Planning Director Staff Report Hearing on June 23, 2022



County of Ventura • Resource Management Agency

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

VERIZON: OLIVAS PARK MODIFICATION OF CONDITIONAL USE PERMIT (CUP) LU11-0068, CASE NO. PL22-0040

A. PROJECT INFORMATION

- 1. Request: The applicant requests approval of a Minor Modification of Conditional Use Permit (CUP) LU11-0068 to authorize the continued use, operation and maintenance of an existing Wireless Communication Facility (WCF) for a 10-year period (Case No. PL22-0040).
- **2. Applicant:** Verizon Wireless C/O Christine Henson, 15505 Sand Canyon Ave. Bldg. D, Irvine, CA 91706.
- **3. Property Owner:** Southern California Edison, 4900 Rivergrade Road Bldg. 2B-1, Irwindale, CA 91706.
- **4. Applicant's Representative:** Core Development Services C/O Ann Hoang, 1511 E. Orangethorpe Avenue, Fullerton, CA 92831.
- **5. Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-4 and Section 8111-1.2 et seq.), the Planning Director is the decision-maker for the requested CUP modification.
- **6. Project Site Size, Location, and Parcel Number:** The 0.39-acre project site is located at 5882 Olivas Park Drive, near the intersection with Olivas Park Drive and Seaborg Avenue, near the city of San Buenaventura, in the unincorporated area of Ventura County. The legal lot for the project site is comprised of the following Assessor Parcel Numbers: 138-0-212-095 and 138-0-280-015. The Tax Assessor's parcel number for the parcel that constitute the project site is 138-0-212-095 (Exhibit 2).

7. Project Site Land Use and Zoning Designations (Exhibit 2):

- a. <u>Countywide General Plan Land Use Map Designation</u>: Agricultural
- b. <u>Zoning Designation</u>: AE-40ac (Agricultural Exclusive, 40-acre minimum)

8. Adjacent Zoning and Land Uses/Development (Exhibit 2):

| Location in Relation to the Project Site | Zoning | Land Uses/Development |
|------------------------------------------|-----------------|-----------------------------------------------------------------------------|
| North | City of Ventura | Olivas Park Drive, Agriculture (i.e. row crops) and industrial park/offices |
| East | City of Ventura | City of Ventura Golf Course |
| South | City of Ventura | City of Ventura Golf Course |
| West | AE-40ac | Agricultural (i.e. nursery crops/row crops) |

- 9. History: On March 7, 2012, LU11-0068 was approved for the installation (collocation) of antennas for a Verizon Wireless Communication Facility (WCF), located on an existing 149-foot tall Southern California Edison (SCE) electrical transmission tower east of Victoria Avenue and South of Olivas Park Drive adjacent to the City of Ventura's public golf course. The facility is comprised of the following components:
 - Twelve (12) four-foot panel antennas positioned in three (3) arrays located 70 feet above grade.
 - One (1) 184-square-foot prefabricated equipment shelter with four (4) GPS antennas attached to the top of the shelter, and
 - An 8-foot-tall chain-link fence installed on the periphery of the 612-squarefoot lease area.

On February 8, 2022, the Planning Division approved ZC22-0115 for modifications to LU11-0068. The modifications included the following:

- Installation of three (3) new antennas,
- Relocating three (3) existing Remote Radio Units, and
- A powerplant upgrade in the existing equipment shelter.

Subsequently, LU11-0068 expired on March 7, 2022.

On March 8, 2022, the subject CUP Modification application (PL22-0040) was submitted to authorize a 10-year time extension for the ongoing operation of the subject WCF and deemed complete for processing on April 21, 2022.

10. Project Description: The applicant requests approval to modify CUP LU11-0068 for the continued use, operation, and maintenance of an existing Verizon WCF for an additional 10-year period. The facility is located on an existing 149-foot-tall SCE lattice tower and consist of twelve (12) four-foot panel antennas positioned in

three (3) arrays located 70 feet above grade. The associated telecommunication equipment is located in a 184-square-foot prefabricated equipment shelter within a 612-square-foot lease area enclosed by an 8-foot-tall chain-link fence. The proposed project includes the installation of green slats on the existing chain-link fence.

The WCF is unmanned, except for occasional periodic maintenance visits, and would continue to operate 24 hours per day. The unmanned facility does not require water to operate. Access to the site is available via Olivas Park Drive, a public paved road. No exterior lighting, grading, fencing, or emergency back-up generator is proposed with the project. (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 or Regulations, Division 6, Chapter 3, Section 15000 et seq.), the proposed project is subject to environmental review.

On March 7, 2012, the Planning Director adopted a Negative Declaration (ND, Exhibit 6) that evaluated the environmental impacts of the WCF. The CEQA Guidelines Section 15164 state that the lead agency shall prepare an addendum to an adopted ND if: (1) minor changes or additions are necessary; but (2) none of the conditions described in the CEQA Guidelines (Section 15162) calling for the preparation of a subsequent ND have occurred. Exhibit 6 includes a description of the changes or additions that are necessary to amend the ND and a discussion of why none of the conditions described in the CEQA Guidelines exist which require the preparation of an EIR or subsequent ND.

Therefore, based on the information provided above and in light of the whole record, there is no substantial evidence to warrant the preparation of ND, and the addendum to the ND (Exhibit 6) reflects the County's independent judgment and analysis.

C. CONSISTENCY WITH THE GENERAL PLAN

The proposed project has been analyzed and determined to be consistent with all applicable General Plan policies. A consistency analysis which evaluates the project's consistency with the policies of the General Plan is included as Exhibit 4 of this staff report.

D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the requirements of the Ventura County NCZO (Section 8105-4), the proposed use is allowed in the AE-40ac zone district with the granting of a CUP. Upon the granting of the modified CUP, the proposed project would 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

| Special Use Standard | Complies? |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exceptions to Stealth and Building-Concealed Facilities: A non-stealth facility may be permitted when the applicant demonstrates that the project location and design meet one or more of the following criteria: (1) The facility is not prominently visible from a public viewpoint and could not be prominently visible from a public viewpoint following a Section 6409(a) Modification. This standard may be achieved by blending the facility into its surroundings as defined in Sec. 8107-45.4(c); or (2) The non-stealth facility is prominently visible from a public viewpoint but meets one or more of the following criteria: (a) It is located on a ridgeline and meets the requirements in Sec. 8107-45.4(l); or (b) The minimum height required for adequate service, coverage, or capacity area cannot be achieved with one or more stealth facilities (see Sec. 8107-45.4(f)(4)); or (c) It is used solely for the provision of public safety and the decision-making authority waives this development standard pursuant to Sec. 8107-45.2.4. | Yes, the existing WCF is collocated 70 feet above ground level on an existing 149-foot-tall SCE tower. |
| Section 8107-45.4 (c), Making Wireless Communication Facilities Compatible with the Existing Setting: 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 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. | Yes, the WCF is located in an area where existing topography, vegetation, and structures effectively camouflage the proposed facility. The WCF is collocated on an existing 149-foot-tall SCE tower. The associated WCF equipment is colored to blend in with the existing topography, vegetation, buildings, and structures in the existing setting. The applicant is proposing to install green slats on the chain-link fence. The addition of the green slats would effectively continue to screen the WCF accessory equipment. |

Section 8107-45.4 (d), Preferred Wireless Communication Facility Locations:

To the extent feasible, and in the following order of priority, new wireless communication facilities shall be sited in the following locations:

- 1. On an existing wireless communication facility with adequate height and structure to accommodate additional wireless communication facilities (see Sec. 8107-45.6).
- 2. Flush-mounted on an existing structure, pole, or building in the AE and OS zones.
- 3. Where the wireless communication facility is not prominently visible from a public viewpoint.
- 4. Within an area zoned Industrial.
- 5. Near existing public or private access roads.

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.

Yes, the existing WCF is collocated 70 feet above ground level on an existing 149-foot-tall SCE tower. The facility is visible from portions of Olivas Park Drive, which is a public road. The proposed project includes the installation of green slats on the existing chain-link fence surrounding the WCF associated equipment.

Section 8107-45.4 (f)(4)(e), Maximum Antenna Height:

Flush-mounted wireless communication facilities shall not extend above the building height. If mounted on a structure other than a building, such as a light pole or utility pole, the antennas shall not extend more than 5 feet above the structure.

WCF consist of twelve (12) four-foot panel antennas positioned in three (3) arrays located 70 feet above grade. The antennas do not extend beyond the top of the existing

Yes, the design of the existing

Section 8107-45.4 (g) Setbacks:

- 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.
- 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.
- 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.

149-foot-tall SCE lattice tower.
Yes, the WCF is existing and no portion of the of an antenna array extends beyond the property lines. The proposed WCF meets all setbacks from the property lines.

Section 8107-45.4 (j). Historical Landmarks/Sites of Merit:

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.

Yes, the existing WCF is not constructed or installed on a structure, site or district designated by a federal, state, or County agency as an historical landmark or site of merit. The WCF is collocated on an existing SCE tower owned by the Southern California Edison Company.

Section 8107-45.4 (k), Environmentally Sensitive Areas:

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.

Yes, the WCF is existing and would not be located within an environmentally sensitive area. The WCF is located on an existing legally disturbed area. The WCF is collocated on an existing SCE tower. There are no proposed modifications to the existing facility.

Section 8107-45.4 (I) Ridgelines:

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.

Yes, the existing WCF is not located on a ridgeline or hilltop.

Section 8107-45.4 (n), Accessory Equipment:

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.

Yes, all accessory equipment associated with the existing WCF would be screened with the proposed green slats to be installed on the existing chainlink fence. The green slats would prevent the facility from being prominently visible from the public viewing area to the maximum extent feasible.

Section 8107-45.4 (o), Colors and Materials:

All wireless communication facilities shall use materials and colors that blend in with the natural or man-made surroundings. Highly reflective materials are prohibited.

Yes, the WCF is existing. The proposed project would authorize the installation of green slats on the existing chain-link fence. The colors and materials used for the WCF would continue to blend in with the natural surroundings. There would be no reflective materials.

Section 8107-45.4 (p), Noise: Yes, the operation of the WCF does not generate noise. The All wireless communication facilities shall be operated and WCF is always operated and maintained to comply at all times with the noise standards outlined in maintained to comply with the Section 2.16 of the Ventura County General Plan Goals, Policies, Ventura County noise and Programs. standards. Yes, the existing WCF is collocated 70 feet above Section 8107-45.4 (q), Landscaping and Screening: ground level on an existing 149foot-tall SCE tower. The The permittee shall plant, irrigate and maintain additional property is owned and landscaping during the life of the permit when landscaping is maintained by the SCE deemed necessary to screen the wireless communication facility Company. The proposed from being prominently visible from a public viewpoint. New project includes the installation landscaping shall not incorporate any invasive species or watch of green slats on the existing species, as defined by the California Invasive Plant Council (Calchain-link fence. Landscaping is IPC) and shall be in conformance with Section 8106-8.2.5. (AM. not deemed necessary to ORD. 4577 – 3/9/21) screen the existing WCF from being prominently visible from a public viewing area. Section 8107-45.4 (r), Security: Yes, there is an existing 8-foottall chain-link fence around the 1. Each facility shall be designed to prevent unauthorized lease area. The proposed access, climbing, vandalism, graffiti and other conditions project includes the installation that would result in hazardous situations or visual blight. The of green slats on the existing approving authority may require the provision of warning chain-link fence. All fences signs, fencing, anti-climbing devices, or other techniques to would be constructed of prevent unauthorized access and vandalism. materials and colors that blend in with the existing setting. The 2. All fences shall be constructed of materials and colors that proposed project is not blend in with the existing setting. The use of a chain link designated as Urban and fence is prohibited within areas designated as Urban and Existing Community in the Existing Community in the General Plan, and areas that are General Plan. prominently visible from a public viewpoint, unless the chain link fence is fully screened. Section 8107-45.4 (s), Lighting: Yes, the existing WCF is not illuminated. 1. No facility may be illuminated unless specifically required by the FAA or other government agency. 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. Section 8107-45.4 (t), Signage: Yes, the site includes signage indicating all necessary A permanent, weather-proof identification sign, subject to Planning information related to the Director approval, shall be displayed in a prominent location such as equipment for the operation of on the gate or fence surrounding the wireless communication facility the facility. or directly on the facility. The sign must identify the facility operator(s) and type of use, provide the operator's address, FCCadopted standards, and specify a 24-hour telephone number at which the operator can be reached during an emergency.

- Where feasible, wireless communication facility sites shall be accessed by existing public or private access roads and easements.
- 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.

Yes, access to the WCF is via an existing public maintained road. No new roads are proposed.

E. CUP FINDINGS AND SUPPORTING EVIDENCE

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

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

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

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

As discussed above, the WCF is existing and is collocated 70 feet above ground level on an existing 149-foot-tall SCE tower. The accessory equipment for the WCF is visible from portions of Olivas Park Drive, which is an eligible County Scenic Highway. The proposed project includes the installation of green slats on the existing 8-foot-tall chain-link fence. The proposed green slats would shield the accessory equipment associated with the WCF. There are no proposed operational changes.

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 proposed project involves the continued use of a WCF collocated on an existing 149-foot-tall SCE tower. Proposed physical changes include the installation of green slats on the existing 8-foot-tall chain-link fence. No adverse effect on neighboring properties or ongoing uses has been identified that would result from the proposed project. Additionally, the project is conditioned (Exhibit 5, Condition No. 14) to ensure the compatibility of the project with the ongoing uses in the vicinity.

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

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

The WCF does not cause any nuisances or safety hazards. The facility is collocated on an existing SCE tower and all equipment associated with the WCF is contained within a fenced area.

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 proposed project is located on a property which is currently developed with a SCE tower. The existing subject WCF is collocated on the SCE tower. The project site is adjacent to agricultural fields and a golf course. The proposed project does not affect any of the surrounding land uses, and the project is not sensitive to impacts from these uses. 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].

According to a preliminary legal lot determination dated May 26, 2011, APNs 138-0-212-095 and 138-0-280-015 combined comprise one legal lot, created by conveyance (deed recorded January 6, 1958, in Book 1579, Page 169 of Official Records), prior to regulation by Subdivision Map Act and Ventura County Subdivision Ordinance.

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 for a 10-year period on the subject property. Planning Division staff has prepared an addendum to the 2012 adopted ND pursuant to Section 15164 of the CEQA Guidelines (Exhibit 6).

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 adjacent to irrigated agricultural land on the west side of the parcel. The existing project would utilize agriculturally zoned land that was previously developed. In addition, grading is not proposed at the project site. Thus, agricultural soil would 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 LU11-0068 for an additional 10-year period. No new effects on the surrounding farmland would result from this renewal. Therefore, agricultural activities would 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 proposed project involves a modification to CUP LU11-0068 for the continued operation of an existing WCF for a 10-year period. The project site is surrounded by irrigated agriculture on two sides. It would utilize agriculturally zoned land that was previously developed. The proposed project would not impact any of the surrounding land uses, and the project is not sensitive to impacts from these uses.

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 June 10, 2022, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located. On June 10, 2022, the Planning Division placed a legal ad in the *Ventura County Star*. As of the date of this document, no comments have been received

The project site is located within the City of San Buenaventura's Sphere of Influence. Therefore, on April 28, 2022, the Planning Division notified the City of San Buenaventura of the proposed project and requested the City submit any comments t on the proposed project. No comments were received.

G. RECOMMENDED ACTIONS

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

- CERTIFY that the Planning Director has reviewed and considered this staff report and all exhibits thereto, including the adopted ND and Addendum to the ND (Exhibit 6), and has considered all comments received during the public comment process;
- FIND that none of the conditions have occurred or exist as set forth in CEQA Guidelines Section 15162 to require the preparation of a subsequent ND for the subject CUP modification, and that the addendum to the adopted 2012 ND (Exhibit 6) satisfies the environmental requirements of CEQA;
- 3. **MAKE** the required findings to grant a Modification of CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
- 4. **APPROVE** the requested CUP Modification (Case No. PL22-0040) subject to the conditions of approval (Exhibit 5).
- 6. **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 Christopher Alberts at (805) 654-3136 or Christopher.Alberts@ventura.org.

Prepared by:

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

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

Exhibit 6 Addendum to the adopted 2012 Negative Declaration

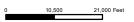




Ventura County, California Resource Management Agency GIS Development & Mapping Services Map created on 06-02-2022

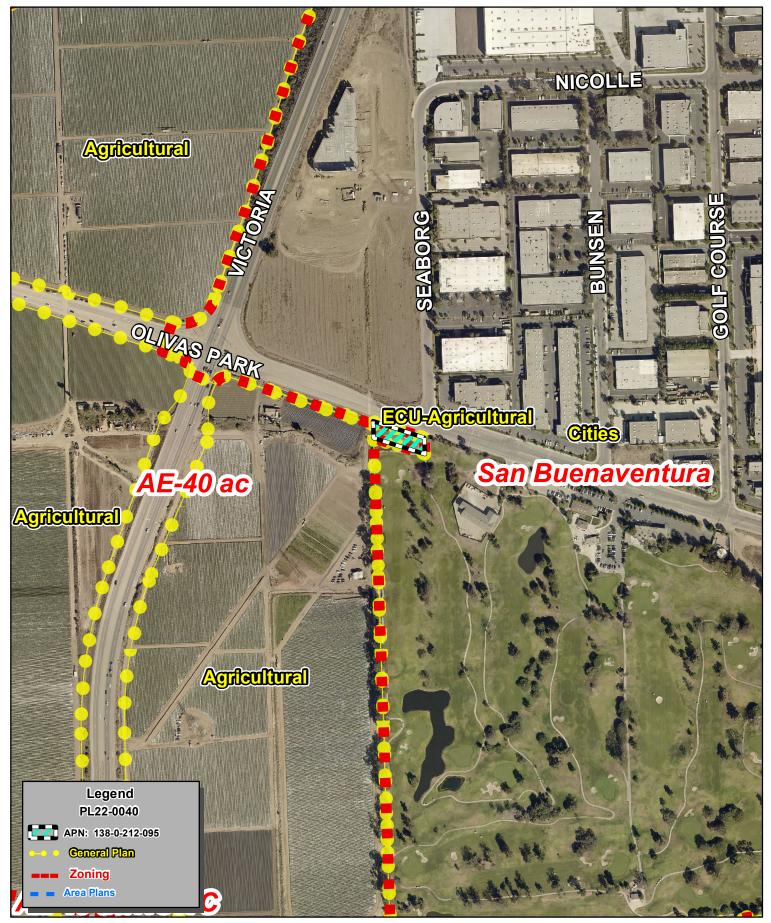


County of Ventura
Planning Director Hearing
PL22-0040
Exhibit 2 - Maps



Disclaimer: This Map was created by the Ventura County Resourc Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does no twarrant the accuracy of this mapand no decision involving a risk of economic loss or physical injury should be made in reliance thereon.







Ventura County, California Resource Management Agency IS Development & Mapping Services Map Created on 06-02-2022 This aerial imagery is under the copyrights of Pictometry Source: Pictometry, 2019



County of Ventura
Planning Director Hearing
PL22-0040
General Plan & Zoning Map



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Ventura County,California Resource Management Agency S Development & Mapping Services Map Created on 06-02-2022 This aerial imagery is under the Pictomtry 2019



County of Ventura Planning Director Hearing PL22-0040 Aerial Photography



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ABBREVIATIONS ABBREVIATION EQ. EQUAL MECH. MECHANICAL ACOUSTIC(AL) EQUIPMEN1 EXIST. EXISTING **ALTERNATE** MISCELLANEOUS EXTERIOR ALUMINUM FACE OF STUD ANCHOR BOL APPROX. APPROXIMATE ARCHITECT(URAL ASPHALTIC CONCRETE FLOW LINE OUTSIDE DIAMETER BLK(G) BLOCKING FLOURESCENT FOOT PER BUILDING PLYWD. PLYWOOD **FOUNDATION** GALVANIZED CATCH BASIN SCHED. SCHEDULE GALVANIZED IRON CLEAN OU SPECS. SPECIFICATIONS CONCRETE **VICINITY MAP** CONNECTION CONTINUE(OUS) STRUCT. STRUCTURAL SUSP. SUSPENDED INFORMATION T & P TELEPHONE & POWER DIMENSION T & B TOP & BOTTOM U.N.O. UNLESS NOTED OTHERWISE VENTILATION DRINKING FOUNTAIN LINEAL MANUFACTUR(ER'S) W.W.M. WELDED WIRE MESH ELECTRIC(AL) **ELEVATION** ENCL. ENCLOSURE PROJECT DESCRIPTION

MODIFICATION TO AN EXISTING VERIZON WIRELESS COMMUNICATIONS UNMANNED SUBSTATION TO CONSIST OF THE FOLLOWING

- 1. INSTALL THREE (3) NEW 2'-7" PANEL ANTENNAS @ EXISTING SCE TOWER. (1 PER
- RELOCATE THREE (3) EXISTING (B2/B66) RRUS @ EXISTING SCE TOWER. (1 PER
- INSTALL NEW 600A POWER PLANT UPGRADE W/ NEW DC-UPCONVERTERS WITHIN EXISTING EQUIPMENT RACK @ EXISTING EQUIPMENT SHELTER.
- THE SIZE OF THE EXISTING EQUIPMENT LEASE AREA AND FACILITY HEIGHT WILL REMAIN UNCHANGED.
- **EXISTING # OF ANTENNAS** FINAL # OF ANTENNAS **EXISTING # OF RRUS**

FINAL # OF RRUS:

CONSTRUCTION DATA:

| JURISDICTION: | COUNTY OF VENTURA |
|-----------------------|--------------------------|
| TYPE OF CONSTRUCTION: | V-B |
| OCCUPANCY: | S-2 |
| ZONING: | BUSINESS PARK/OPEN SPACE |
| APN: | |

Verizon

SITE NAME: "OLIVAS PARK"

(C-BAND ADD) MTX: 41 5882 OLIVAS PARK DRIVE VENTURA, CA 93003 M3-T5 MANDALAY-SANTA CLARA 220KV YEAR BUILT: 1958

LEGAL DESCRIPTION

THAT PORTION OF LOT 1 OF OLIVAS PORTION OF THE RANCHO SAN MIGUEL, IN THE COUNTY OF VENTURA, STATE OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AS DESCRIBED IN THE DEED TO "C" OF THE ROAD EASEMENT, RECORDED APRIL 9, 1970 AS

EXCEPT THEREFROM ALL OIL, GAS, MINERALS, AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, BUT WITH NO RIGHT OF SURFACE ENTRY, AS PROVIDED DEED RECORDED IN BOOK 1577, PAGE 415 OF OFFICIAL

NOTE: THIS COMPANY HAS PROVIDED SAID DESCRIPTION AS AN ENCUMBER SAID LAND, UNTIL APPROVED BY THE APPROPRIATE

(SURVEYOR'S NOTE: REFERENCE TO LOT 1 ABOVE IS INCORRECT. PROPERTY ACTUALLY FALLS IN THE A.D. BERNARD 125 A., AS SHOWN ON SAID OLIVAS TRACT)

SHEET INDEX

DESCRIPTION NUMBER TITLE SHEET APPLICANT: **ELECTRICAL ENGINEER: VERIZON WIRELESS** CD DESIGN GROUP **GENERAL NOTES & SYMBOLS** 15505 SAND CANYON AVE. P.O. BOX 4107 BUILDING D, FIRST FLOOR IRVINE, CA 92614 SITE PLAN IRVINE, CA. 92618 **CONTACTS: CHRIS KARJALA** PHONE: (949) 387-8476 **ENLARGED SITE PLAN EQUIPMENT LEASE AREA PLAN** APPLICANT'S AGENT: CORE DEVELOPMENT SERVICES ANTENNA PLANS 1511-D ORANGETHORPE AVE NORTH ELEVATIONS FULLERTON, CA 92831 **CONTACT: AMY SINON** EAST ELEVATIONS PH: (949) 606-4385 SOUTH ELEVATIONS WEST ELEVATIONS DERRA DESIGN, INC. ARCHITECTURAL DETAILS 495 E. RINCON STREET, #204 CORONA, CA. 92879 **CONTACT: JEFF ROEBUCK** PH: (951) 268-1650 SOUTHERN CALIFORNIA EDISON (SCE) 4900 RIVERGRADE ROAD, BLDG. 2B-1 IRWINDALE, CA 91706 **CONTACT: SCOTT HANEY** PH: (626) 688-9344 Buenaventura Golf Course

PROJECT TEAM

PROJECT INFORMATION

REFERENCE: GOOGLE MAPS

THIS VICINITY MAP NOT TO SCALE

AS OF JANUARY 1, 2020 ALL WORK AND MATERIALS SHALL COMPLY WITH THE FOLLOWING 2019 CALIFORNIA ADMINISTRATIVE CODE

2019 CALIFORNIA BUILDING CODE (C.B.C.)

PART 1, TITLE 24, C.C.R.

PART 2, TITLE 24, C.C.R. (BASED ON THE 2018 INTERNATIONAL BUILDING CODE WITH 2019 CALIFORNIA AMENDMENTS)

2019 CALIFORNIA ELECTRICAL CODE (C.E.C.) PART 3, TITLE 24, C.C.R.

(BASED ON THE 2017 NATIONAL ELECTRICAL CODE)

2019 CALIFORNIA MECHANICAL CODE (C.M.C.)

PART 4, TITLE 24, C.C.R. (BASED ON THE 2018 UNIFORM MECHANICAL CODE WITH 2019 CALIFORNIA AMENDMENTS)

2019 CALIFORNIA PLUMBING CODE (C.P.C.) PART 5, TITLE 24, C.C.R.

(BASED ON THE 2018 UNIFORM PLUMBING CODE)

2019 CALIFORNIA ENERGY CODE (PART 6, TITLE-24, CCR)

2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (C.G.B.S.C.) (PART 11, TITLE-24, CCR)

2019 CALIFORNIA FIRE CODE (C.F.C.)

(BASED ON THE 2018 INTERNATIONAL FIRE CODE WITH 2019 CALIFORNIA AMENDMENTS)

2019 TITLE 19 C.C.R., PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS

AND ALL APPLICABLE CODES, LOCAL, CURRENT OSHA LAWS, T-24 ENERGY CONSERVATION LISTS OF STANDARDS, AND DISABLED ACCESS REGULATIONS WHERE REQUIRED.

APPROVALS

APPROVED BY

RF ENGINEER SITE DEV. SITE ACQ.

INITIALS | COMMENTS

County of Ventura Planning Director Hearing Case No. PL22-0040

Exhibit 3 - Site Plan Approved by ZC22-0115

NOTES

- THE MAXIMUM NUMBER OF DIRECTIONAL PANEL ANTENNAS CURRENTLY INSTALLED IS SIX (6).
- THE MAXIMUM NUMBER OF DIRECTIONAL PANEL ANTENNAS TO BE INSTALLED IS
- THE MAXIMUM NUMBER OF GPS ANTENNAS TO REMAIN IS ONE (1).
- THE SIZE, HEIGHT, DIRECTION AND LOCATION OF ANTENNAS SHALL BE ADJUSTED TO MEET SYSTEM REQUIREMENTS AS NEEDED.
- ALL ITEMS, WHETHER EXISTING OR NEW, WHICH ARE WITHIN THE VERIZON WIRELESS LEASE AREA ARE TO BE APPROVED

RF DOCUMENT

DATE

THESE PLANS DESIGNED PER RFDS DOCUMENT DATED: 5/25/2021

PROPRIETARY INFORMATION

NOT FOR USE OR DISCLOSURE OUTSIDE VERIZON WIRELESS EXCEPT UNDER WRITTEN AGREEMENT

SPECIAL INSPECTIONS

SPECIAL INSPECTION IS REQUIRED FOR THE WORK:

Job No. 2108S

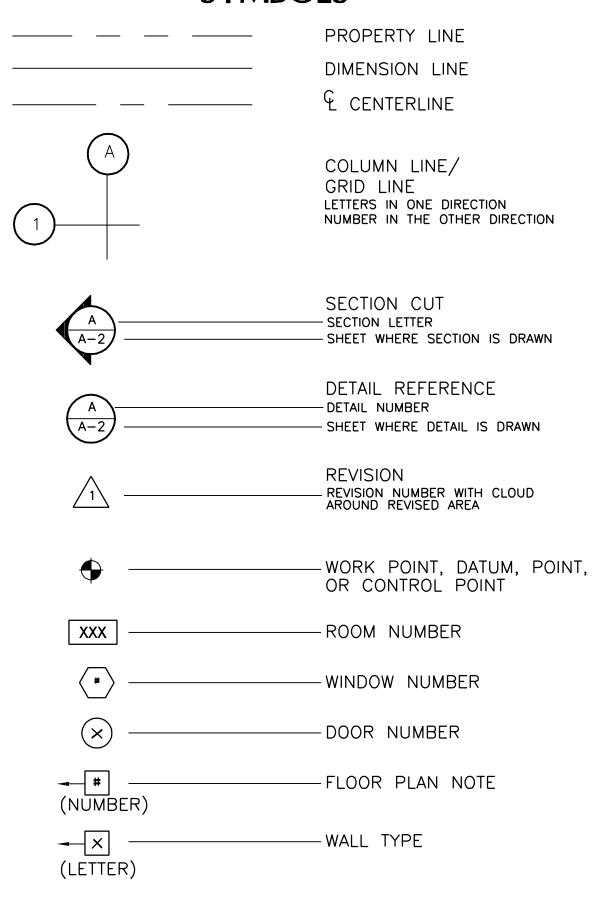
SPECIAL INSPECTION & STRUCTURAL OBSERVATION NOTES

1. ITEMS REQUIRING SPECIAL INSPECTION AND/OR STRUCTURAL OBSERVATION FOR THIS PROJECT SHALL INCLUDE:

A. NONE

- 2. A CERTIFICATE OF SATISFACTORY COMPLETION OF THE WORK REQUIRING SPECIAL INSPECTION MUST BE COMPLETED AND SUBMITTED TO THE INSPECTION SERVICES DIVISION.
- 3. AN APPLICATION TO PERFORM OFF—SITE FABRICATION MUST BE SUBMITTED TO THE INSPECTION SERVICES DIVISION FOR APPROVAL PRIOR TO FABRICATION.
- 4. A CERTIFICATE OF COMPLIANCE FOR OFF-SITE FABRICATION MUST BE COMPLETED AND SUBMITTED TO THE INSPECTION SERVICES DIVISION PRIOR TO ERECTION OF PREFABRICATED COMPONENTS.
- 5. THE SPECIAL INSPECTIONS IDENTIFIED ARE IN ADDITION TO THOSE REQUIRED BY SEC. 108 OF THE BUILDING CODE, AS AMENDED. SPECIAL INSPECTION IS NOT A SUBSTITUTE FOR INSPECTION BY A CITY INSPECTOR.
- 6. ALL OBSERVED DEFICIENCIES SHALL BE REPORTED IN WRITING TO THE OWNER'S REPRESENTATIVE, SPECIAL INSPECTOR, CONTRACTOR, & INSPECTION SERVICES. THE STRUCTURAL OBSERVER SHALL SUBMIT A WRITTEN STATEMENT TO INSPECTION SERVICES THAT THE SITE VISITS HAVE BEEN MADE AND IDENTIFYING ANY REPORTED DEFICIENCIES THAT HAVE NOT BEEN RESOLVED. THE STRUCTURE WILL NOT BE IN COMPLIANCE UNTIL THE DESIGNER HAS NOTIFIED INSPECTION SERVICES THAT ALL DEFICIENCIES ARE RESOLVED.

SYMBOLS



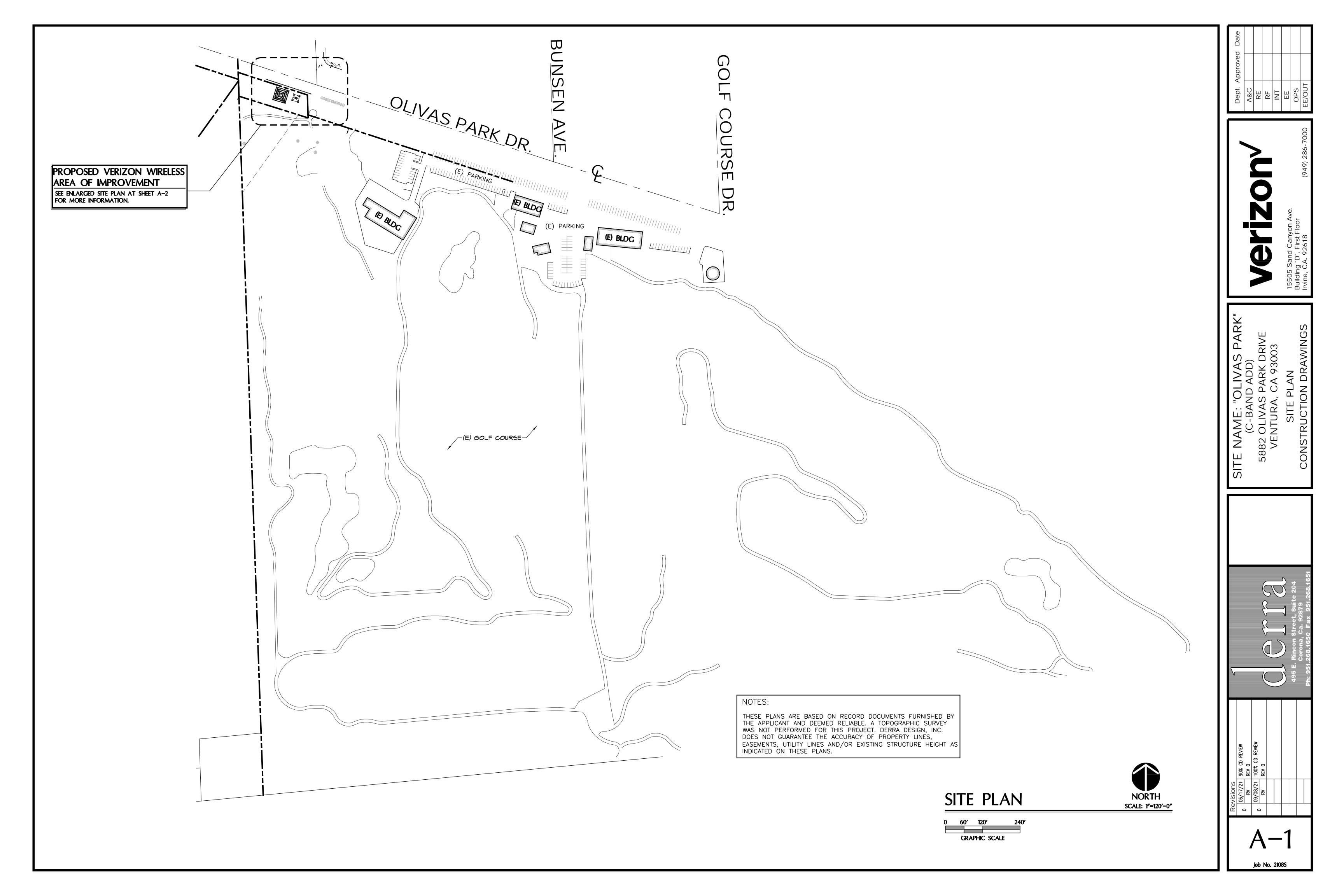
CONSTRUCTION NOTES

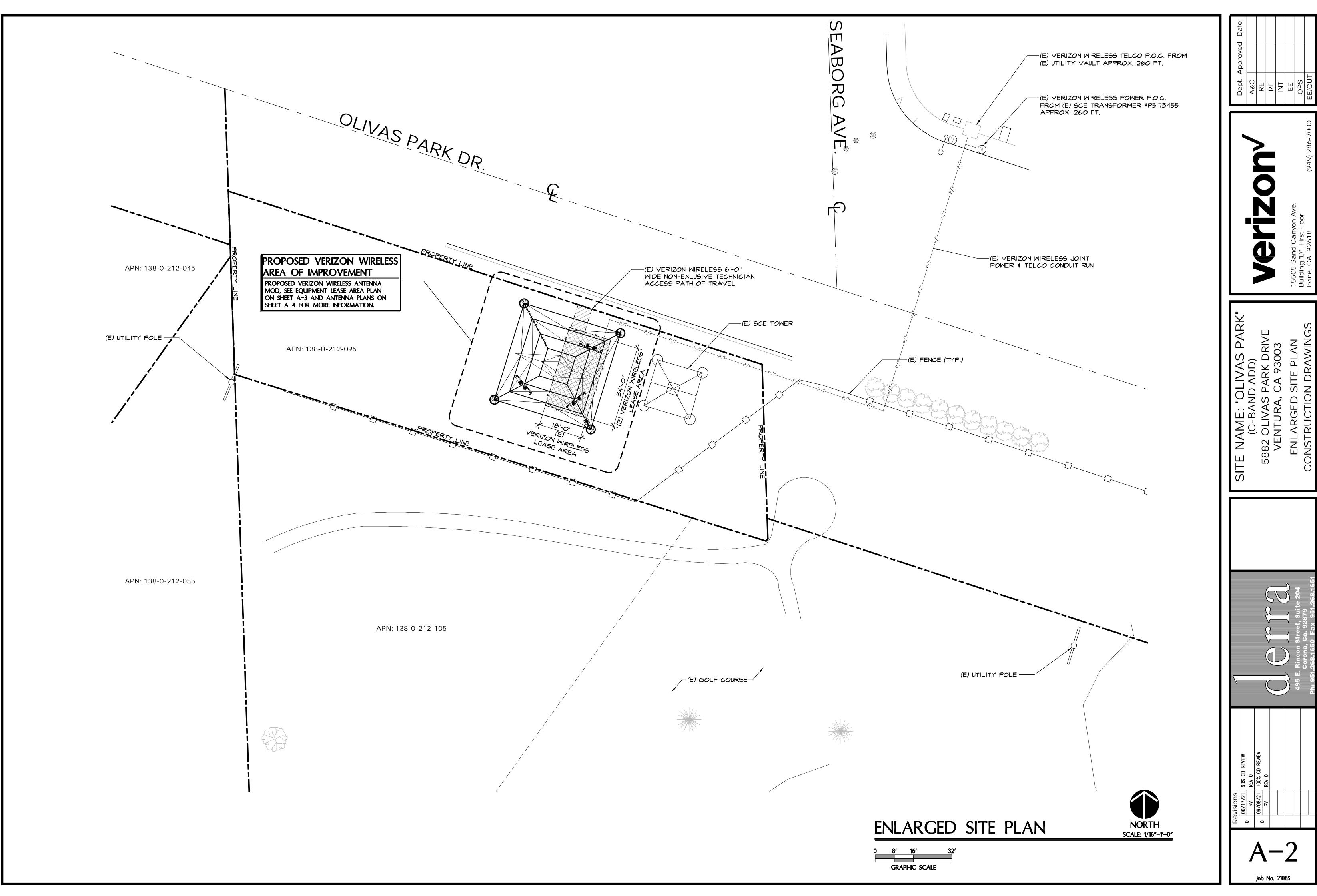
- 1. HOURS OF WORK: CONTRACTOR TO OBSERVE BUSINESS HOURS OF 8 A.M. TO 6 P.M., M - F. ANY OTHER SPECIAL OR EXTENDED HOURS TO BE APPROVED BY OWNER REPRESENTATIVE.
- 2. STAGING/LOADING AREA: ALL WORK MUST BE ARRANGED TO AVOID INTERFERING WITH EXISTING TRAFFIC (PEDESTRIAN & MOTOR) AND BUSINESS. ALL EQUIPMENT & MATERIALS MUST BE STORED IN NEW EQUIPMENT ROOM ONLY, UNLESS PRIOR AGREEMENT IS MADE BETWEEN VERIZON WIRELESS PROJECT MANAGER, OWNER AND CONTRACTOR.
- CONTRACTOR SHALL READ, UNDERSTAND, & ADHERE TO ALL NOTES ON THIS SHEET & ALL NOTES THROUGHOUT THIS SET OF CONSTRUCTION DOCUMENTS. ANY REQUIRED CHANGES AND/OR ADJUSTMENTS MUST BE MADE WITH THE PRIOR APPROVAL OF THE VERIZON WIRELESS PROJECT MANAGER AND THE ARCHITECT.
- 4. PROTECT ALL SURFACES & MATERIALS IN AND ADJACENT TO EQUIPMENT ROOM. ALSO PROTECT, PRESERVE AND CLEAN ALL AREAS; INCLUSIVE OF PATHS OF TRAVEL, IN AND BETWEEN ALL AREAS OF WORK.
- CONTRACTOR TO MAKE APPOINTMENT WITH BUILDING OWNER REPRESENTATIVE PRIOR TO ANY X-RAY & CORE DRILLING THAT MAY AFFECT OTHER TENANTS.

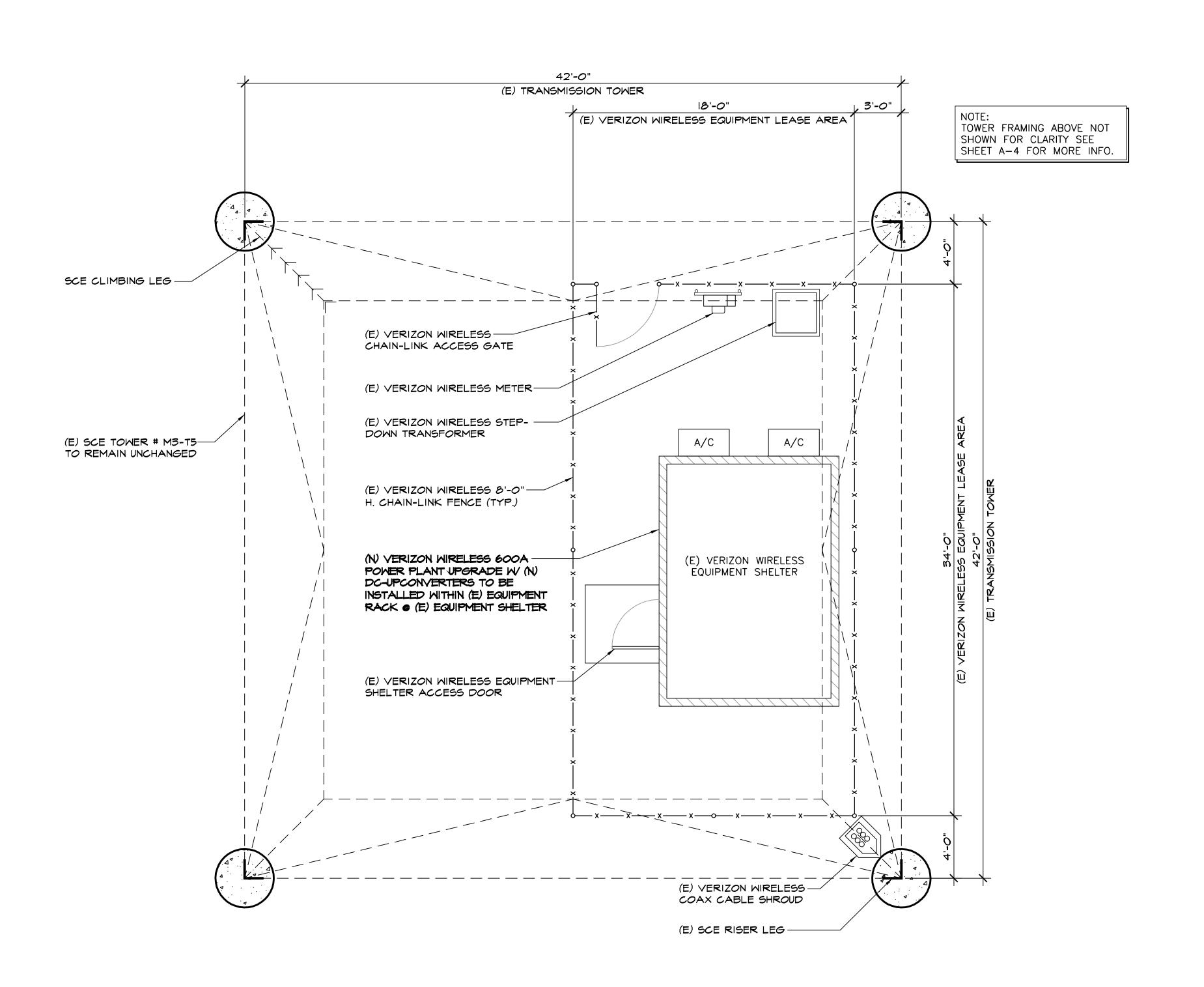
| Date | | | | | | | |
|----------------|-----|----|----|-----|----|-----|--------|
| Dept. Approved | | | | | | | |
| Dept. A | A&C | RE | RF | INT | EE | OPS | EE/OUT |

TE NAME: "OLIVAS PARI (C-BAND ADD) 5882 OLIVAS PARK DRIVE VENTURA, CA 93003

Job No. 2108S







EQUIPMENT LEASE AREA PLAN

O 1' 2' 4
GRAPHIC SCALE

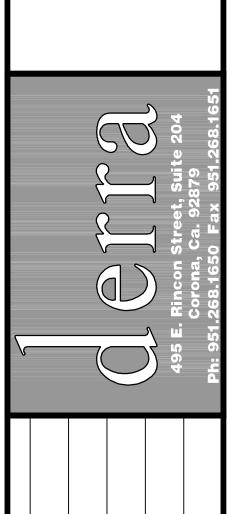


Dept. Approved Date
A&C
RE
INT
EE
OPS
EE/OUT

A& A& RE RE AVE. (949) 286-7000 EE/C

15505 Sand Canyon Ave. Building "D", First Floor Irvine, CA. 92618

(C-BAND ADD)
5882 OLIVAS PARK DRIVE
VENTURA, CA 93003
EQUIPMENT LEASE AREA PLA



A-3

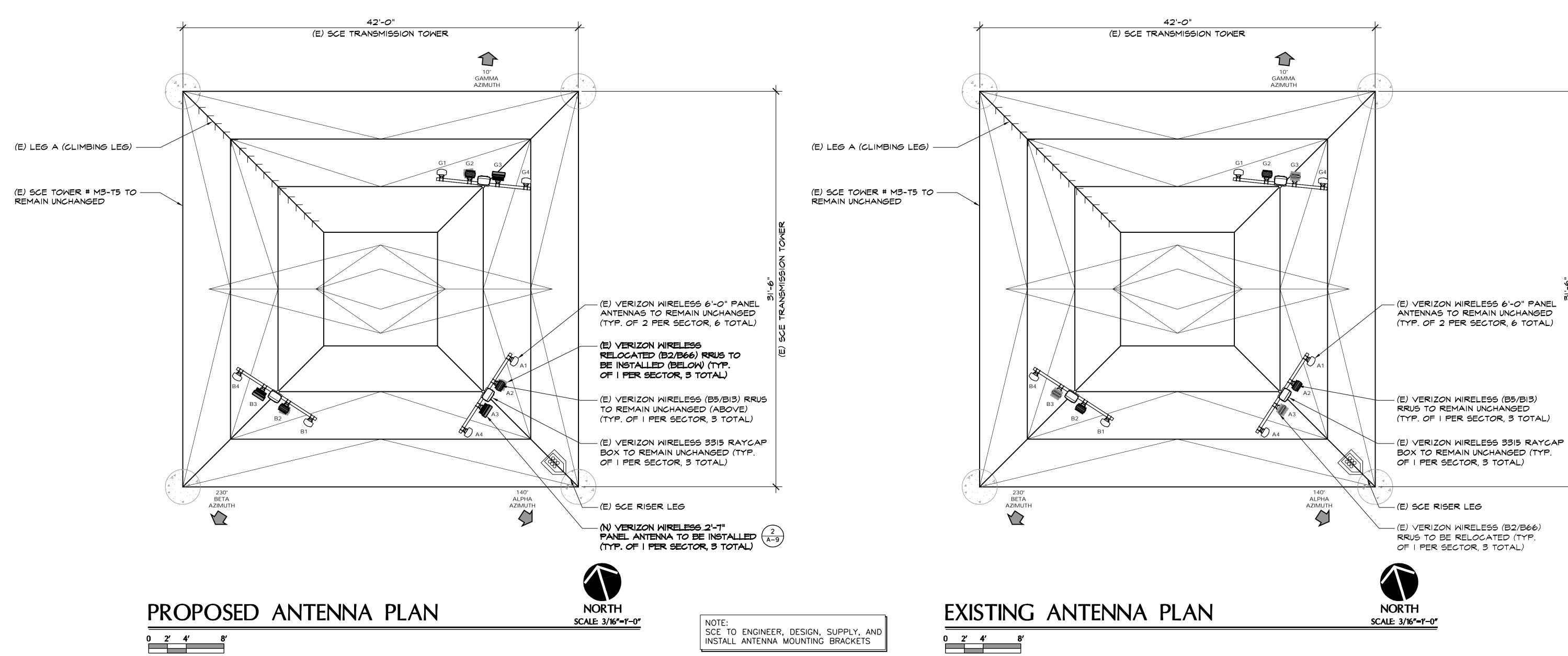
Job No. 2108

| SECTOR | AZIM- UTH | CABLE RUN | CENTER LINE | CABLE TYPE/ SIZE | ANTENNA TYPE | RRUS/RAYCAP | TECHNOLOGY |
|---------|--------------|--------------|-------------|---------------------------------|----------------------------------------|-----------------------------------------------------------------|-------------------------------|
| ALPHA 1 | 140° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ AWS/AWS-3 |
| ALPHA 2 | - | - | - | - | _ | (1) (B5/B13) RRUS (1) (B2/B66) RRUS | _ |
| ALPHA 3 | 140° | ±90' | 68'-0" | (1) 1-5/8"ø HYBRIFLEX CABLE | (1) AIR-6449 | (1) 3315 RAYCAP BOX | C-BAND |
| ALPHA 4 | 140° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ PCS-LTE |
| BETA 1 | 230° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ AWS/AWS-3 |
| BETA 2 | - | - | _ | - | - | (1) (B5/B13) RRUS (1) (B2/B66) RRUS | - |
| BETA 3 | 230° | ±90' | 68'-0" | (1) 1-5/8"ø HYBRIFLEX CABLE | (1) AIR-6449 | (1) 3315 RAYCAP BOX | C—BAND |
| BETA 4 | 230° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ PCS-LTE |
| GAMMA 1 | 10° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ AWS/AWS-3 |
| GAMMA 2 | - | - | _ | - | - | (1) (B5/B13) RRUS (1) (B2/B66) RRUS | - |
| GAMMA 3 | 10° | ±90' | 68'-0" | (1) 1–5/8"ø HYBRIFLEX CABLE | (1) AIR-6449 | (1) 3315 RAYCAP BOX | C-BAND |
| GAMMA 4 | 10° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ PCS-LTE |
| TOTAL: | | | | (3) 1–5/8"ø HYBRIFLEX CABLES | (3) AIR-6449 (6) SBNHH-1D65B | (3) (B5/B13) RRUS (3) (B2/B66) RRUS (3) 3315 RAYCAP BOXES | |

GRAPHIC SCALE

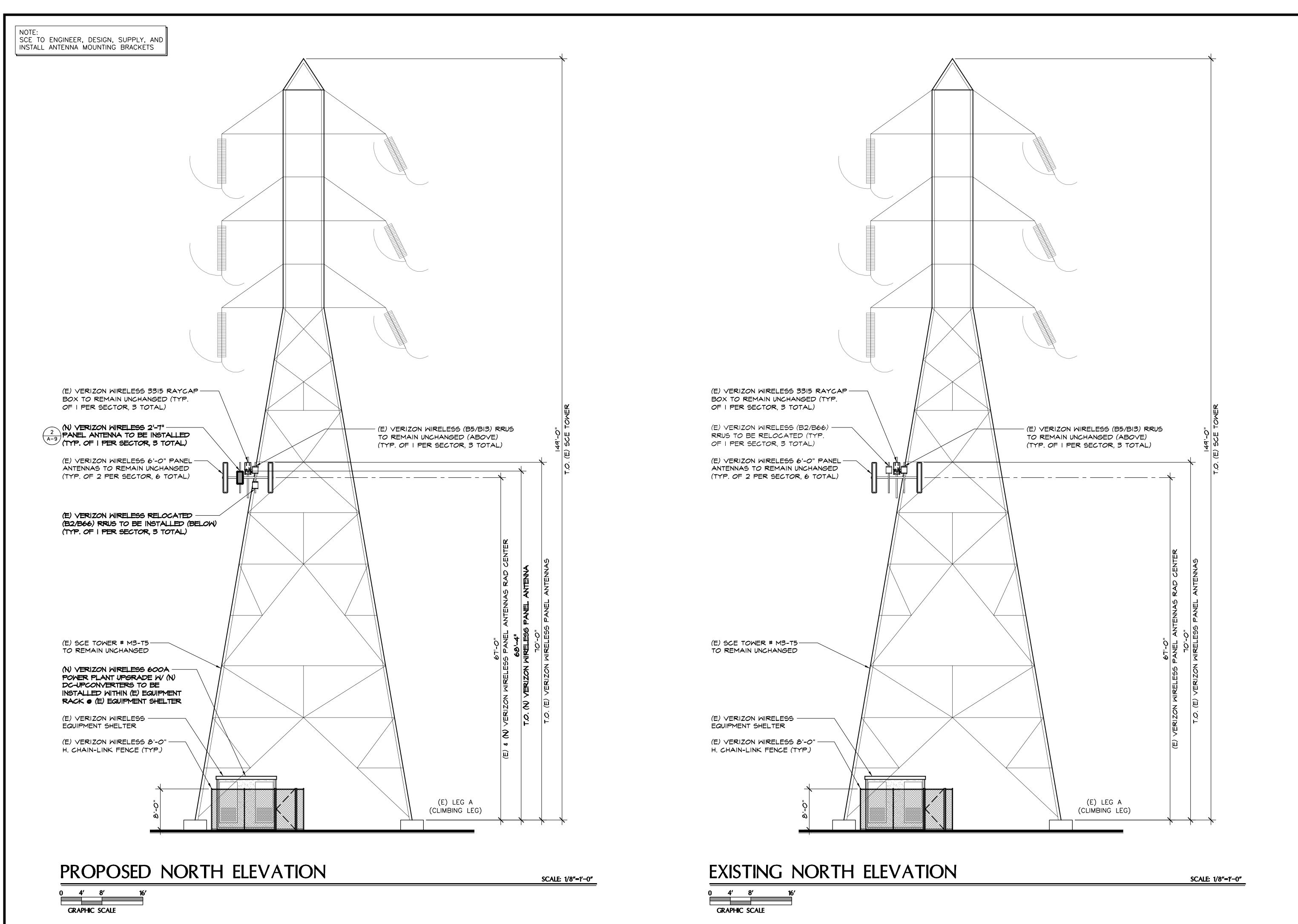
| ANT./EQUIP. SPECIFICATIONS CHART | | | | | | | |
|----------------------------------|--------------------------|-----------------------|----------------------|--|--|--|--|
| ANTENNA/EQUIP. TYPE | DIMENSIONS | WEIGHT W/O BRACKET | WEIGHT W/ Bracket | | | | |
| AIR-6449 | 30.8"L x 16.1"W x 10.8"D | 88 LBS | 100 LBS | | | | |
| SBNHH-1D65B | 72.8"L x 11.9"W x 7.1"D | 40.5 LBS | 54.1 LBS | | | | |
| (B2/B6) RRUS | 14.9"L x 13.2"W x 10.9"D | 71.8 LBS | 77.1 LBS | | | | |
| (B5/B13) RRUS | 17.9"L x 13.2"W x 9.4"D | 70.5 LBS | 75.8 LBS | | | | |
| 3315 RAYCAP BOX | 28.9"L x 15.7"W x 10.3"D | 26.9 LBS | 32 LBS | | | | |

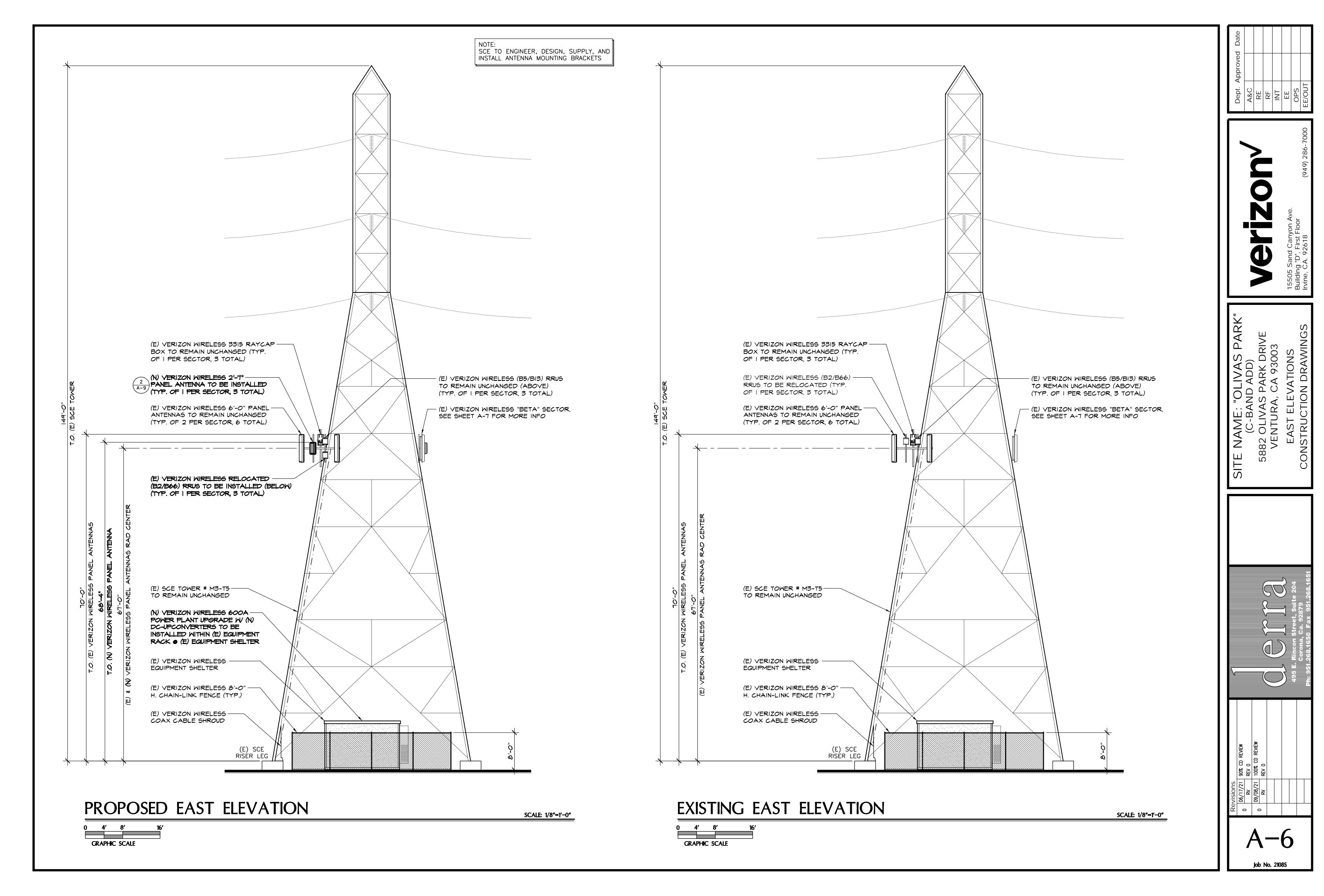
| EXISTING ANTENNA SCHEDULE | | | | | | | | |
|---------------------------|--------------|--------------|----------------|---------------------------------|-----------------|-----------------------------------------------------------------|-------------------------------|--|
| SECTOR | AZIM- UTH | CABLE RUN | CENTER LINE | CABLE TYPE/ SIZE | ANTENNA TYPE | RRUS/RAYCAP | TECHNOLOGY | |
| ALPHA 1 | 140° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ AWS/AWS-3 | |
| ALPHA 2 | - | - | - | - | - | (1) (B5/B13) RRUS | - | |
| ALPHA 3 | - | - | - | (1) 1-5/8"ø HYBRIFLEX CABLE | - | (1) (B2/B66) RRUS (1) 3315 RAYCAP BOX | - | |
| ALPHA 4 | 140° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ PCS-LTE | |
| BETA 1 | 230° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ AWS/AWS-3 | |
| BETA 2 | - | - | - | - | - | (1) (B5/B13) RRUS | - | |
| BETA 3 | - | ı | ı | (1) 1-5/8"ø HYBRIFLEX CABLE | - | (1) (B2/B66) RRUS (1) 3315 RAYCAP BOX | 1 | |
| BETA 4 | 230° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ PCS-LTE | |
| GAMMA 1 | 10° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ AWS/AWS-3 | |
| GAMMA 2 | - | - | - | - | - | (1) (B5/B13) RRUS | - | |
| GAMMA 3 | - | I | I | (1) 1–5/8"ø HYBRIFLEX CABLE | - | (1) (B2/B66) RRUS (1) 3315 RAYCAP BOX | 1 | |
| GAMMA 4 | 10° | ±90' | 68'-0" | - | (1) SBNHH-1D65B | - | 700-LTE/850-LTE/ PCS-LTE | |
| TOTAL: | | | | (3) 1-5/8"ø HYBRIFLEX CABLES | (6) SBNHH-1D65B | (3) (B5/B13) RRUS (3) (B2/B66) RRUS (3) 3315 RAYCAP BOXES | | |

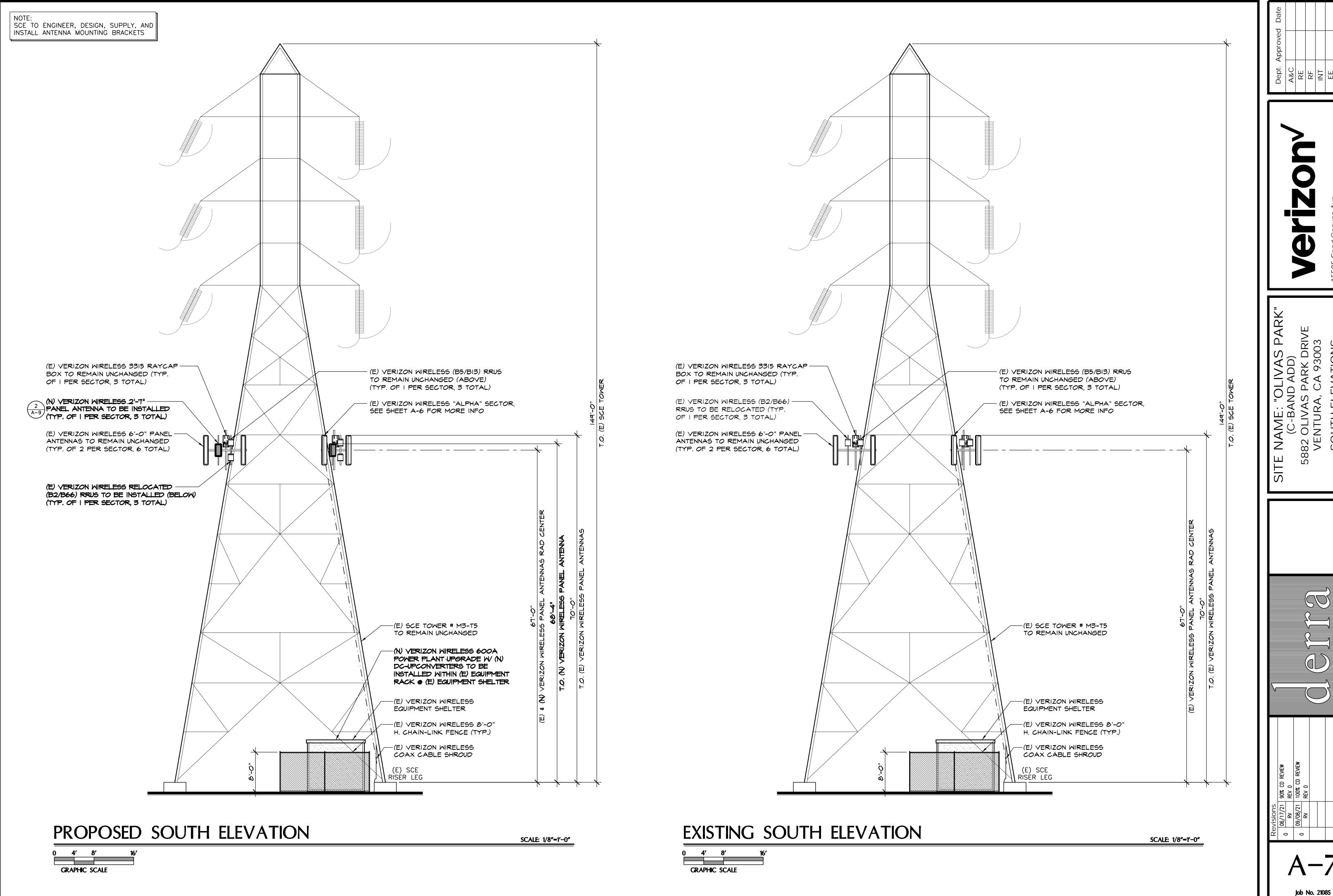


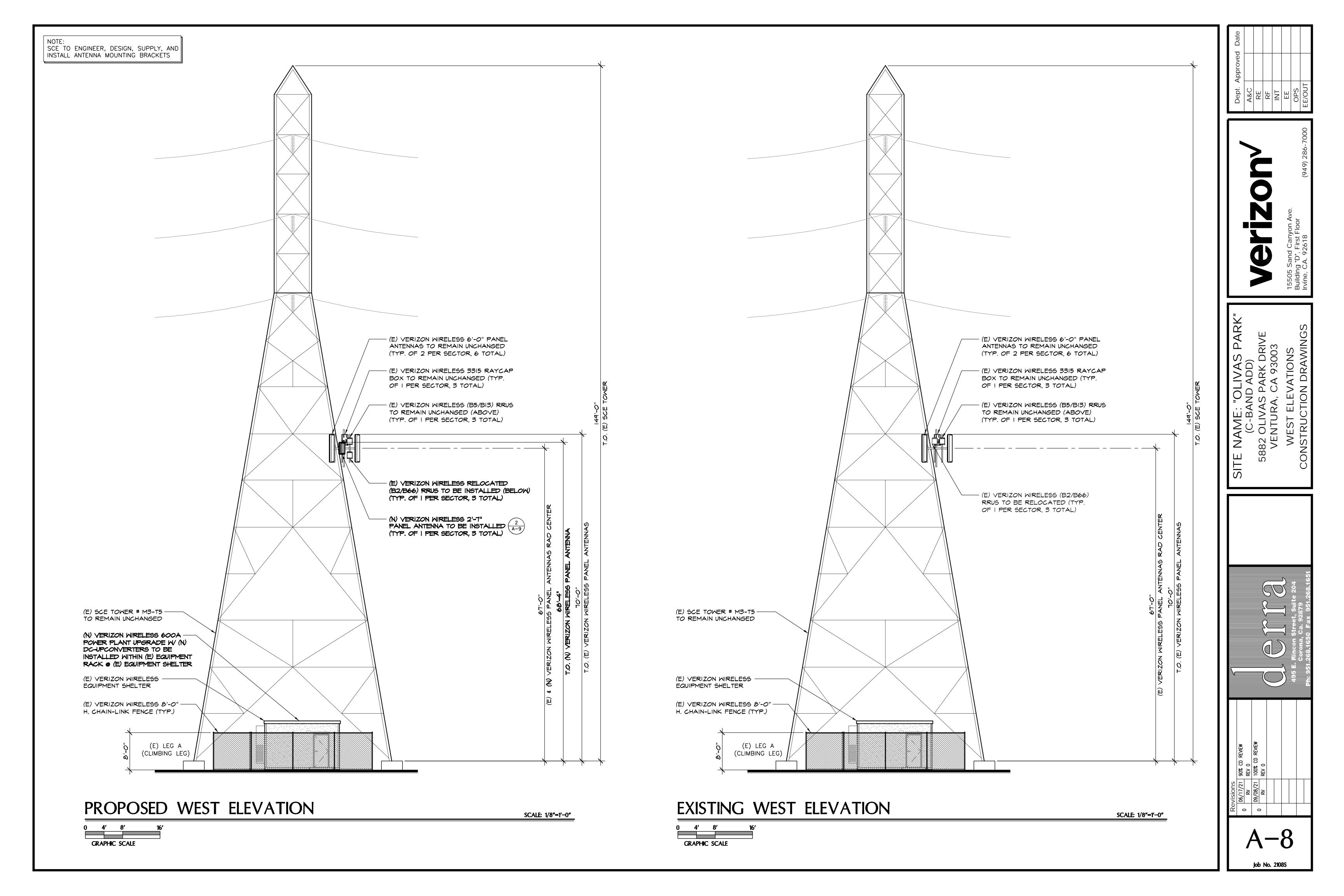
Job No. 2108S

GRAPHIC SCALE









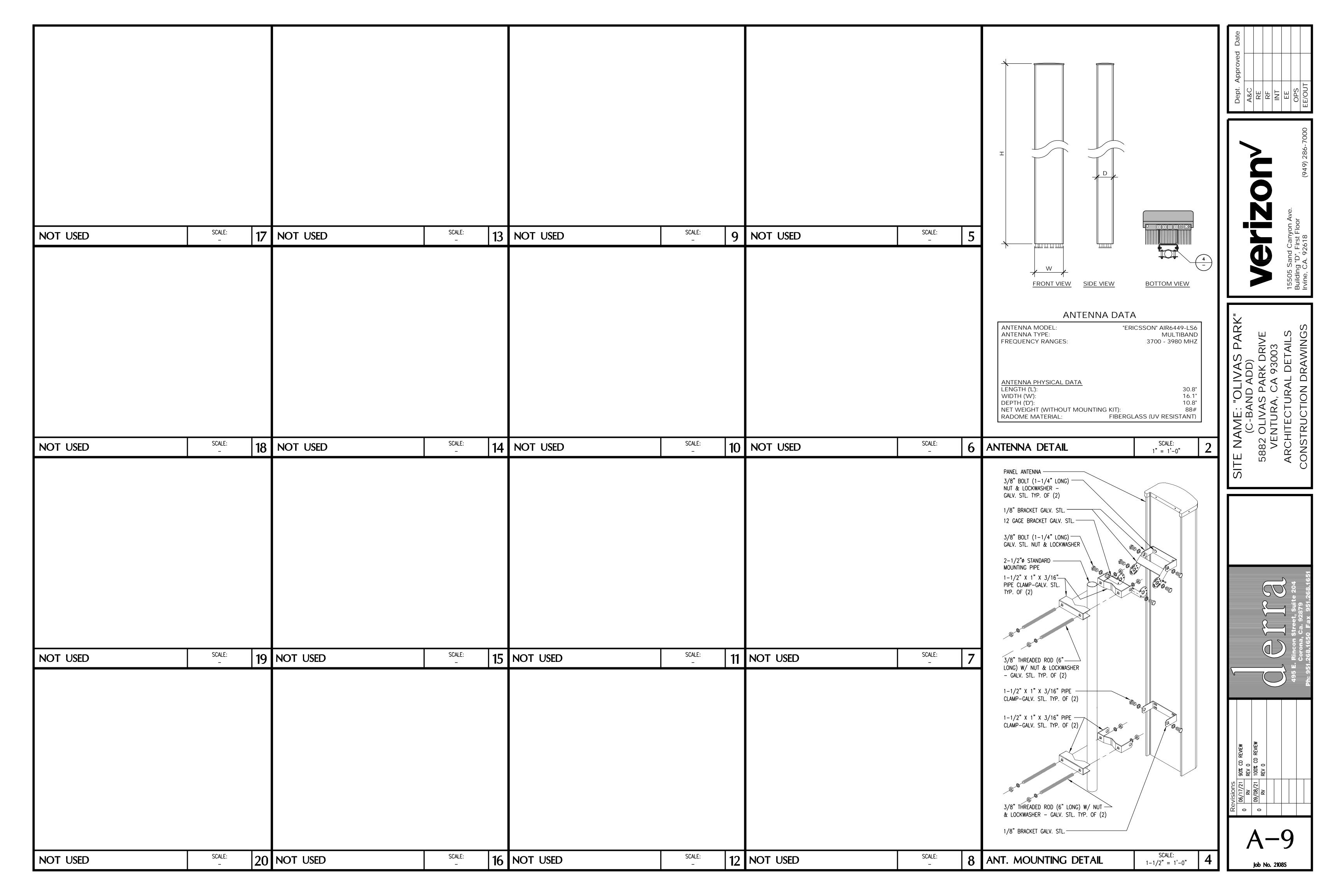




Exhibit 4 – General Plan Consistency Analysis

County of Ventura · Resource Management Agency · Planning Division 800 S. Victoria Avenue, Ventura, CA 93009-1740 · (805) 654-2478 · vcrma.org/divisions/planning

CONSISTENCY WITH THE GENERAL PLAN

The 2040 Ventura County General Plan *Goals, Policies and Programs* (2020, page 1-1) states:

All area plans, specific plans subdivision, public works projects, and zoning decisions must be consistent with the direction provided in the County's General Plan.

Furthermore, the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8111-1.2.1.1.a) states that in order to be approved, a project must be found consistent with all applicable policies of the Ventura County General Plan.

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

- 1. AG-1.2 Agricultural Land Use Designation: The County shall ensure that discretionary development located on land designated as Agricultural on the General Plan Land Use Diagram and identified as Prime Farmland or Farmland of Statewide importance on the States Important Farmland Inventory is planned and designed to remove as little land as possible from potential agricultural production and to minimize impacts on topsoil.
 - 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 is located on land designated as Agricultural on the General Plan Land Use Diagram and identified as Farmland of Statewide importance. The WCF is collocated 70 feet above grade level on a 149-foot-tall SCE tower. There are no proposed operational changes. The existing WCF does not conflict with the adjacent agricultural designated lands or agricultural uses of those lands. In addition, grading is not proposed at the project site. Condition no. 22 was also added to the project to designate a point of contact to inform the relevant person(s) of pesticide applications near the facility. 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-1.2 and AG-2.1.

County of Ventura
Planning Director Hearing
PL22-0040
Exhibit 4 - General Plan Consistency Analysis

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

The WCF is adjacent to Olivas Park Drive, which is an Eligible County Scenic Highway. The WCF is visible from portions of Olivas Park Drive. However, the visual impact of the WCF is minimized by the continued use of the collocation on the SCE tower and the proposed installation of green slats on the chain-link fence. There are also no operational changes. There are also no proposed physical or operational changes.

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

3. 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.

The existing WCF is collocated 70 feet above grade level on a 149-foot-tall SCE tower. The subject parcel is surrounded by agriculture uses. All equipment is located behind an 8-foot-tall chain-link fence. The proposed project includes the installation of green slats on the existing chain-link fence. No conflict with the adjoining agricultural operations 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.

4. LU-16.1 Community Character and Quality of Life: The County shall encourage discretionary development to be designed to maintain the distinctive character of unincorporated communities, to ensure adequate provision of public facilities and services, and to be compatible with neighboring uses.

The existing WCF is collocated 70 feet above grade level on a 149-foot-tall SCE tower. The proposed project includes the installation of green slats on the existing chain-link fence. The design and the color of the WCF would continue to blend in with the surrounding land uses. The site is accessed via Olivas Park Drive. The WCF would continue to provide wireless telecommunication services to the surrounding area and remain compatible with the neighboring uses. No new land use conflicts would occur with the continued use of the WCF. The WCF is adjacent to Olivas Park Drive, which is an Eligible County Scenic Highway. The WCF is visible from portions of Olivas Park Drive. However, the visual impact of the WCF is minimized by the continued use of the collocation on the SCE tower and the proposed installation of green slats on the chain-link fence. There are also no operational changes. Lastly, no water is required for this project.

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

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

Based on the discussion above, the proposed project is consistent with General Plan Policy PFS-1.1, PFS-7.1, and PFS-7.5.

6. PFS- 1.9 Requirements Inside City Spheres of Influence: County shall only approve a discretionary development within a city's Sphere of Influence if the required public facilities and infrastructure meets or exceeds those required by the associated city.

The project site is located within the City of San Buenaventura's Sphere of Influence. Therefore, on April 28, 2022, the Planning Division notified the City of San Buenaventura of the proposed project and requested the City of San Buenaventura to submit any comments that the City might have on the proposed project. No comments were received.

Based on the discussion above, the proposed project is consistent with General Plan Policy PFS-1.9.

Draft Conditions for Case No. PL22-0040 Date of Public Hearing: June 23, 2022

Date of Approval:

Page 1 of 19

Permittee: Verizon Wireless

Location: 5882 Olivas Park Drive

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP) CASE NO. PL22-0040 (Formerly LU-0059) FOR "OLIVAS PARK" WIRELESS COMMUNICATION FACILITY

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. <u>Project Description</u>

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 June 23, 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 WCF for a 10-year period. The facility is located on an existing 149-foot-tall SCE lattice tower and consist of twelve (12) four-foot panel antennas positioned in three (3) arrays located 70 feet above grade. The associated telecommunication equipment is located in a 184-square-foot prefabricated equipment shelter within a 612-square-foot lease area enclosed by an 8-foot-tall chain-link fence. The facility includes the installation of green slats on the existing chain-link fence.

The WCF is unmanned, except for occasional periodic maintenance visits, and would continue to operate 24 hours per day. The unmanned facility does not require water to operate. Access to the site is available via Olivas Park Drive, a public paved road. No exterior lighting, grading, fencing, or emergency back-up generator is proposed with the project. (Exhibit 3)

The use and maintenance of the property, the size, shape, arrangement, and location of structures, landscape areas, and the protection and preservation of resources shall conform to the project description above and all approved County land use hearing exhibits in support of the Project and conditions of approval below.

County of Ventura
Planning Director Hearing
PL22-0040
Exhibit 5 - Conditions of Approval

Draft Conditions for Case No. PL22-0040
Date of Public Hearing: June 23, 2022

Date of Approval:

Page 2 of 19

Permittee: Verizon Wireless Location: 5882 Olivas Park Drive

2. <u>Site Maintenance</u>

Purpose: To ensure that the Project site is maintained in a neat and orderly manner so as not to create any hazardous conditions or unsightly conditions which are visible from outside of the Project site.

Requirement: The Permittee shall maintain the Project site in a neat and orderly manner, and in compliance with the Project description set forth in Condition No. 1. Only equipment and/or materials which the Planning Director determines to substantially comply with the Project description shall be stored within the Project site during the life of the Project. All equipment/materials shall be stored within the existing equipment cabinet.

Documentation: The Permittee shall maintain the Project site in compliance with Condition No. 1 and the approved plans for the Project.

Timing: The Permittee shall maintain the Project site in a neat and orderly manner and in compliance with Condition No. 1 throughout the life of the Project.

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

3. CUP Modification

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

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

Draft Conditions for Case No. PL22-0040 Permittee: Verizon Wireless
Date of Public Hearing: June 23, 2022 Location: 5882 Olivas Park Drive

Date of Approval:

Page 3 of 19

4. 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.

5. Time Limits

- a. Use inauguration:
 - (1) The approval decision for this CUP becomes effective upon the expiration of the 10-day appeal period following the approval decision/date on which the Planning Director rendered the decision on the Project, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance 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. The Planning Director may grant a one year [modify as appropriate] 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

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Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.

- b. Permit Life or Operations Period: This CUP will expire on [insert actual date—do not use 5, 10, etc. years after approval]. 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.

6. <u>Documentation Verifying Compliance with Other Agencies' Requirements Related</u> 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

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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.

7. 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 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.

8. 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.

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.

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9. <u>Financial Responsibility for Compliance Monitoring and Enforcement</u>

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 Ventura County Non-Coastal Zoning Ordinance (§ 8114-3) related to this CUP. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.

b. Establishment of Revolving Compliance Account:

Pursuant to the requirements of CUP LU11-0068 Case No. PL22-0040, the Resource Management Agency created Condition Compliance Case No. CC12-0033 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding CUP LU11-0068 Case No. PL22-0040. The Planning Division will continue to use Condition Compliance Case No. CC12-0033 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 9.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. CC12-0033, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.

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

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10. 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.

11. <u>Invalidation of Condition(s)</u>

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

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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.

12. 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.

13. 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

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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.

14. Contact Person

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

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

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

Timing: Prior to the issuance of a Zoning Clearance for use inauguration or construct, 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.

15. 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

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Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about a use as it is occurring may directly contact the Contact Person;

- b. If County staff receives a written complaint about the Project, Planning Division staff may contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and
- c. If, following a complaint investigation by County staff, a violation of 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.

16. 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.

17. 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)

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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.

18. Construction Noise (Note: No Construction Proposed)

Purpose: In order for this project to comply with the Ventura County General Plan *Goals, Policies and Programs* Noise Policy 2.16.2-1(5) and the County of Ventura Construction Noise Threshold Criteria and Control Plan (Amended 2010).

Requirement: The Permittee shall limit construction activity for site preparation and development to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday, and State holidays. Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions.

Documentation: The Permittee shall post a sign stating these restrictions in a conspicuous location on the Project site, in order so that the sign is visible to the general public. The Permittee shall provide photo documentation showing posting of the required signage to the Planning Division, prior to the commencement of grading and construction activities. The sign must provide a telephone number of the site foreman, or other person who controls activities on the jobsite, for use for complaints from the public. The Permittee shall maintain a "Complaint Log," noting the date, time, complainant's name, complaint, and any corrective action taken, in the event that the Permittee receives noise complaints. The Permittee must submit the "Complaint Log" to the Planning Division upon the Planning Director's request.

Timing: The Permittee shall install the sign prior to the issuance of a building permit and throughout all grading and construction activities. The Permittee shall maintain the signage on-site until all grading and construction activities are complete. If the Planning Director requests the Permittee to submit the "Complaint Log" to the Planning Division, the Permittee shall submit the "Complaint Log" within one day of receiving the Planning Director's request.

Monitoring and Reporting: The Planning Division reviews, and maintains in the Project file, the photo documentation of the sign and the "Complaint Log." The Planning Division

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has the authority to conduct site inspections and take enforcement actions to ensure that the Permittee conducts grading and construction activities in compliance with this condition, consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

19. Color/Material/Manufacture Specifications

Purpose: To comply with the Ventura County General Plan *Goals, Policies and Programs* Scenic Resources Policies COS-3.1 and COS-3.6 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 photosimulations;
- d. Install the proposed green slats on the existing chain-link fence; and
- e. 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

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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.

20. 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 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 Ordinance.

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21. 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 nondiscriminatory 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.

22. <u>Designated Contact for Restricted Entry</u>

Purpose: In order to prevent the entry of service technicians or other facility personnel to the project site during a pesticide application, or the Restricted Entry Interval of an application, the permittee must designate a point of contact and post the contact information on or at the facility.

Requirement: The permittee shall designate a point of contact for agricultural operators to inform the relevant person(s) of pesticide applications near the facility and the

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Restricted Entry Intervals of said applications. The permittee shall post on or at the facility the contact information of the designated point of contact. The posting must:

- Be visible and readable from at least as far as the CUP boundary;
- Be in both English and Spanish;
- Include language equivalent to "To inform service technicians of pesticide applications and restricted entry intervals, please contact...":
- Have current, accurate contact information for a point of contact that responds to contact from agricultural operators in a timely fashion during normal business hours.

Documentation: The Permittee shall provide a copy and picture of the posted sign and all relevant information to the Planning Division for review and approval.

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall receive approval from the Planning Division and post the required information on site. This information must be updated and maintained for the life of the permit.

Monitoring: The Department of Agriculture/Weights & Measures shall report any failure to comply with this condition to the Planning Division.

Environmental Health Division (EHD) Conditions

23. Hazardous Materials/ Waste Management (CUPA Required)

Purpose: To comply with the California Code of Regulations Title 22, Division 4.5, California Health and Safety Code chapter 6.95; and Ventura County Ordinance Code, and to ensure the safe storage, handling, and disposal of any potentially hazardous material and/or waste.

Requirement: The Permittee shall submit a Hazardous Materials Business Plan (HMBP) to the Environmental Health Division/Certified Unified Program Agency (Ventura CUPA) for storage of hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid). If hazardous wastes are generated, an EPA ID number issued by the California Department of Toxic Substances Control must be obtained and maintained in active status. Wastes identified as "non-hazardous" may require waste determination analysis to confirm if wastes are listed hazardous wastes, exhibits a hazardous characteristic through testing, or application of general knowledge.

Documentation: A completed HMBP must be submitted to the Ventura CUPA electronically through the California Environmental Reporting System (CERS). Maintain all records of hazardous waste determination testing and disposal and make available for review by this Ventura CUPA staff upon request.

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Timing: HMBP must be submitted through CERS annually, and whenever there is a change to the type, quantity, or location of the hazardous materials. EPA ID number must be renewed annually.

Monitoring and Reporting: Verification of hazardous materials inventory as well as ongoing compliance with requirements shall be accomplished through field inspection by Ventura CUPA staff. Additional information on the storage and handling requirements for hazardous materials and wastes may be found on the Ventura County Environmental Health Division/Certified Unified Program Agency website: https://vcrma.org/cupa

PUBLIC WORKS AGENCY (PWA)

Watershed Protection District (WPD) Conditions

24. <u>Drainage Plan (Note: Condition Satisfied)</u>

Purpose: To ensure runoff is discharged in accordance with Ventura County Building Code, Ventura County Public Works Agency, Watershed Protection District, national, and State standards.

Requirement: The Permittee shall submit drainage plans and hydrologic and hydraulic calculations, which are prepared by a registered civil engineer, to the Public Works Agency's Development and Inspection Services Division for review and approval. The Permittee shall post sufficient surety in order to ensure proper completion of the drainage plan.

Documentation: Drainage plans and hydrologic and hydraulic calculations shall address the following: major water courses, drainage areas and patterns, collection systems, flood hazard areas, and drainage courses. The hydrologic and hydraulic calculations shall be in compliance with the Ventura County Watershed Protection District's hydrology and design manuals. The hydrologic and hydraulic calculations shall include evidence that all the buildable sites within the project site will be protected from flooding based on a 1% annual chance storm.

Timing: All documentation, as specified above, must be approved by the Public Works Agency prior to issuance of a zoning clearance.

Monitoring and Reporting: Public Works Agency engineers will review drainage plans and hydrologic and hydraulic calculations for compliance with state and federal laws, as well as Ventura County codes, ordinances, and standards. Public Works Agency inspectors will monitor the construction to verify that the work is done in compliance with the approved plans and reports.

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25. <u>Floodplain Development Permit and FEMA Compliance Certificates (Note:</u> Condition Satisfied)

Purpose: To comply with the *Ventura County Flood Damage Mitigation Ordinance* and *Ventura County General Plan Policy* 2.10.2 to ensure that habitable and non-habitable structures are built to established flood protection standards that will mitigate potential impacts from flooding conditions during a 1% annual chance storm event.

Requirement: The Permittee shall obtain a Floodplain Development Permit and a Federal Emergency Management Agency Elevation Certificate and Flood proofing Certificate.

The Floodplain Development Permit application shall include the following:

- a full set of construction plans with each sheet sealed by a California licensed civil engineer or architect verifying that the development design is compliant with all applicable flood protection construction standards required in the County Flood Damage Mitigation Ordinance; and,
- ii. engineering analyses and calculations deemed necessary to verify the boundaries of the Regulatory Floodway and floodplain, the 1% annual chance base flood elevation for the proposed development. Technical analyses shall be based on the applicable Digital Flood Insurance Rate Maps, and the NAVD 1988 datum.

The Federal Emergency Management Agency Elevation Certificate and Floodproofing Certificate application shall include the following:

- information required under Title 44 Code of Federal Regulations Sections 59 and 60 including but not limited to legal description of property, Digital Flood Insurance Rate Map, building construction elevations using the NAVD 1988 datum, and photographs of the completed project; and,
- ii. Elevation Certificate sealed by a California licensed civil engineer, architect or land surveyor. [Floodproofing Certificate] sealed by a California licensed civil engineer or architect. [Coastal High Hazards Certificate] sealed by a California licensed civil engineer, architect or land surveyor.

Documentation: A Floodplain Development Permit and a Federal Emergency Management Agency (FEMA) Elevation Certificate and Floodproofing Certificate.

Timing: The Floodplain Development Permit and the project construction plans shall be reviewed by the County Floodplain Manager prior to the issuance of a building permit by the Building Official. The FEMA Elevation Certificate and Floodproofing Certificate shall

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be filed with the Floodplain Manager prior to final project inspection by the Building Inspector.

Monitoring and Reporting: Prior to final project inspection by the Building Inspector, the County Floodplain Manager shall inspect the development to ensure that it was constructed according to the approved plans and the Floodplain Development Permit. A copy of the approved Floodplain Development Permit and the Elevation Certificate and Floodproofing Certificate shall be provided to the County Floodplain Manager for permanent record keeping.

County Stormwater Program Section

26. <u>Compliance with Stormwater Development Construction Program (Note: Condition Satisfied)</u>

Purpose: To ensure compliance with the Los Angeles Regional Water Quality Control Board NPDES Municipal Stormwater Permit No.CAS004002 (Permit) the Project will be subject to the construction requirements for surface water quality and storm water runoff in accordance with Part 4.F., "Development Construction Program" of the Permit.

Requirement: The construction of the Project shall meet requirements contained in Part 4.F. "Development Construction Program" of the Permit through the inclusion of effective implementation of the Construction BMPs during all ground disturbing activities.

Documentation: The Permittee shall prepare and submit the following items to the Watershed Protection District, Surface Water Quality Section (SWQS) for review upon request:

 Complete SW-1 form (Best Management Practices for Construction Less Than One Acre), which can be found at http://onestoppermit.ventura.org/.

Timing: The above listed item shall be submitted to the SWQS for review and approval prior to issuance of a Zoning Clearance for Construction.

Monitoring and Reporting: SWQS will review the submitted materials for consistency with the NPDES Municipal Stormwater Permit. Building and Safety Division Inspectors will conduct inspections during construction to ensure effective installation of the required BMPs.

Date of Approval:

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Permittee: Verizon Wireless

Location: 5882 Olivas Park Drive

OTHER VENTURA COUNTY AGENCIES

Ventura County Fire Protection District (VCFPD) Conditions

27. Fire Code Permits (Note: Condition Satisfied)

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 before final occupancy, installation and/or use of any item/system requiring a Fire Code permit.

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.

Air Pollution Control District (APCD) Conditions

28. Emergency Generators (Note: Condition Satisfied)

Purpose: In order to comply with the California Air Resources Board Air Toxic Control Measure for Stationary Compression Ignition Engines and VCAPCD Rule 10 (Permits Required) and Rule 23 (Exemptions from Permit).

Requirement: The Permittee shall obtain an Authority to Construct and a Permit to Operate the diesel generator from VCAPCD.

Documentation: An approved Authority to Construct and an approved Permit to Operate.

Timing: The Authority to Construct shall be obtained prior to installation. The Permit to Operate is required prior to operation of the diesel generator.

Monitoring and Reporting: A copy of both the approved Authority to Construct and the Permit to Operate shall be maintained as part of the project file. Ongoing compliance with the requirements of the Permit to Operate shall be accomplished through field inspection by District Inspectors.



DAVE WARD, AICPPlanning Director

NEGATIVE DECLARATION (ND) ADDENDUM

A. BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

- Entitlement: Modification of Conditional Use Permit (CUP) LU11-0068 for the continued operation of an existing Wireless Communication Facility (WCF) for a 10-year period (Case No. PL22-0040).
- **2. Applicant:** Verizon Wireless C/O Christine Henson, 15505 Sand Canyon Ave. Bldg. D, Irvine, CA 91706
- **3. Property Owners:** Southern California Edison, 4900 Rivergrade Road Bldg. 2B-1, Irwindale, CA 91706.
- **4. Location:** 5882 Olivas Park Drive, in the unincorporated area of Ventura County.
- 5. Tax Assessor's Parcel Number: 138-0-212-095
- **6. Lot Size:** 0.39-acres
- 7. General Plan Land Use Designation: ECU-Agricultural
- **9. Zoning Designation:** AE-40ac (Agricultural Exclusive, 40-acre minimum)
- **10. Project Description:** The applicant requests approval to modify CUP LU11-0068 for the continued use, operation, and maintenance of an existing Verizon WCF. The facility is located on an existing 149-foot-tall SCE lattice tower and consist of twelve (12) four-foot panel antennas positioned in three (3) arrays located 70 feet above grade. The associated telecommunication equipment is located in a 11.5' x 16' prefabricated equipment shelter within a 18' x 34' lease area enclosed by an 8' tall chain-link fence. The proposed project includes the installation of green slats on the chain-link fence. The facility would continue to operate 24 hours per day. The unmanned facility does not require water to operate. Access to the site would be via Olivas Park Drive extension.

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

On March 7, 2012, the Planning Director adopted a Negative Declaration (ND) that evaluated the environmental impacts of a Verizon WCF located on an existing 149-foot-tall SCE lattice tower and consist of twelve (12) four-foot panel antennas positioned in three (3) arrays located 70 feet above grade and one equipment cabinet. The ND is attached as Exhibit 6 in the Planning Director staff report.

Section 15164(b) of the CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3) states that the decision-making body may prepare an addendum to an adopted ND if: (1) only minor technical changes or additions are necessary; and (2) none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent negative declaration have occurred.

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The conditions described in Section 15162 of the CEQA Guidelines which require the preparation of an EIR or subsequent ND, are provided below, along with a discussion as to why an EIR or subsequent ND is not required:

1. Substantial changes are proposed in the project which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(1)].

The proposed continued use, operation, and maintenance of the existing WCF would not create new environmental impacts that were not previously analyzed in the ND that was prepared for CUP LU11-0068. The proposed project would not change the requirements that were analyzed in the adopted ND as part of the CUP.

There are no proposed operational changes as part of the modified CUP. The proposed project includes the installation of green slats around the existing 8' tall chain-link fence that would further screen the facility from view. Thus, the proposed project involves only minor changes that would not create any new significant impacts to biological resources, scenic resources, public roads and highways, or fire flow.

With the implementation of the modified CUP, the proposed project would be in compliance with the Ventura County Non-Coastal Zoning Ordinance standards for WCF's.

Based on the above discussion, the proposed modifications would not increase the severity of, or create any new significant impacts.

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(2)].

The existing baseline conditions that were used to analyze potential impacts to the environment have not changed to the extent that the proposed revisions to the project would require major revisions to the ND. No new impacts to biological resources, scenic resources, public roads and highways, or fire flow would result from the proposed project. Furthermore, the project site and surrounding area do not exhibit any previously unknown resources that need to be analyzed as part of this project.

Based on the above discussion, the proposed project would not result in any new potentially significant impacts that were not previously analyzed in the ND.

- 3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Planning Director adopted the previous ND, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous ND [§ 15162(a)(3)(A)].

No new information that was not known and could not have been known when the ND was adopted has become available. There are no environmental resources, hazards, or public facilities located on, or in the vicinity of the project site that was previously unknown and/or could be substantially affected by the proposed project. No new significant effects have been identified. As stated in this Addendum (above), the proposed Project would not change the analysis set forth in the previous 2012 ND adopted for CUP LU11-0068. The environmental conditions that currently exist on site are substantially the same as those that existed at the time at which the ND was prepared and adopted. Therefore, no new information of substantial importance has been discovered, and the minor modification would not result in any new environmental effects compared with those analyzed in the adopted ND.

Therefore, based on the information provided above, there is no substantial evidence to warrant the preparation of a subsequent ND. The decision-making body shall consider this addendum to the adopted ND prior to making a decision on the project.

C. PUBLIC REVIEW:

Pursuant to the CEQA Guidelines [§ 15164(c)], this addendum to the ND does not need to be circulated for public review, and shall be included in, or attached to, the adopted ND.

Reviewed by:

Prepared by:

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