



Planning Director Staff Report Hearing on February 29, 2024

County of Ventura • Resource Management Agency

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

CROWN CASTLE: P.V. FLOWERS WIRELESS COMMUNICAITON FACILITY (WCF) CONDITIONAL USE PERMIT (CUP) CASE NO. PL23-0101 (FORMERLY CUP 5206 / LU12-0041)

A. PROJECT INFORMATION

1. **Request:** The applicant requests a CUP for the modification and continued operation of an existing WCF for a 10-year period (Case No. PL23-0101).
2. **Applicant:** Global Signal Acquisitions III, LLC (“Crown Castle”), C/O Jim Lee, 200 Spectrum Center Drive, Suite 1700, Irvine, CA 92618
3. **Applicant’s Representative:** Virtual Site Walk, C/O Sydney Sigmund, 7910 SE 60th Avenue, Portland, OR 97206
4. **Property Owner:** Wilhelmus J M Zwinkels, 3185 Calle de Debasa, Camarillo, CA 93010
5. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-4), the Planning Director is the decision-maker for the requested CUP.
6. **Project Site Size, Location, and Parcel Number:** The 30.5-acre project site is located at 2400 East Channel Islands Boulevard, near the City of Oxnard, in the unincorporated area of Ventura County. The Tax Assessor’s parcel number for the parcel that constitutes the project site is 225-0-011-100 (Exhibit 2).
7. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: ECU-Agricultural
 - b. Zoning Designation: AE-40 ac (Agricultural Exclusive, 40-acre minimum lot size)
8. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	AE-40 ac	Agriculture
South	Not Applicable / City of Oxnard	Residential
West	Not Applicable / City of Oxnard	Residential

Location in Relation to the Project Site	Zoning	Land Uses/Development
East	AE-40 ac	Rice Avenue (Pacific Coast Highway), Agriculture

9. History: In 2002, the Planning Director approved CUP 5206 authorizing the construction and operation of a WCF designed as a 55-foot faux palm with a 361-square-foot fenced accessory equipment enclosure. In 2012, the Planning Director approved CUP LU12-0041 authorizing continued operation of the WCF for 10 years. In 2013, the Planning Director approved Permit Adjustment PL13-0050 authorizing telecommunication equipment upgrades and an extension of the permit expiration date. CUP LU12-0041, as adjusted by PL13-0050, expired on February 21, 2023.

10. Project Description: The applicant requests a CUP for the modification and continued operation of an existing WCF for a 10-year period (Case No. PL23-0101). The existing WCF is designed as a 55-foot stealth faux palm tree with a 361 square-foot-fenced accessory equipment enclosure. The proposed modifications include:

1. Installation of new faux palm fronds on the existing WCF tower to better conceal the antennas from public viewpoints.
2. Installation of faux ivy screening fabric on the existing fenced accessory equipment enclosure to better conceal the accessory equipment from public viewpoints.

The WCF is unmanned, except for occasional periodic maintenance visits, and would continue to operate 24 hours per day. The WCF does not require water to operate. The site is accessed by an unpaved dirt access road connected to Rice Avenue / Pacific Coast Highway (Exhibit 3).

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

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

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. The proposed project allows for the modification and continued operation of an existing WCF. Modifications are limited to cosmetic improvements that will better camouflage the WCF from public viewpoints, including the addition of faux palm fronds on the WCF tower and installation of faux ivy screening fabric on the existing fenced

equipment enclosure. Therefore, the proposed project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines. Further, the project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2 and, therefore, no further environmental review is required.

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 5 of this Staff Report.

D. ZONING ORDINANCE COMPLIANCE

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

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

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

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p>Section 8107-45.4 (a), Partial and Full-Concealment Requirements:</p> <p>To minimize visual impacts, a wireless communication facility shall be designed as a stealth facility or building-concealed facility. A wireless communication facility may be designed as a non-stealth facility only if it meets standards provided in Sec. 8107-45.4(b) below.</p>	<p>Yes. The WCF is designed as a stealth faux palm tree.</p>
<p>Section 8107-45.4 (c), Making Wireless Communication Facilities Compatible with the Existing Setting:</p> <p>To the extent feasible, all wireless communication facilities shall be located and designed to be compatible with the existing setting as follows:</p> <ul style="list-style-type: none"> (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. 	<p>Yes. The existing WCF is designed as a faux palm tree. The proposed project is conditioned to require the installation of additional palm trees that will effectively screen the WCF from public viewpoints (Exhibit 6, Condition No. 20). Additionally, the proposed project is conditioned to require the installation of new faux palm fronds on the WCF tower to</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
	ensure the WCF appears more natural and better blends in with existing palm trees in the surrounding area (Exhibit 6, Condition No. 19).
<p>Section 8107-45.4 (d), Preferred Wireless Communication Facility Locations:</p> <p>To the extent feasible, and in the following order of priority, new wireless communication facilities shall be sited in the following locations:</p> <ol style="list-style-type: none"> (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. (6) On or near the same site as an existing wireless communication facility when visual or other environmental impacts can be mitigated to a level of less than significant under CEQA and when such “clustering” of facilities is consistent with the applicable Area Plan. 	<p>Yes. The WCF is located near an existing public access road. Specifically, the site is accessed by an unpaved dirt access road connected to Rice Avenue / Pacific Coast Highway.</p>
<p>Section 8107-45.4 (f)(4)(b)(iii), Height for Stealth Facilities:</p> <p>Stealth facilities shall meet the definition in Sec. 8102-0 and the applicable height limits prescribed in Section 8107-45.4.</p> <ol style="list-style-type: none"> (b) Faux trees shall maintain a natural appearance and may not exceed the height of nearby natural trees (see i, ii, and iii below). A faux tree located among existing natural trees should not be obviously taller than the other trees. Smaller, natural trees may also be planted around the faux tree to mask its height from public viewpoints. The maximum allowable height of a faux tree shall be as follows: <ol style="list-style-type: none"> i. Maximum heights in Table 2 apply if there are no trees within a 150-foot radius of the <i>faux tree</i>. (Also see the tree planting height requirement in Sec. 8107-45(i)(4).) 	<p>Yes. The WCF is designed as a faux palm tree, 55 feet in height. The proposed project is conditioned to require the installation of new palm fronds to ensure the WCF has a more natural appearance (Exhibit 6, Condition No. 19).</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?												
<p style="text-align: center;">Table 2 (Sec. 8107-45.4(f)(4)) Maximum Height of Faux Trees¹</p> <table border="1" data-bbox="251 386 773 676"> <thead> <tr> <th>Type of Structure</th> <th>Maximum Height</th> </tr> </thead> <tbody> <tr> <td>Mono-Broadleaves</td> <td>60 feet</td> </tr> <tr> <td>Mono-Elm</td> <td>60 feet</td> </tr> <tr> <td>Mono-Eucalyptus</td> <td>80 feet</td> </tr> <tr> <td>Mono-Palm</td> <td>65 feet</td> </tr> <tr> <td>Mono-Pine</td> <td>80 feet</td> </tr> </tbody> </table>	Type of Structure	Maximum Height	Mono-Broadleaves	60 feet	Mono-Elm	60 feet	Mono-Eucalyptus	80 feet	Mono-Palm	65 feet	Mono-Pine	80 feet	
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<p>Section 8107-45.4 (g)(1)(2), Setbacks:</p> <p>(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.</p> <p>(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.</p>	<p>Yes. The WCF meets the front, side, and rear yard setbacks for the AE zone. There are no offsite dwelling units within 55 feet of the WCF.</p>												
<p>Section 8107-45.4 (h), Retention of Concealment Elements:</p> <p>No modification to an existing wireless communication facility shall defeat concealment elements of the permitted facility. Concealment elements are defeated if any of the following occur:</p> <p>(1) A stealth facility is modified to such a degree that it results in a non-stealth facility; or</p> <p>(2) The stealth facility no longer meets the applicable development standards for stealth facilities in Sec. 8107-45.4; or</p> <p>(3) Equipment and antennas are no longer concealed by the permitted stealth design features; or</p> <p>(4) Proposed modifications to a stealth facility, designed to represent a commonly found element in the environment or community (such as a tree, rock, or building), result in a facility that no longer resembles the commonly found element due to its modified height, size, or design.</p>	<p>Yes. This is an existing WCF. The proposed physical changes, including the addition of faux palm fronds on the WCF tower and installation of faux ivy screening fabric on the existing fenced equipment enclosure, will better conceal the WCF from public viewpoints.</p>												
<p>Section 8107-45.4 (i)(4), Standards for Faux Trees</p> <p>(a) Shall incorporate a sufficient amount of “architectural branches” (including density and vertical height) and design material so that the structure is as natural in appearance as technically feasible.</p> <p>(b) Shall be the same type of tree or a tree type that is compatible (i.e. similar in color, height, shape, etc.) with existing trees in the surrounding area (i.e. within approximately a 150 foot radius of the proposed facility location). If there are no existing trees within the surrounding area, the vicinity of the facility shall be landscaped with newly planted trees. The trees should be compatible with the faux tree design, and be of a type and size that would be expected to reach 75 percent of the faux</p>	<p>Yes.</p> <p>(a) The WCF is designed as a faux palm tree. The proposed project is conditioned to require the installation of new palm fronds that will ensure the WCF has a more natural appearance (Exhibit 6, Condition No. 19).</p> <p>(b) The proposed project is conditioned to require the installation of additional</p>												

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p>tree's height within five (5) years. (Also see Sec. 8107-45.4(q) for additional information on landscaping.)</p> <p>(c) Shall not exceed the maximum height limits established for faux trees stated in Sec. 8107-45.4(f)(4)(b).</p> <p>(d) Shall include antennas and antenna support structures colored to match the components (i.e. branches and leaves) of the proposed artificial tree.</p> <p>(e) New trees required as part of a landscape plan for a faux tree shall be a minimum size of 36-inch box to help ensure survival of the tree. Palm trees shall have a minimum brown trunk height of 16 feet.</p>	<p>palm trees that are to reach a height of 41 feet within 5 years of planting (Exhibit 6, Condition No. 20).</p> <p>(c) The existing WCF is 55 feet in height, compliant with the height limits established in Sec. 8107-45.4(f)(4)(b).</p> <p>(d) The antennas and support structures are colored to match the components of the faux palm tree.</p> <p>(e) The proposed project is conditioned to require that the new palm trees meet the planting specifications outlined in Sec. 8107-45.4(i)(4)(e) (Exhibit 6, Condition No. 20).</p>
<p>Section 8107-45.4 (j). Historical Landmarks/Sites of Merit:</p> <p>A wireless communication facility shall not be constructed, placed, or installed on a structure, site or district designated by a federal, state, or County agency as an historical landmark or site of merit unless that facility is designed to meet the Secretary of the Interior (SOI) Standards. If the facility does not meet the SOI standards, then the Cultural Heritage Board must determine that the proposed facility will have no significant, adverse effect on the historical resource.</p>	<p>Yes. The WCF is not constructed or installed on a structure, site, or district designated by a federal, state, or County agency as a historical landmark or site of merit.</p>
<p>Section 8107-45.4 (k)(1), Environmentally Sensitive Areas:</p> <p>(1) All wireless communication facilities and their accessory equipment shall be sited and designed to avoid or minimize impacts to habitat for special status species, sensitive plant communities, migratory birds, waters and wetlands, riparian habitat, and other environmentally sensitive areas as determined by the County's Initial Study Assessment Guidelines.</p>	<p>Yes. The WCF is not located within an environmentally sensitive area.</p>
<p>Section 8107-45.4 (n), Accessory Equipment:</p> <p>All accessory equipment associated with the operation of a wireless communication facility shall be located and screened to prevent the facility from being prominently visible from a public viewpoint to the maximum extent feasible.</p>	<p>Yes. The proposed project is conditioned to require the installation of faux-ivy screening material on the fenced accessory equipment enclosure to screen the WCF from public viewpoints (Exhibit 6, Condition No. 19).</p>
<p>Section 8107-45.4 (o), Colors and Materials:</p>	<p>Yes. All colors and materials used for the WCF blend in with</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p>All wireless communication facilities shall use materials and colors that blend in with the natural or man-made surroundings. Highly reflective materials are prohibited.</p>	<p>the natural surroundings. There are no reflective materials.</p>
<p>Section 8107-45.4 (p), Noise:</p> <p>All wireless communication facilities shall be operated and maintained to comply at all times with the noise standards outlined in Section 2.16 of the Ventura County General Plan Goals, Policies, and Programs.</p>	<p>Yes. The WCF is always operated and maintained to comply with the Ventura County noise standards.</p>
<p>Section 8107-45.4 (q), Landscaping and Screening:</p> <p>The permittee shall plant, irrigate and maintain additional landscaping during the life of the permit when landscaping is deemed necessary to screen the wireless communication facility from being prominently visible from a public viewpoint. New landscaping shall not incorporate any invasive species or watch species, as defined by the California Invasive Plant Council (Cal-IPC) and shall be in conformance with Section 8106-8.2.5. (AM. ORD. 4577 – 3/9/21)</p>	<p>Yes. The proposed project is conditioned to require the installation of additional palm trees that will effectively screen the WCF from public viewpoints (Exhibit 6, Condition No. 20).</p>
<p>Section 8107-45.4 (r), Security:</p> <ol style="list-style-type: none"> (1) Each facility shall be designed to prevent unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous situations or visual blight. The approving authority may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism. (2) All fences shall be constructed of materials and colors that blend in with the existing setting. The use of a chain link fence is prohibited within areas designated as Urban and Existing Community in the General Plan, and areas that are prominently visible from a public viewpoint, unless the chain link fence is fully screened. 	<p>Yes. The WCF is located within a secure, chain-link, fenced enclosure and includes signage deterring access. The proposed project is conditioned to require the installation faux-ivy screening material on the fenced accessory equipment enclosure to screen the WCF from public viewpoints (Exhibit 6, Condition No. 19).</p>
<p>Section 8107-45.4 (s), Lighting:</p> <ol style="list-style-type: none"> (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. 	<p>Yes. The WCF is not illuminated.</p>
<p>Section 8107-45.4 (t), Signage:</p> <p>A permanent, weather-proof identification sign, subject to Planning Director approval, shall be displayed in a prominent location such as on the gate or fence surrounding the wireless communication facility or directly on the facility. The sign must identify the facility operator(s) and type of use, provide the operator’s address,</p>	<p>Yes. The site includes signage indicating all necessary information related to the operation of the facility.</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
FCC-adopted standards, and specify a 24-hour telephone number at which the operator can be reached during an emergency.	
<p>Section 8107-45.4 (u), Access Roads:</p> <p>(1) Where feasible, wireless communication facility sites shall be accessed by existing public or private access roads and easements.</p> <p>(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.</p>	<p>Yes. The site is accessed by an unpaved dirt access road connected to Rice Avenue / Pacific Coast Highway.</p>

E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings to approve an application for 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 Section D and Exhibit 5 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 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].

Development to the north and east of the project site is comprised of similar sites with agricultural operations and related structures. Development to the south and west of the project site is located in the City of Oxnard and comprised of residential uses. The WCF would continue to provide wireless telecommunication services to the surrounding area and remain compatible with the neighboring land uses. No land use conflicts would occur with the continued use of the existing WCF. Furthermore, the proposed project is conditioned to require modifications to the WCF and landscaping that will better camouflage the WCF from public viewpoints (Exhibit 6, Condition Nos. 19, 20).

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

3. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses [Section 8111-1.2.1.1.c].

The WCF does not generate substantial noise or pose a health threat. No adverse effect on neighboring property or uses has been identified. Additionally, the project is conditioned to require the Permittee to identify a contact person for the timely resolution of complaints (Exhibit 6, Condition Nos. 14, 15).

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

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

No adverse effect on the use of the surrounding properties has been identified. In any case, the Permittee will be required to identify a contact person for the timely resolution of complaints (Exhibit 6, Condition Nos. 14, 15). Additionally, the proposed project will include conditions of approval to ensure that the proposed use, storage, and handling of hazardous materials will be in conformance with all applicable County and state regulations (Exhibit 6, Condition No. 22).

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

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

The existing WCF is compatible with the surrounding agricultural and residential land uses. Designed as a faux palm tree, the WCF blends in with palm trees in the surrounding area. Furthermore, the proposed project is conditioned to require the installation of additional palm trees to better screen the WCF from public viewpoints on Oxnard Boulevard and Rice Avenue / Pacific Coast Highway (Exhibit 6, Condition No. 20). No new effects on existing or potential land uses would occur with the issuance of this CUP.

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

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

The subject lot is shown as Parcel 1 on a Parcel Map recorded in Book 61, Page 55 of Parcel Maps in the Office of the County Recorder of Ventura County.

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

7. The proposed development is approved in accordance with the California Environmental Quality Act and all other applicable laws.

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

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

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

There are no proposed operational or physical changes with this project that would reduce, restrict, or adversely affect agricultural resources in the area.

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 existing WCF occupies a small portion of the subject site, a 361 square-foot lease area on a 30.5-acre property. The WCF is sited near the southwestern property line and Oxnard Boulevard where agricultural activities are limited. There are no proposed operational or physical changes that would affect agricultural activities on-site or in the area.

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].

No land for agricultural production will be removed as part of this project.

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 February 16, 2023, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located. On February

16, 2023, 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 Oxnard Area of Interest. On September 21, 2023, the County of Ventura Planning Division notified the City of Oxnard of the project and requested the City of Oxnard to provide written comment. As of the date of this hearing, no comments have been received from the City of Oxnard.

G. RECOMMENDED ACTIONS

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

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto and has considered all comments received during the public comment process.
2. **FIND** that this project is categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.
3. **MAKE** the required findings to grant a CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record.
4. **APPROVE** the application for a CUP (Case No. PL23-0101), subject to the conditions of approval (Exhibit 6).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location of the documents and materials that constitute the record of proceedings upon which this decision is based.

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

If you have any questions concerning the information presented above, please contact AJ Bernhardt at (805) 654-3136 or AJ.Bernhardt@ventura.org.

Prepared by:



AJ Bernhardt, Case Planner
Commercial/Industrial Permits Section
Ventura County Planning Division

Reviewed by:



Susan Curtis, Assistant Director
Ventura County Planning Division

EXHIBITS

- Exhibit 2 Maps
- Exhibit 3 Site Plans
- Exhibit 4 Photo Simulations
- Exhibit 5 General Plan Consistency Analysis
- Exhibit 6 Conditions of Approval

County of Ventura
 Planning Director Hearing
 Case No. PL23-0101
 Exhibit 2 - Maps



Legend

PL23-0101

APN: 225-0-011-100

Agricultural Exclusive

General Plan

Zone Designation



Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map Created on 1-29-2024
 This aerial imagery is under the
 copyrights of Pictometry
 Source: Pictometry, 2019



County of Ventura
 Planning Director Hearing
 Case No. PL23-0101
 Exhibit 2 - Maps

0 187.5 375 Feet

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



**County of Ventura
 Planning Director Hearing
 Case No. PL23-0101
 Exhibit 2 - Maps**



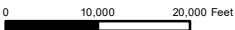
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map created on 1-29-2024



**County of Ventura
 Planning Director Hearing
 APN: 225-0-011-100
 PL23-0101
 Location Map**



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

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Planning Director Hearing
Case No. PL23-0101
Exhibit 2 - Maps



225-0-011-100



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 1-29-2024
Source: Vexcel 2022



County of Ventura
Planning director Hearing
APN: 225-0-011-100
PL23-0101
Aerial Photography



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SITE NAME: P.V. FLOWERS
SITE TYPE: MONOPALM
TOWER HEIGHT: 55'-0"

BUSINESS UNIT #: 881039
SITE ADDRESS: 2400 E. CHANNEL ISLANDS BLVD.
 OXNARD, CA 93033
COUNTY: VENTURA
JURISDICTION: COUNTY OF VENTURA

JURISDICTIONAL APPROVAL:

CROWN CASTLE
 1505 WESTLAKE AVENUE NORTH, SUITE 800
 SEATTLE, WA 98109

TEL CYTE
 INFRASTRUCTURE SERVICES
 3450 N HIGLEY RD - SUITE 102,
 MESA, AZ 85215

BU #: 881039
P.V. FLOWERS
2400 E. CHANNEL ISLANDS BLVD.
OXNARD, CA 93033
EXISTING 55'-0" MONOPALM

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES./QA
0	08/08/23	NP	CUP RENEWAL	JD
1	01/17/24	JD	CLIENT REVISIONS	CW

SITE INFORMATION

CROWN CASTLE USA INC. SITE NAME: P.V. FLOWERS
 SITE ADDRESS: 2400 E. CHANNEL ISLANDS BLVD. OXNARD, CA 93033
 COUNTY: VENTURA
 MAP/PARCEL #: 225-0-011-100
 AREA OF CONSTRUCTION: EXISTING
 LATITUDE: 34° 10' 3.50" N (34.167639°)
 LONGITUDE: 119° 8' 49.50" W (-119.147083°)
 LAT/LONG TYPE: NAD83
 GROUND ELEVATION: 34'
 CURRENT ZONING: AE
 JURISDICTION: COUNTY OF VENTURA
 OCCUPANCY CLASSIFICATION: U
 TYPE OF CONSTRUCTION: IIB
 A.D.A. COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION
 PROPERTY OWNER: THE ZWINKELS TRUST
 3185 CALLE DE DEBASA CAMARILLO, CA 93010
 TOWER OWNER/APPLICANT: CROWN CASTLE
 200 SPECTRUM CENTER DRIVE, SUITE 1700 & 1800 IRVINE, CA 92618
 ELECTRIC PROVIDER: SCE
 800-655-4555
 TELCO PROVIDER: TIME WARNER CABLE
 855-860-9068

DRAWING INDEX

SHEET #	SHEET DESCRIPTION
T-1	TITLE SHEET
C-1.1	OVERALL SITE PLAN
C-1.2	SITE PLAN
C-2	EXISTING ELEVATION
C-3	EXISTING ANTENNA PLAN & SCHEDULE

ALL DRAWINGS CONTAINED HEREIN ARE FORMATTED FOR 22X34. CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

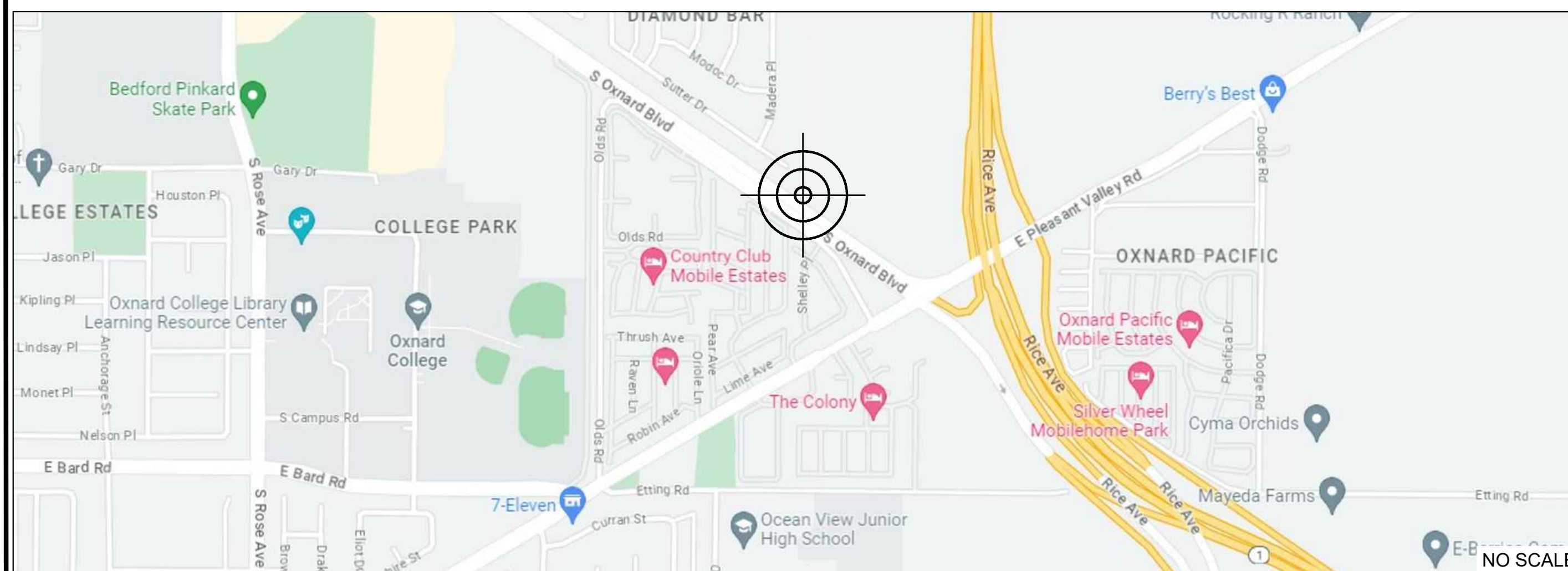
PROJECT DESCRIPTION

CROWN CASTLE PROPOSES TO RENEW THE USE PERMIT FOR AN EXISTING WIRELESS COMMUNICATION FACILITY.

- NO CHANGES ARE PROPOSED TO THE PROJECT.

NOTE:
 PRIOR TO ACCESSING/ENTERING THE SITE YOU MUST CONTACT THE CROWN NOC AT (800) 788-7011 & CROWN CONSTRUCTION MANAGER

LOCATION MAP



GET ON CA-1 N/S SEPULVEDA BLVD 1.0 MI/ HEAD SOUTH 0.7 MI/ SLIGHT RIGHT ONTO WORLD WAY 253 FT/ TURN RIGHT ONTO W CENTURY BLVD 0.1 MI/ TAKE THE RAMP ONTO CA-1 N/S SEPULVEDA BLVD 0.1 MI/ MERGE ONTO CA-1 N/S SEPULVEDA BLVD 0.5 MI/ GET ON I-405 N IN CULVER CITY FROM S SEPULVEDA BLVD 4.5 MI/ KEEP RIGHT TO CONTINUE ON S SEPULVEDA BLVD/PASS BY IHOP (ON THE RIGHT IN 0.6 MI) 3.1 MI/ SLIGHT LEFT AFTER U.S. BANK BRANCH (ON THE LEFT)/PASS BY 7-ELEVEN (ON THE RIGHT IN 0.8 MI) 1.0 MI/ TURN LEFT ONTO CULVER BLVD 0.1 MI/ TURN RIGHT TO MERGE ONTO I-405 N 0.2 MI/ DRIVE FROM CA-1 N TO OXNARD. TAKE EXIT 112 FROM CA-1 N 48.7 MI/ MERGE ONTO I-405 N 1.6 MI/ USE THE 2ND FROM THE RIGHT LANE TO TAKE THE EXIT TOWARD I-10 W 0.1 MI/ KEEP LEFT AT THE FORK, FOLLOW SIGNS FOR WEST SANTA MONICA/I-10 W AND MERGE ONTO I-10 W 3.9 MI/ CONTINUE ONTO CA-1 N 42.3 MI/ TAKE EXIT 112 TOWARD PLEASANT VALLEY RD 0.7 MI/ DRIVE TO S OXNARD BLVD 0.4 MI/ USE THE MIDDLE LANE TO TURN LEFT ONTO E PLEASANT VALLEY RD 0.1 MI/ TURN RIGHT ONTO S OXNARD BLVD/DESTINATION WILL BE ON THE RIGHT 0.3 MI

APPLICABLE CODES/REFERENCE DOCUMENTS

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

CODE TYPE	CODE
BUILDING	2022 CBC (2018 IBC W/AMMENDMENTS)
MECHANICAL	2022 CMC (2018 IMC W/AMMENDMENTS)
ELECTRICAL	2022 CEC (2017 NEC W/AMMENDMENTS)
FIRE	2022 CFC (2018 IFC W/AMMENDMENTS)

County of Ventura
 Planning Director Hearing
 Case No. PL23-0101
 Exhibit 3 - Site Plans

County of Ventura
 Planning Director Hearing
 Case No. PL23-0101
 Exhibit 3 - Site Plans

CALL CALIFORNIA ONE CALL
 (800) 227-2600
 CALL 3 WORKING DAYS
 BEFORE YOU DIG!



SHEET NUMBER: REVISION:

T-1

1

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.



SITE PLAN DISCLAIMER:
 PROPERTY LINES AND STRUCTURES HAVE BEEN DIGITIZED FROM GOOGLE MAPS. CROWN CASTLE USA INC. HAS NOT COMPLETED A SITE SURVEY AND THEREFORE MAKES NO CLAIMS AS TO THE ACCURACY OF INFORMATION DEPICTED ON THIS SHEET.

JURISDICTIONAL APPROVAL:

CROWN CASTLE
 1505 WESTLAKE AVENUE NORTH, SUITE 800
 SEATTLE, WA 98109

TELCYTE
 INFRASTRUCTURE SERVICES
 3450 N HIGLEY RD - SUITE 102,
 MESA, AZ 85215

BU #: 881039
P.V. FLOWERS
 2400 E. CHANNEL ISLANDS BLVD.
 OXNARD, CA 93033
 EXISTING 55'-0" MONOPALM

ISSUED FOR:

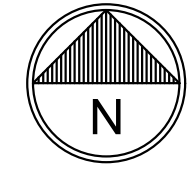
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0	08/08/23	NP	CUP RENEWAL	JD
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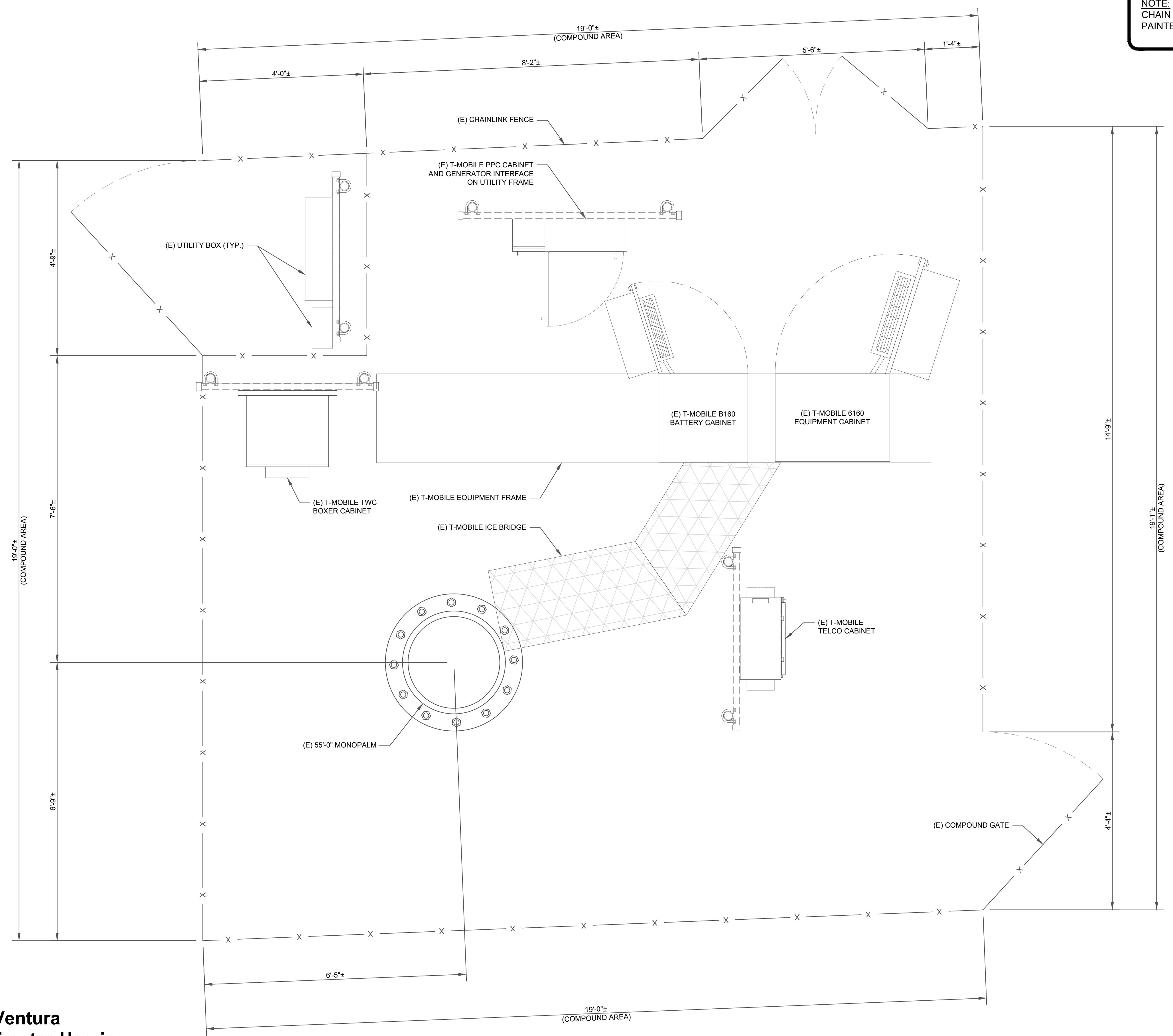
SHEET NUMBER: C-1.1
REVISION: 1

County of Ventura
Planning Director Hearing
Case No. PL23-0101
Exhibit 3 - Site Plans

1 OVERALL SITE PLAN
 SCALE: 1" = 80'-0" (FULL SIZE)
 1" = 160'-0" (11x17)



NOTE:
CHAIN LINK FENCE WILL HAVE SLATS
PAINTED GREEN BEHIND FAUX IVY



JURISDICTIONAL APPROVAL:

CROWN CASTLE
1505 WESTLAKE AVENUE NORTH, SUITE 800
SEATTLE, WA 98109

TELCYTE
INFRASTRUCTURE SERVICES
3450 N HIGLEY RD - SUITE 102,
MESA, AZ 85215

BU #: 881039
P.V. FLOWERS
2400 E. CHANNEL ISLANDS BLVD.
OXNARD, CA 93033
EXISTING 55'-0" MONOPALM

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES./QA
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1	01/17/24	JD	CLIENT REVISIONS	CW

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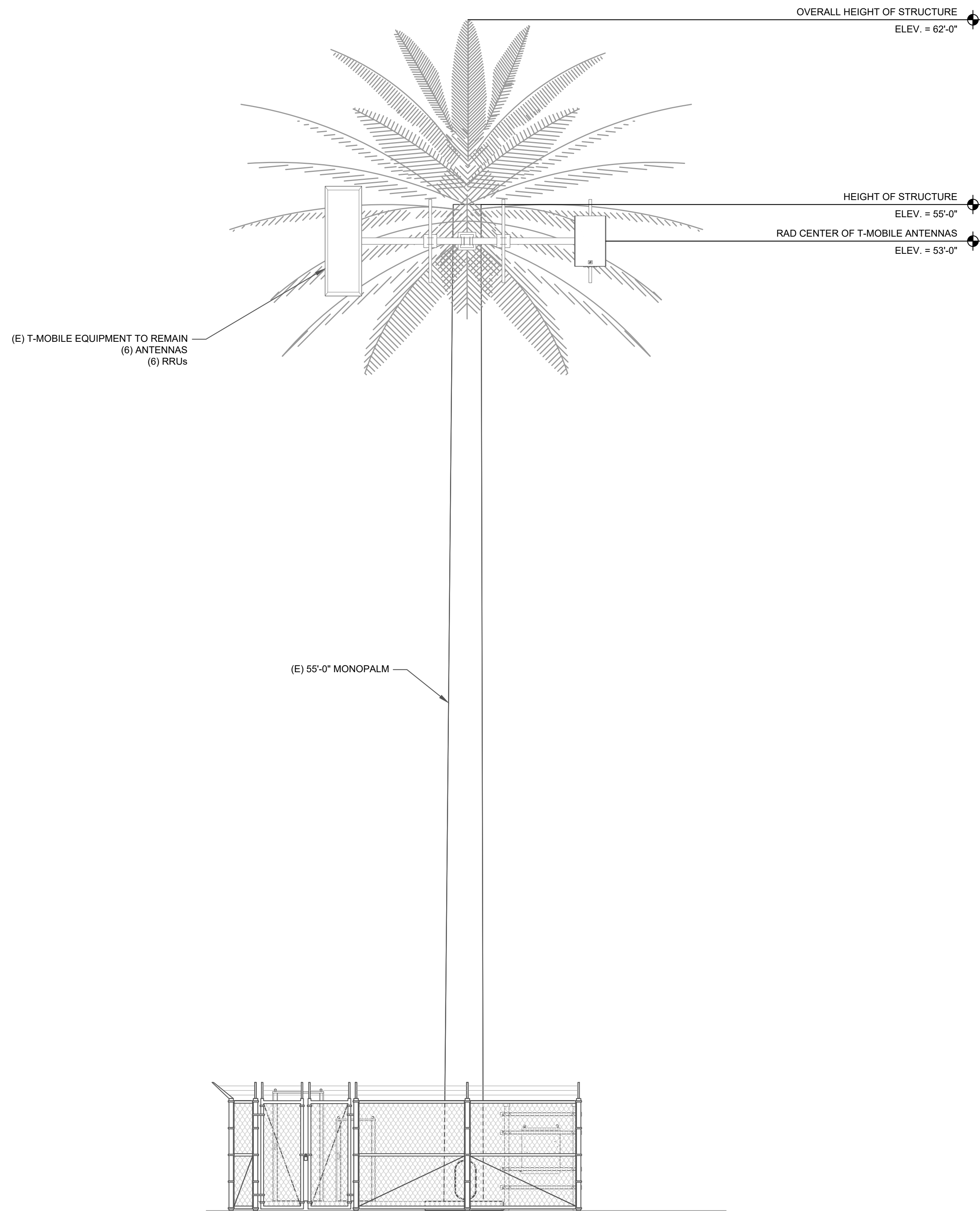
SHEET NUMBER: **C-1.2** REVISION: **1**

County of Ventura
Planning Director Hearing
Case No. PL23-0101
Exhibit 3 - Site Plans

1 SITE PLAN
SCALE: 3/4"=1'-0" (FULL SIZE)
3/8"=1'-0" (11x17)

NOTES:

- CHAIN LINK FENCE WILL HAVE SLATS PAINTED GREEN BEHIND FAUX IVY
- PALM FRONDS TO BE REPLACED WITH NEW BRANCHES



1 EXISTING NORTH ELEVATION
 SCALE: 3/8"=1'-0" (FULL SIZE)
 3/16"=1'-0" (11x17)

County of Ventura
 Planning Director Hearing
 Case No. PL23-0101
 Exhibit 3 - Site Plans

JURISDICTIONAL APPROVAL:

CROWN CASTLE
 1505 WESTLAKE AVENUE NORTH, SUITE 800
 SEATTLE, WA 98109

TELCYTE
 INFRASTRUCTURE SERVICES
 3450 N HIGLEY RD - SUITE 102,
 MESA, AZ 85215

BU #: 881039
P.V. FLOWERS
 2400 E. CHANNEL ISLANDS BLVD.
 OXNARD, CA 93033
 EXISTING 55'-0" MONOPALM

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/OA
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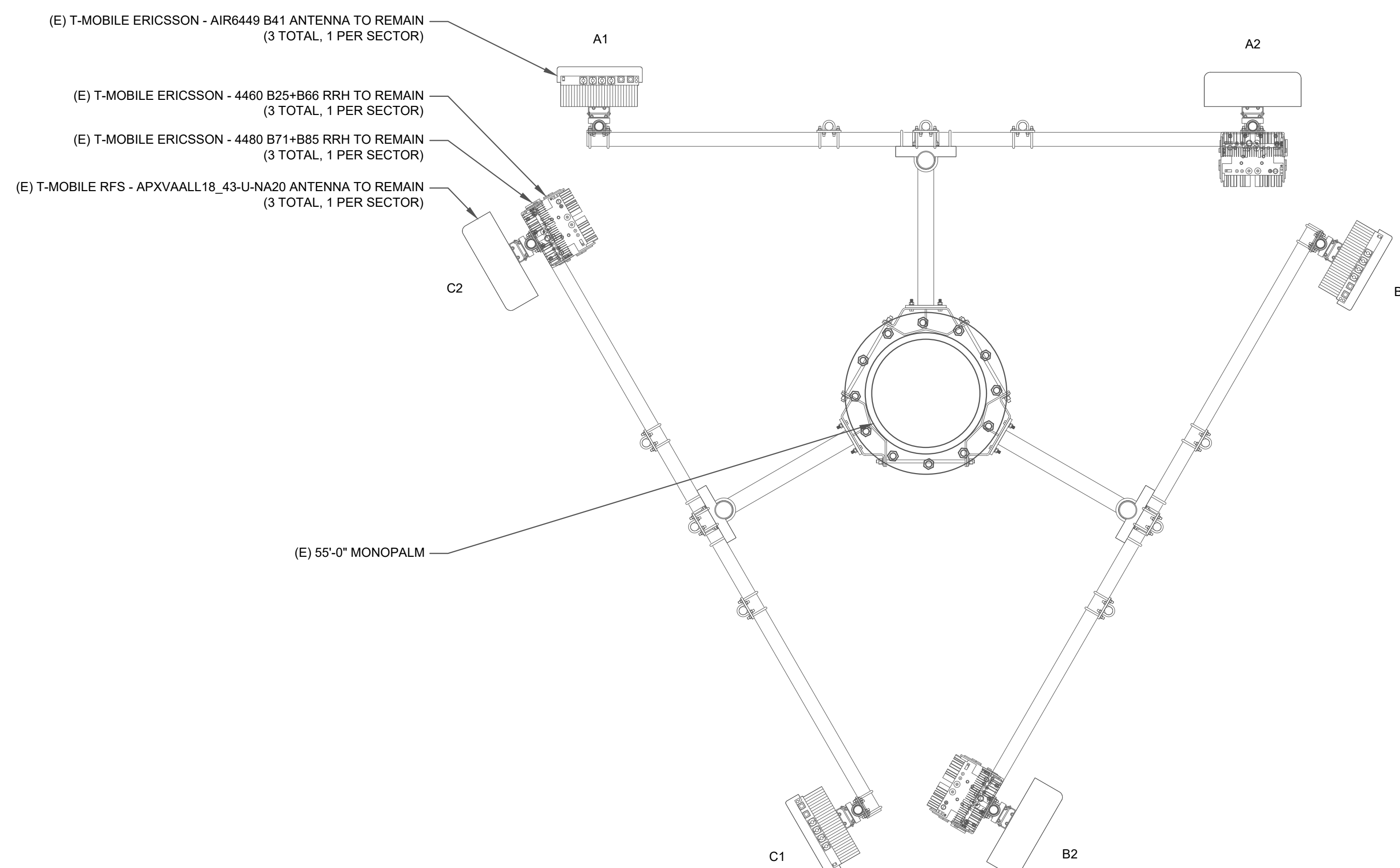
C-2

REVISION:

1

EQUIPMENT SCHEDULE

ALPHA															
POSITION	ANTENNA				RADIO			TMA		SURGE PROTECTION		CABLES			
	CARRIER	STATUS/MANUFACTURER MODEL	AZIMUTH	RAD CENTER	QTY.	STATUS/MODEL	LOCATION	QTY.	STATUS	QTY.	STATUS/MODEL	QTY.	STATUS/TYPE	SIZE	LENGTH
A1	T-MOBILE	(E) ERICSSON - AIR6449 B41	0°	53'-0"	-	-	-	-	-	-	-	-	-	-	
A2	T-MOBILE	(E) RFS - APXVAALL18_43-U-NA20	0°	53'-0"	1	(E) ERICSSON - 4460 B25+B66	TOWER	-	-	-	-	1	HCS CABLE	4AWG	40M
					1	(E) ERICSSON - 4480 B71+B85	TOWER	-	-	-	-	-	-	-	-
BETA															
B1	T-MOBILE	(E) ERICSSON - AIR6449 B41	120°	53'-0"	-	-	-	-	-	-	-	-	-	-	
B2	T-MOBILE	(E) RFS - APXVAALL18_43-U-NA20	120°	53'-0"	1	(E) ERICSSON - 4460 B25+B66	TOWER	-	-	-	-	1	HCS CABLE	4AWG	40M
					1	(E) ERICSSON - 4480 B71+B85	TOWER	-	-	-	-	-	-	-	-
GAMMA															
C1	T-MOBILE	(E) ERICSSON - AIR6449 B41	240°	53'-0"	-	-	-	-	-	-	-	-	-	-	
C2	T-MOBILE	(E) RFS - APXVAALL18_43-U-NA20	240°	53'-0"	1	(E) ERICSSON - 4460 B25+B66	TOWER	-	-	-	-	1	HCS CABLE	4AWG	40M
					1	(E) ERICSSON - 4480 B71+B85	TOWER	-	-	-	-	-	-	-	-



**County of Ventura
 Planning Director Hearing
 Case No. PL23-0101
 Exhibit 3 - Site Plans**

1 EXISTING SPRINT ANTENNA PLAN @33'-0"
 SCALE: 1/2"=1'-0" (FULL SIZE)
 1/4"=1'-0" (11x17)

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 SEATTLE, WA 98109

TELCYTE
 INFRASTRUCTURE SERVICES
 3450 N HIGLEY RD - SUITE 102,
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SHEET NUMBER:

C-3

REVISION:

1



County of Ventura
Planning Director Hearing
Case No. PL23-0101
Exhibit 4 - Photo Simulations



EXISTING



PROPOSED

LOOKING NORTHWEST FROM CHANNEL ISLANDS BOULEVARD

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



County of Ventura
 Planning Director Hearing
 Case No. PL23-0101
 Exhibit 4 - Photo Simulations



EXISTING



PROPOSED

LOOKING NORTHEAST FROM CHANNEL ISLANDS BOULEVARD



County of Ventura
Planning Director Hearing
Case No. PL23-0101
Exhibit 4 - Photo Simulations



EXISTING



PROPOSED LOOKING SOUTHWEST FROM SITE



Exhibit 5 – 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 FOR CROWN CASTLE WIRELESS COMMUNICATION FACILITY: P.V. FLOWERS (CASE NO. PL23-0101)

The 2040 Ventura County General Plan (2020, page 1-1) states:

California law requires that every county and city adopt a general plan “for the physical development of the county or city, and of any land outside its boundaries which in the planning agency’s judgment bears relation to its planning.” (Gov. Code, § 65300.) A general plan serves as the jurisdiction’s “constitution” or “blueprint” for future decisions concerning a variety of issues including land use, health and safety, and resource conservation. 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.

The project includes a request for a Conditional Use Permit (CUP) to authorize the modification and continued operation of an existing Wireless Communication Facility (WCF) for a 10-year period (Case No. PL23-0101).

Evaluated below is the consistency of the proposed project with the applicable policies of the 2040 General Plan.

- 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.*

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.*

County of Ventura
Planning Director Hearing
Case No. PL23-0101
Exhibit 5 - General Plan Consistency Analysis

The proposed project consists of the modification and continued operation of an existing WCF. The WCF occupies a small portion of the subject site, a 361 square-foot lease area on a nearly 30.5-acre property predominately used for agriculture. Additionally, the WCF is fenced and sited near the southwest property line and Oxnard Boulevard where there are no agricultural activities occurring. Furthermore, physical modifications are limited to minor cosmetic improvements that will better camouflage the WCF from public viewpoints. These modifications, including the addition of faux palm fronds on the WCF tower and installation of faux ivy screening fabric on the existing fenced equipment enclosure, will not impact agricultural activities on the subject site or adjacent properties.

Based on the discussion above, the project is consistent with General Plan Policies AG-1.2, AG-2-1, and LU-6.1.

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

The subject site is zoned Agricultural Exclusive (AE). Development to the north and east of the project site is comprised of similar sites with agricultural operations and related structures. Development to the south and west of the project site is located in the City of Oxnard and comprised of residential uses. The WCF would continue to provide wireless telecommunication services to the surrounding area and remain compatible with the neighboring land uses. No land use conflicts would occur with the continued use of the existing WCF. Furthermore, the proposed project is conditioned to require modifications to the WCF and installation of landscaping that will better camouflage the WCF from public viewpoints (Exhibit 6, Condition Nos. 19, 20). The site is accessed by an unpaved dirt access road connected to Rice Avenue / Pacific Coast Highway. No water is required for this proposed project.

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

- 3. HAZ-5.2 Hazardous Materials and Waste Management Facilities:** *The County shall require discretionary development involving facilities and operations which may potentially utilize, store, and/or generate hazardous materials and/or wastes be located in areas that would not expose the public to a significant risk of injury, loss of life, or property damage and would not disproportionately impact Designated Disadvantaged Communities.*

The Department of Environmental Health (EHD) reviewed the project application. Pursuant to EHD's recommendation, the CUP for the WCF would be subject to a condition of approval to require that the storage, handling, and disposal of any

potentially hazardous material shall be in compliance with applicable state regulations (Exhibit 6, Condition No. 22).

Based on the discussion above, the project is consistent with General Plan Policy HAZ-5.2.

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

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

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 County area, including access to high quality cellular mobile communications. The continued use of the facility ensures that residents and businesses in the coverage area receive a high quality of service.

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

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

The WCF is adjacent to Pacific Coast Highway, an Eligible State Scenic Highway. The WCF is designed as a faux palm tree, designed to blend in with the palm trees in the surrounding area. Additionally, the proposed project is conditioned to require modifications to the WCF and installation of landscaping that will better camouflage the WCF from public viewpoints along the Pacific Coast Highway (Exhibit 6, Condition Nos. 19, 20).

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

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP) CASE NO. PL23-0101 FOR CROWN CASTLE: P.V. FLOWERS WIRELESS COMMUNICATION FACILITY (WCF) (FORMERLY CUP CASE NO. CUP 5206 AND LU12-0041)

Planning Division Conditions

1. **Project Description**

This Conditional Use Permit is (CUP) is based on and limited to compliance with the project description stated in this condition below, Exhibits 2, 3, 4, 5 and 6 of the Planning Director hearing on February 29, 2024, 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 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 CUP and applicable law.

The Project description is as follows:

This CUP authorizes the modification and continued operation of an existing WCF for a 10-year period (Case No. PL23-0101). The existing WCF is designed as a 55-foot stealth faux palm tree with a 361 square-foot-fenced accessory equipment enclosure. The proposed modifications include:

1. Installation of new faux palm fronds on the existing WCF tower to better conceal the antennas from public viewpoints.
2. Installation of faux ivy screening fabric on the existing fenced accessory equipment enclosure to better conceal the accessory equipment from public viewpoints.

The WCF is unmanned, except for occasional periodic maintenance visits, and would continue to operate 24 hours per day. The WCF does not require water to operate. The site is accessed by an unpaved dirt access road connected to Rice Avenue / Pacific Coast Highway.

2. **Site Maintenance**

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

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

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

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

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

3. CUP Modification

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

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

4. 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 for use inauguration to initiate the land uses described in Condition No. 1.
 2. This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year from the date the approval decision of this CUP becomes effective (Ventura County Non-Coastal Zoning Ordinance § 8111-4.7). The Planning Director may grant a one-year extension of time to the Permittee to obtain the Zoning Clearance for use inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the time extension in writing at least 30 days prior to the one-year expiration date.
 3. Prior to the issuance of the Zoning Clearance for use inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date, or the County may revoke this CUP.
- b. Permit Life or Operations Period: This CUP will expire on [REDACTED]. 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 [REDACTED]; 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. Documentation Verifying Compliance with Other Agencies' Requirements Related to this CUP

Purpose: To ensure compliance with, and notification of, federal, state, and/or local government regulatory agencies that have requirements that pertain to the Project (Condition No. 1, above) that is the subject of this CUP.

Requirement: Upon the request of the Planning Director, the Permittee shall provide the Planning Division with documentation (e.g., copies of permits or agreements from other agencies, which are required pursuant to a condition of this CUP) to verify that the Permittee has obtained or satisfied all applicable federal, state, and local entitlements and conditions that pertain to the Project.

Documentation: The Permittee shall provide this documentation to Planning Division staff in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division Project file.

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

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Permittee in the respective Project file. If the federal, state, or local government regulatory agency prepares new documentation due to changes in the Project or the other agency's requirements, then 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 present to the Planning Division staff copies of the notification(s) of 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 purpose of this condition is to notify 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 for the property that is subject to this CUP.

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

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

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

9. Financial Responsibility for Compliance Monitoring and Enforcement

- a. Cost Responsibilities: The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Non-Coastal Zoning Ordinance (§ 8114-3) related to this CUP. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and

at the contract rates of County-retained consultants, in effect at the time the costs are incurred.

- b. Pursuant to the requirements of CUP 5206, the Resource Management Agency created Condition Compliance Case No. CC06-0117 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding CUP 5206. The Planning Division will continue to use Condition Compliance Case No. CC06-0117 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. CC06-0117, 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.

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, 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 10.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 the 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. Invalidation of Condition(s)

If any of the conditions or limitations of this CUP are held to be invalid in whole or in part by a court of competent jurisdiction, that holding shall not invalidate any of the remaining CUP conditions or limitations. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee in an action filed in a court of competent jurisdiction, or threatened to be filed therein, the Permittee shall be required to fully comply with this CUP, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This CUP shall continue in full force unless, until, and only to the extent invalidated by a final, binding judgment issued in such action.

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, at the discretion of the Planning Director, the Planning Director may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Director shall make the determination of adequacy. If the Planning Director cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

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

No condition of this CUP for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules, or regulations, or orders of an authorized governmental agency. Neither the approval of this CUP nor compliance with the conditions of this CUP shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

The Permittee shall obtain a business tax certificate and regulatory licenses for the operation of the WCF.

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, 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 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.
- 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. 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 final notice once the transfer of ownership and/or operational control has occurred.

Documentation: The initial notice must be submitted with the new Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP.

Timing: The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.

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

17. 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 Project Site.

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 Project file.

18. Removal of Facility upon Abandonment of Use or Expiration of Permit

Purpose: In compliance with § 8111-2.8 and § 8111-8.1 of the Ventura County Non-Coastal Zoning Ordinance and 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.
- 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.

If the Permittee fails to perform the required actions, then the Property Owner shall be responsible for complying with this condition. The facility shall be considered “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.

19. Required Improvements for CUP / Color/Material/Manufacture Specifications

Purpose: To ensure that buildings and structures comply with the development standards of the NCZO and Ventura County General Plan Policy COS-3.1.

Requirement: The Permittee shall:

- a. Construct and maintain the exterior surfaces of all buildings and structures of the communication facility using building materials and colors that are compatible with surrounding terrain (e.g., earth tones and non-reflective paints).
- b. Provide the manufacturer’s specifications and model numbers of all tower, antenna, and ancillary equipment (e.g., batteries, equipment in cabinets, GPS, and antennae) on all development plans.
- c. Construct and maintain the site in compliance with the approved plans and photo-simulations.
- d. Provide photos to the Planning Division for review and approval to verify that the facility is constructed in compliance with the approved plans, photo simulations, and materials sample/color board.

Documentation: The Permittee shall provide plans, photo simulations, a materials sample/color board, and photos of the constructed WCF to the Planning Division for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall provide plans, photo simulations, and a materials sample/color board for the Planning Division's review and approval. Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall provide the photo documentation described above for the Planning Division's review and approval.

Monitoring and Reporting: The Planning Division maintains copies of the approved plans, photo simulations, materials sample/color board, and photos described above 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 NCZO.

20. Landscaping and Screening

Purpose: To comply with the County's landscaping and screening requirements for WCFs set forth in Sec. 8107-45 of the Ventura County Non-Coastal Zoning Ordinance.

Requirement: The Permittee shall prepare a landscape plan and install landscaping that complies with the requirements of this condition and the California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELO).

Landscaping and Screening Objectives: The Permittee must install and maintain landscaping and screening that serves the following functions:

1. Screens undesirable views, incompatible land uses, or uses in natural settings. The Permittee shall install landscaping, including additional palm trees, to screen the Wireless Communication Facility from public viewpoints along Oxnard Boulevard and Rice Avenue / Pacific Coast Highway. The new palm trees shall reach a height of 41 feet within 5 years of planting (75% percent of the height of the WCF). Additionally, the new palm trees shall be a minimum size of 36-inch box and have a minimum brown trunk height of 16 feet.
2. Provides visual integration. The Permittee shall install landscaping, including additional palm trees, that blends the Wireless Communication Facility with the surrounding palm trees along Oxnard Boulevard and Rice Avenue / Pacific Coast Highway. The new palm trees shall reach a height of 41 feet within 5 years of planting (75% percent of the height of the WCF). Additionally, the new palm trees shall be a minimum size of 36-inch box and have a minimum brown trunk height of 16 feet.

Landscaping and Screening Design: The Permittee shall design the required landscaping such that the landscaping requires minimal amounts of water and uses required water efficiently, in accordance with the water efficiency requirements of the Landscape Design Criteria and the MWELO.

Documentation: The Permittee shall obtain the Planning Division's stamped approval on the landscape plans, install the required landscaping, and provide photo documentation of the completed landscaping installations to the Planning Division for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall provide the photo documentation described above. The Permittee shall maintain the landscaping for the life of the Project.

Monitoring and Reporting: Landscaping shall be maintained for the life of the permit. 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.

21. Construction Activities

Prior to any construction, the Permittee shall obtain a Zoning Clearance for construction from the Planning Division, and a Building Permit from the Building and Safety Division. Prior to any grading, the Permittee shall obtain a Grading Permit from the Public Works Agency.

Environmental Health Division (EHD) Conditions

22. Hazardous Materials/Waste Management (General Notice)

Purpose: To ensure the storage, handling, and disposal of any potentially hazardous material complies with applicable State and local regulations.

Requirement: If hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid) are stored onsite, or any hazardous wastes are generated, additional permitting, monitoring, and reporting requirements would apply. Used batteries must be properly disposed of or recycled in accordance with state and local regulations. 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>.

Monitoring: When applicable, the Ventura County Environmental Health Division/Certified Unified Program Agency issues hazardous material and hazardous waste permits and conducts site inspections.

Ventura County Air Pollution Control District (VCAPCD) Conditions

23. Complaint Driven Nuisance for Discharge of Air Pollutants

Purpose: To ensure that discharge of air contaminants (odor, dust, etc.) that may result from site operations are minimized to the greatest extent feasible.

Requirement: The Permittee shall operate in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 51, Nuisance, as follows:

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endangers the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.

Documentation: No documentation is required for the purposes of this condition.

Timing: Throughout the life of the permit.

Monitoring and Reporting: The VCAPCD monitors and enforces regulations regarding nuisances, on a complaint-driven basis.