.1.

- 5. 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 WCF would continue to provide service to the unincorporated Piru area, including access to high quality cellular mobile communications. The continued use of the facility ensures that the residents and businesses would maintain a high quality of service.

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

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

**P-43.2 Local Scenic Roads:** *The County shall designate State Highway 126, Main Street, Center Street, Piru Canyon Road, Guiberson Road, and Torrey Road as Local Scenic Roads (Figure P-23). The County shall require discretionary permits located within view of a Local Scenic Road to be reviewed for compliance with the following criteria:*

- a) *The County shall require a sign program to be submitted concurrently with a discretionary permit for all commercial and industrial development. Freestanding off-site advertising signs shall be prohibited. All on-site freestanding signs shall be limited to five feet in height.*
- b) *The County shall require outside storage to be landscaped and/or screened from public view.*
- c) *The County shall require existing healthy, mature trees to be retained, where feasible.*
- d) *The County shall require discretionary development to be designed consistent with the Piru Community Design Guidelines (see Appendix).*

The existing WCF would not require the removal of any agricultural land or operations. No Prime Farmland, Farmland of Statewide importance on the State's Important Farmland Inventory, or topsoil would be affected from the continuation of the existing project. The WCF is located approximately 0.14-miles from Highway 126, which is an Eligible State Scenic Highway. The WCF is visible from portions



of Highway. The visual impact from the WCF has been minimized with the stealth mono-eucalyptus design. The WCF is visually compatible with the character and surrounding areas. Therefore, this permit renewal would not impact scenic or visual qualities from Highway 126.

Based on the discussion above, the proposed project is consistent with General Plan Policy COS-3.1 and P-43.2.

- 7. AG-2.1 Discretionary Development Adjacent to Agriculturally Designated Lands:** *The County shall ensure that discretionary development adjacent to Agriculturally designated lands does not conflict with agricultural use of those lands.*

The existing WCF does not conflict with the adjacent agricultural designated lands or agricultural uses of those lands. There are no proposed physical or operational changes to the WCF. No new conflicts would occur with the renewal of this permit.

Based on the discussion above, the proposed project is consistent with General Plan Policy AG-2.1.

- 8. P-61.1 Noise Compatibility:** *The County shall require all discretionary permits be reviewed for noise compatibility with surrounding uses to protect residences and other noise sensitive uses from undesirable noise levels. If the Planning Division determines that a proposal involves potentially significant noise exposure to noise sensitive uses, the County shall require a noise report to be prepared by a qualified acoustical engineer as part of the project's environmental evaluation. The County shall require the report to include recommendations designed to eliminate or reduce the projected impacts.*

The project does not include operational activities that generate noise. The WCF would continue to be operated and maintained to comply with the Ventura County noise standards.

Based on the discussion above, the proposed project is consistent with General Plan Policy P-61.1.

- 9. P-66.2 Impacts on Agriculture:** *The County shall review all discretionary development to minimize impacts on agriculture.*

There are no proposed operational or physical changes to the existing WCF. The site would continue to be unmanned. No water is required for operations. The site is designed as a mono-eucalyptus, therefore, the WCF is visually compatible with the character and surrounding areas.

Based on the discussion above, the proposed project is consistent with General Plan Policy P-66.2.

## EXHIBIT 5

### CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP), CASE NO. PL21-0121 (Formerly LU-0059) FOR “HOPPER CANYON” WIRELESS COMMUNICATION FACILITY (WCF)

#### RESOURCE MANAGEMENT AGENCY (RMA)

##### Planning Division Conditions

###### 1. Project Description

This Conditional Use Permit is based on and limited to compliance with the project description stated in this condition below, all exhibits of the Planning Director hearing on May 5, 2022, and conditions of approval set forth below. Together, these conditions and documents describe the “Project.” Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

A modified CUP has been granted to authorize the continued use, operation, and maintenance of an existing stealth WCF for a 10-year period. The WCF is a 62-foot mono-eucalyptus. Twelve (12) panel antennas were installed with RAD centers located at 55 feet above ground-level. A single microwave antenna was installed below the panel antennas. The associated equipment for the WCF is enclosed in a 176-square-foot, 11-foot-high shelter. A GPS antenna was mounted onto the roof of the shelter. An emergency diesel generator has been installed within the lease area. There are no proposed operational or physical changes to the existing WCF.

The WCF is unmanned and automated, except for occasional periodic maintenance visits that would occur once per month. The WCF operates 24 hours per day. The site is located in the Piru Area and is accessed via unpaved driveway connected to the terminus of Hopper Canyon Road. Water service is not required to operate or maintain the WCF, and no exterior lighting or grading is needed.

## 2. 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:

- i. 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
- ii. 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.

## 3. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and/or commencement of construction 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 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.

## 4. 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 date on which the Board of Supervisors rendered the decision on the Project, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for use inauguration in order to initiate the land uses set forth in Condition No. 1.
  - (2) This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year (see the Ventura County Non-Coastal Zoning Ordinance (§ 8111-4.7)) 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 any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.
- b. Operations Period: This CUP will expire on XX, 2032. 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 XX, 2032; 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.

5. Documentation Verifying 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 Planning Division staff in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division Project file.

**Timing:** The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for use inauguration or as dictated by the respective agency.

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

#### 6. 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 who regularly conduct activities associated with the Project, of the pertinent conditions of this CUP.

**Documentation:** The Permittee shall maintain a current set of CUP conditions and exhibits at the project site or, in the case of projects where this is impractical (e.g., telecommunication sites), use "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 or construction and throughout the life of the Project.

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

## 7. Recorded 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 Permittee shall sign, have notarized, and record with the Office of the County Recorder, a “Notice of Land Use Entitlement” form furnished by the Planning Division and the conditions of this CUP, with the deed of the property that is subject to 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.

## 8. 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.

Pursuant to the requirements of CUP Case No. LU11-0059, the Resource Management Agency created Condition Compliance Case No. CC12-0032 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding CUP Case No. PL121-0121. The Planning Division will continue to use Condition Compliance Case No. CC12-0032 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in

subsection 8.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. CC12-0032, 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.

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

9. 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.

#### 10. 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 the 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.

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

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

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this 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. 12 above, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

### 12. Relationship of CUP Conditions, Laws, and Other Entitlements

The Permittee shall implement the Project in compliance with all applicable requirements and enactments of federal, state, and local authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any 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 a business tax certificate and regulatory licenses for the operation of the WCF.

### 13. 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 CUP 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 field agent(s) for the Project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide Planning Division staff with the new information in writing within three calendar days of the change in the Permittee's field agent.

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

#### 14. 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. 14 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about the operation of the WCF 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 the Ventura County Code or a condition of this CUP is confirmed, County staff may initiate enforcement actions pursuant to § 8114-3 of the Non-Coastal Zoning Ordinance.

#### 15. 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, FAX, 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 receiving the request.

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

#### 16. Change of Permittee

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

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

**Documentation:** The initial notice must be submitted with the new Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this 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 maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

#### 17. Color/Material/Manufacture Specifications (Condition Satisfied)

**Purpose:** To comply with the Ventura County General Plan *Goals, Policies and Programs Scenic Resources Policies, Piru Area Plan (2020) Scenic Resources Policy P42.1* and to ensure that the communication facility is constructed as illustrated on the approved plans and photo simulations.

**Requirement:** The Permittee shall:

- a) construct and maintain the exterior surfaces of all buildings and structures of the communication facility using building materials and colors that are

- compatible with surrounding terrain (e.g., earth tones and non-reflective paints);
- b) provide the manufacturer's specifications and model numbers of all tower, antenna, and ancillary equipment (e.g., batteries, equipment in cabinets, GPS, and antennae) on all development plans;
  - c) construct and maintain the site in compliance with the approved plans and photo-simulations; and
  - d) provide photos to the Planning Division to verify that the facility is constructed as approved.

**Documentation:** The Permittee shall provide plans, photo simulations, and a materials sample/color board to the Planning Division for review and approval. Prior to final inspection of the communication facility, the Permittee shall provide photographs demonstrating that the Permittee constructed the facility in compliance with the approved plans, photo simulations, and materials sample/color board.

**Timing:** Prior to the issuance of a Zoning Clearance for construction, the Permittee shall provide the colors and materials of all buildings and structures on building plans for the Planning Division's review and approval. Prior to the issuance of a Zoning Clearance for construction, the Permittee shall provide the materials sample/color board that illustrates the proposed colors for the Planning Division's review and approval. Prior to final inspection, the Permittee shall construct and paint the structures according to the approved plans.

**Monitoring and Reporting:** The Planning Division maintains copies of the approved plans, photo simulations, and materials sample/color board in the Project file. The Permittee shall provide photos of the constructed facility to the Planning Division, or schedule a site inspection with the Planning Division, to verify that the Permittee constructed and painted the facility according to the approved plans, photo simulations, and materials sample/color board. The Planning Division maintains the Permittee's approved plans, photo simulations, materials sample/color board, and (if submitted in lieu of a site inspection) photo documentation in the Project file. The Planning Division has the authority to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

#### 18. 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 County 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.

#### 19. Future Collocation of Wireless Telecommunication 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 avail its facility and site 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 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 telecommunications tower associated with the communication 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 construction, 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 is constructed as approved.

#### **Environmental Health Division (EHD) Conditions**

##### 20. Hazardous Materials Management

The storage, handling, and disposal of any potentially hazardous material must be in compliance with applicable state regulations.

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

##### 21. Hazard Abatement

**Purpose:** To ensure compliance with Ventura County Fire Protection District Ordinance.

**Requirement:** The Permittee shall have all grass or brush adjacent to structure's footprint cleared for a distance of 30 feet from all the equipment included in the WTC facility or to the property line if less than 30 feet. All grass and brush shall be removed a distance of 10 feet on each side of all access road(s)/driveway(s) within the project. The Fire District may require the entire parcel to be cleared. Note: A Notice to Abate Fire Hazard may be recorded against the parcel.

**Documentation:** A signed copy of the Ventura County Fire Protection District's Form #126 "Requirement for Construction" or the "Notice to Abate" issued under the Fire District's Fire Hazard Reduction Program.

**Timing:** The Permittee shall remove all grass and brush as outlined by the Ventura County Fire Protection District's Fire Hazard Reduction Program guidelines.

**Monitoring and Reporting:** The VCFPD shall conduct on-site inspections to ensure compliance with this condition.

22. Fire Code Permits (Note: Fire permits have been obtained)

**Purpose:** To comply with the requirements of the Ventura County Fire Code.

**Requirement:** The Permittee shall obtain all applicable Fire Code permits.

**Documentation:** A signed copy of the Fire Code permit(s).

**Timing:** The Permittee shall submit a Fire Code permit application along with required documentation/plans to the VCFPD for approval upon request.

**Monitoring and Reporting:** A copy of the approved Fire Code permits shall be kept on file with the VCFPD. The VCFPD shall conduct a final inspection to ensure that the requirements of the Fire Code permit are installed according to the approved plans. Unless a modification is approved by the VCFPD, the Permittee, and their successors in interest, shall maintain the conditions of the Fire Code permit for the life of the development.

23. Access Road Gates (Note: Gates are installed)

**Purpose:** To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Standards.

**Requirement:** The Permittee shall design and install all gates along required fire access roads/driveways consistent with Fire Protection District Standards.

**Documentation:** A stamped copy of the approved gate plans.

**Timing:** The Permittee shall submit gate plans to the VCFPD for approval upon any modifications or maintenance of the existing gates. The submittal shall include a copy of zoning clearance issued by the Planning Department.

**Monitoring and Reporting:** A copy of the approved gate plan shall be kept on file with the VCFPD. The VCFPD shall conduct a final inspection to ensure that access gates are installed according to the approved plans. Unless a modification is approved by the VCFPD, the Permittee, and their successors in interest, shall maintain the gates for the life of the development.