



Planning Director Staff Report Hearing on September 1, 2022

County of Ventura • Resource Management Agency

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

VERIZON: “LEWIS” MODIFICATION OF CONDITIONAL USE PERMIT (CUP) 5287, CASE NO. PL22-0093

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Minor Modification of Planned Conditional Use Permit (CUP) 5287 to authorize the continued use, operation, and maintenance of an existing Wireless Communication Facility (WCF) for a 10-year period (Case No. PL22-0093).
2. **Applicant:** Verizon Wireless, 15505 Sand Canyon Ave. Bldg. D, Irvine, CA 92618.
3. **Property Owner:** Southern California Edison, 2244 Walnut Grove Ave, Rosemead, CA 91770.
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), the Planning Director is the decision-maker for the requested CUP modification.
6. **Project Site Size, Location, and Parcel Number:** The 35.40-acre project site is located at 810 E. Hueneme Road at the SW corner of Lewis Road and Portrero Road, near the city of Camarillo, in the unincorporated area of Ventura County. The Tax Assessor’s parcel number for the parcel that constitute the project site is 230-0-180-105 (Exhibit 2).
7. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Agricultural
 - b. Zoning Designation: 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	AE-40ac	Agricultural (i.e. row crops)
East	AE-40ac	Agricultural (i.e. row crops)
South	AE-40ac	Agricultural (i.e. row crops)
West	AE-40ac	Agricultural (i.e. row crops)

9. History: On March 24, 2003, CUP 5287 was approved for the installation (collocation) of antennas for a Verizon Wireless Communication Facility (WCF), located on an existing 139-foot-tall Southern California Edison (SCE) electrical transmission tower east of Hueneme Road and South of Portrero Road. The facility is comprised of the following components:

- Eight (8) 5-foot panel antennas collocated 50 feet above grade.
- One (1) 2-foot diameter microwave dish collocated 38 feet above grade.
- One (1) 240-square-foot equipment shelter within a 760-square-foot lease area.
- One (1) roof mounted GPS antenna collocated 10 feet above grade.

On December 21, 2009, the Planning Division approved Permit Adjustment (LU09-0106) for the installation and use of an emergency generator as part of the facility.

On December 11, 2012, the Planning Division approved Minor Modification to CUP 5287 for a 10-year time extension.

On December 10, 2014, The Planning Division approved Permit Adjustment (PL14-0153) to CUP 5287, for the removal of six (6) 5-foot-tall panel antennas and the installation of four (4) new 6-foot-tall panel antennas collocated 50 feet above grade. The Permit Adjustment also authorized the installation of four (4) remote radio head antennas and two (2) raycap boxes.

On June 16, 2022, the subject CUP Modification application (PL22-0093) was submitted to authorize a 10-year time extension for the ongoing operation of the subject WCF and deemed complete for processing on June 28, 2022.

10. Project Description: The applicant requests approval to modify CUP 5287 for the continued use, operation and maintenance of an existing Verizon WCF for additional 10-year period. The facility is located on an existing 135-foot-tall SCE lattice tower and consist of four (4) 6-foot panel antennas and two (2) 5-foot panel antennas located 50 feet above grade. The WCF also includes the following components:

- one (1) 2-foot diameter microwave dish located 38 feet above grade.
- one (1) roof mounted GPS antenna located 10 feet above grade.
- two (2) raycap boxes mounted 50 feet above grade.

- four (4) remote radio head antennas located 47 feet above grade.

The associated equipment is located in a 240-square-foot equipment shelter within a 760-square-foot lease area enclosed by a 6-foot-tall enclosure wall.

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 unpaved private road (Terry Road) which connects to Potrero Road (County maintained road) north of the project site. No exterior lighting, grading, or fencing 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 of Regulations, Division 6, Chapter 3, Section 15000 et seq.), the proposed project is subject to environmental review.

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. The proposed project would include the continued use, operation, and maintenance of an existing WCF. The proposed project qualifies for Class I Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines. Further, the project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Therefore, no further environmental review is required.

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

C. CONSISTENCY WITH THE GENERAL PLAN

The proposed project has been analyzed to 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?
<p>Exceptions to Stealth and Building-Concealed Facilities:</p> <p>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:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> 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. 	<p>Yes, the existing WCF is collocated 50 feet above ground level on an existing 135-foot-tall SCE tower (see Exhibit 3).</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 WCF is located in an area where existing topography, vegetation, and structures effectively camouflage the proposed facility. The WCF is collocated on an existing 135-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.</p>
<p>Section 8107-45.4 (d), Preferred Wireless Communication Facility Locations:</p>	<p>Yes, the existing WCF is collocated 50 feet above ground level on an existing</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<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. <p>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>	<p>135-foot-tall SCE tower. The facility is visible from portions of Potrero Road and Hueneme Road, which are County maintained roads.</p>
<p>Section 8107-45.4 (f)(4)(e), Maximum Antenna Height:</p> <p>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.</p>	<p>Yes, the design of the existing WCF consist of four (4) 6-foot panel antennas and two (2) 5-foot panel antennas located 50 feet above grade. The antennas do not extend beyond the top of the existing 135-foot-tall SCE lattice tower.</p>
<p>Section 8107-45.4 (g) Setbacks:</p> <ol style="list-style-type: none"> 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. 	<p>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.</p>
<p>Section 8107-45.4 (j). Historical Landmarks/Sites of Merit:</p> <p>A wireless communication facility shall not be constructed, placed, or</p>	<p>Yes, the existing WCF is not constructed or installed on a structure, site or district</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p>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>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.</p>
<p>Section 8107-45.4 (k), Environmentally Sensitive Areas:</p> <p>All wireless communication facilities and their accessory equipment shall be sited and designed to avoid or minimize impacts to habitat for special status species, sensitive plant communities, migratory birds, waters and wetlands, riparian habitat, and other environmentally sensitive areas as determined by the County's Initial Study Assessment Guidelines.</p>	<p>Yes, the WCF is existing and would not be located within an environmentally sensitive area. The WCF is collocated on an SCE tower and within a legally disturbed area. The WCF is located more than 300 feet from Calleguas Creek, which is the nearest significant wetland habitat. The County Biologist has previously reviewed the proposed project for any potential impact to biological resources and has determined that the proposed project does not have the potential to adversely impact any biological resources. There are no proposed modifications to the existing facility.</p>
<p>Section 8107-45.4 (l) Ridgelines:</p> <p>A wireless communication facility shall not be sited on a ridgeline or hilltop that is prominently visible from a public viewpoint when alternative sites are available. Applicants shall demonstrate that no feasible, alternative locations are available when proposing a wireless communication facility on a ridgeline or shall demonstrate that alternative locations result in significant environmental impacts when compared to the proposed ridgeline location.</p>	<p>Yes, the existing WCF is not located on a ridgeline or hilltop.</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, all accessory equipment associated with the existing WCF are placed at ground-level and are screened to prevent the facility from being prominently visible from the public viewing area to the maximum extent feasible.</p>
<p>Section 8107-45.4 (o), Colors and Materials:</p> <p>All wireless communication facilities shall use materials and colors</p>	<p>Yes, the existing WCF is existing. The colors and materials used for the WCF</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
that blend in with the natural or man-made surroundings. Highly reflective materials are prohibited.	would continue to blend in with the natural surroundings. There would be no reflective materials.
<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>	Yes, the operation of the WCF does not generate noise. The WCF is always operated and maintained to comply with the Ventura County noise standards.
<p>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>	Yes, the existing WCF is collocated 50 feet above ground level on an existing 135-foot-tall SCE tower. The property is owned and maintained by the SCE Company. The associated equipment is located in a 240-square-foot equipment shelter within a 760-square-foot lease area enclosed by a 6-foot-tall enclosure wall. Landscaping is not deemed necessary to screen the existing WCF from being prominently visible from a public viewing area.
<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. 	Yes, there is an existing 6-foot wall around the lease area. All materials and colors blend in with the existing setting. The proposed project is not designated as Urban and Existing Community in the General Plan.
<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. 	Yes, the existing WCF is not illuminated.

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
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>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, FCC-adopted standards, and specify a 24-hour telephone number at which the operator can be reached during an emergency.</p>	Yes, the site includes signage indicating all necessary information related to the equipment for the operation of the facility.
<p>Section 8107-45.4 (u), Access Roads:</p> <ol style="list-style-type: none"> 1. 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 via an existing private unpaved road (Terry Road) connected to Potrero Road north of the project site. 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 proposed project involves the continued operation of an existing WCF that is surrounded by land used for cultivated agriculture row crops and electrical transmission towers. The existing communications facility is effectively camouflaged from public views from Potrero Road by the location of the antennae on and adjacent to two (2) 164-foot-tall Edison transmission towers. The communications facility is not prominently distinguishable from the nearby transmission towers and does not have the potential to interfere with the existing surrounding agricultural activities or the Edison company transmission of electrical power.

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 existing communications facility is entirely surrounded by land used for the cultivation of agriculture row crops and electrical transmission towers. The facility is located within an 760 square foot lease area on a 35-acre parcel and the proposed project does not include any expansion or changes to the existing facility. 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 and the reporting of all major incidents so as to prevent a recurrence of such an incident (Exhibit 5, Conditions Nos. 14 & 16). Finally, the 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 5, Condition No. 18).

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 proposed project involves the continued use of an existing WCF and does not include any expansion of the previously developed lease area. In addition, the WCF will be unmanned, will not generate significant noise, will not create any unusual risks or hazards, and will not adversely impact the surrounding oil and gas production. Furthermore, the project will continue to be subject to conditions to minimize the risks associated with hazardous materials and potential fire hazards (Exhibit 5, Condition Nos. 19-21).

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 and surrounding lands are designated and zoned for agriculture. 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].

The subject property is a legal lot described as Parcel J of Parcel Map 4 PM 83.

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

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

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

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

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

The project site is located on property with land designated as prime agricultural soils. The existing WCF is not located on the area of the property containing prime agricultural soils. In addition, grading is not proposed at the site. Thus, agricultural soil will not be disturbed.

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

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

The project is a renewal of CUP 5287 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 project does not involve grading or loss of important agricultural soil. It is an existing facility that would continue to operate for an additional 10-year term.

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

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

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), Ventura County NCZO (Section 8111-3.1). On August 19, 2022, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located. On August 19, 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.

G. RECOMMENDED ACTIONS

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

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **FIND** that this project is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines.
3. **MAKE** the required findings to grant a Minor Modification of a CUP 5287 pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** Minor Modification of CUP 5287 (Case No. PL22-0093), subject to the conditions of approval (Exhibit 5).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 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.

County Counsel has reviewed this Staff Report.

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



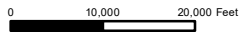
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map created on 08-09-2022

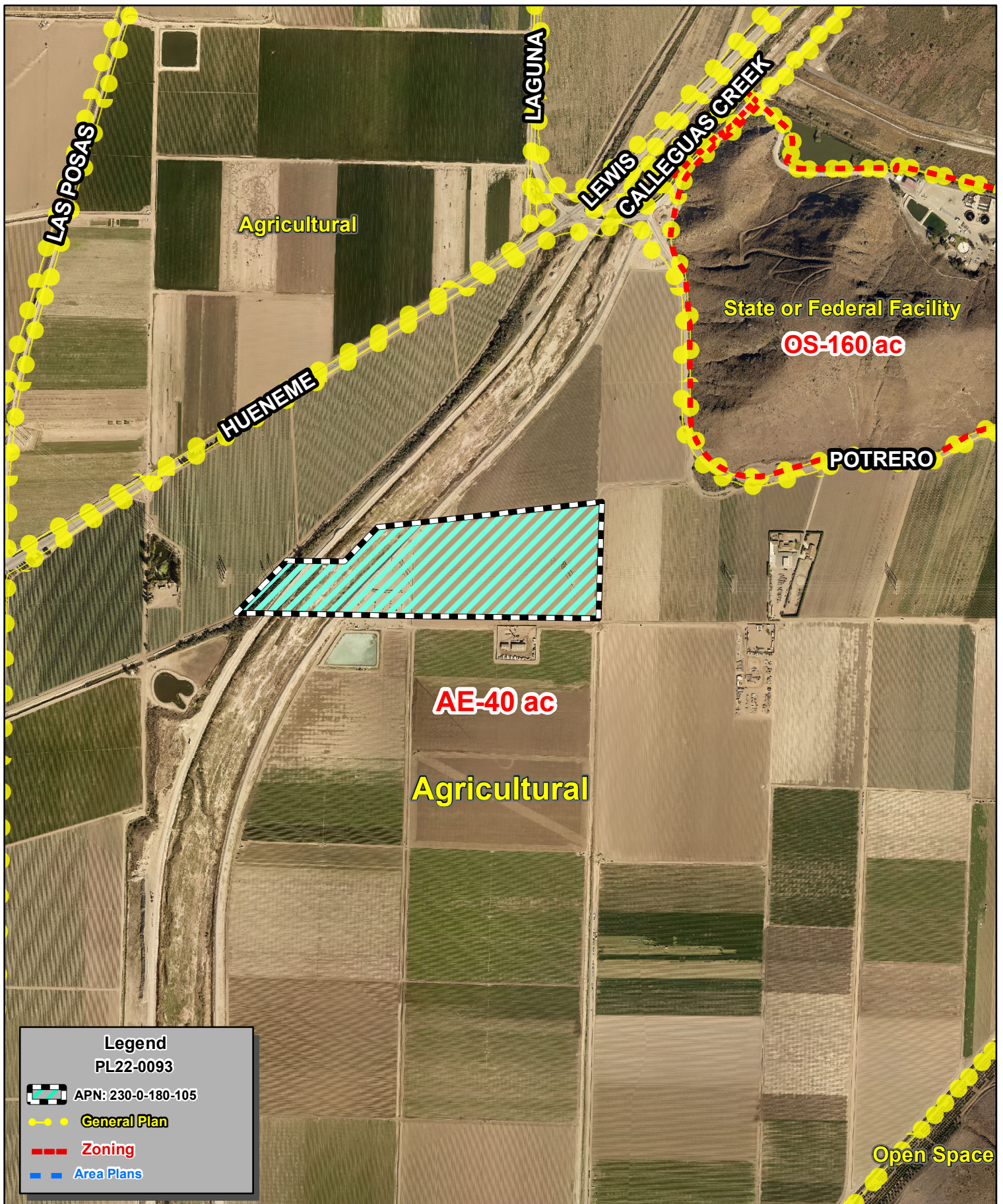


County of Ventura
Planning Director Hearing
Case No. PL22-0093
Exhibit 2 - Maps



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





Legend

PL22-0093

 APN: 230-0-180-105

 **General Plan**

 **Zoning**

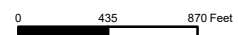
 **Area Plans**



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
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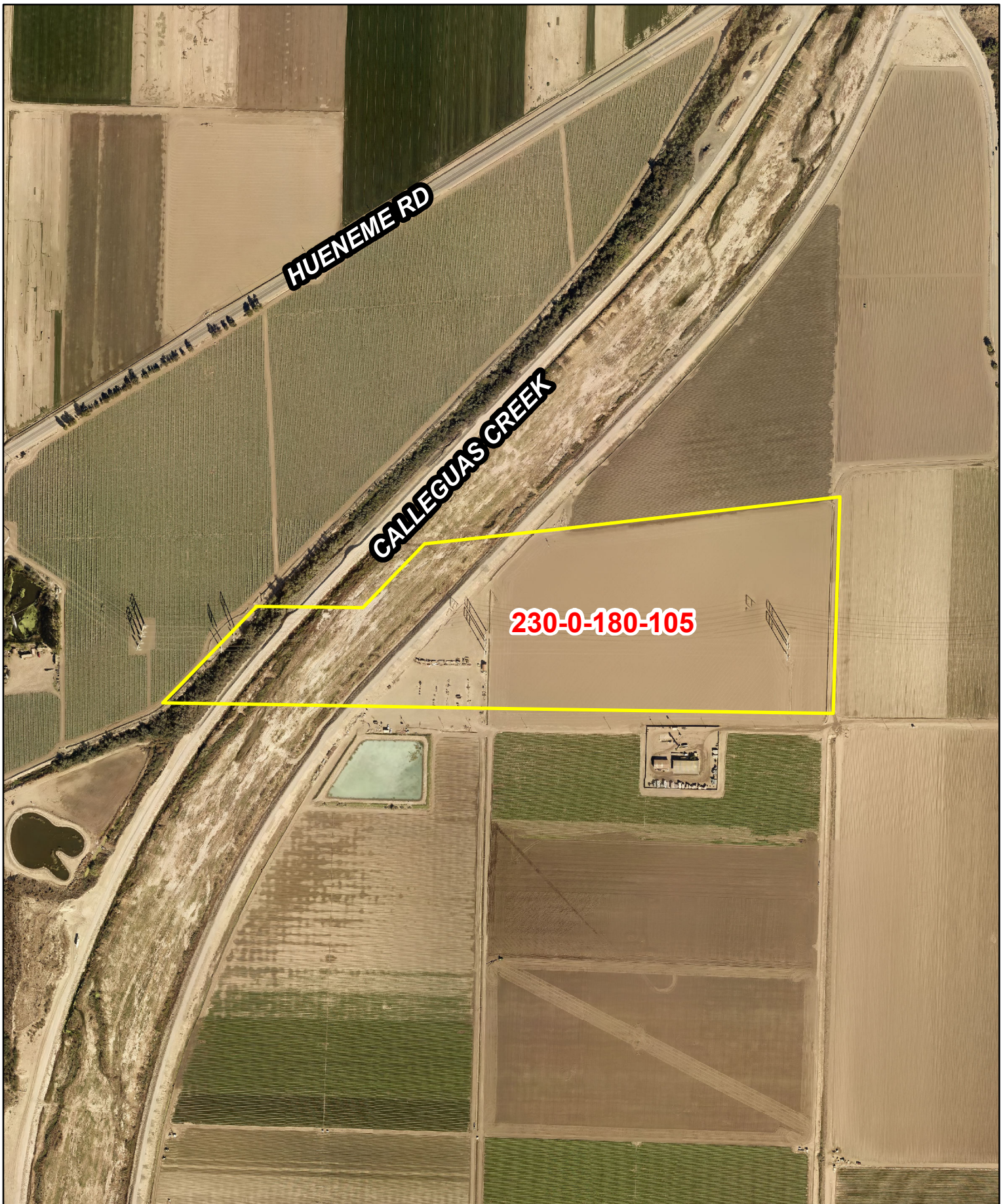


**County of Ventura
Planning Director Hearing
PL22-0093
General Plan & Zoning Map**



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 no warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.

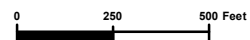




Ventura County, California
Resource Management Agency
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County of Ventura
Planning Director Hearing
Case No. PL22-0093
Exhibit 2 - Maps



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RH



LEWIS

M7-T5 MOORPARK-ORMAND BEACH #1 AND #2

220 KV YEAR BUILT - 1971

450 W POTRERO RD

CAMARILLO, CA 93012

VZ LOCATION: 117179

PROJECT NUMBER: 16243169

STRUCTURE TYPE: SCE TOWER

PROJECT TYP: CUP RENEWAL

APPLICABLE CODES

ALL WORK AND MATERIALS SHALL BE PERFORMED AND 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 CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

- CALIFORNIA CODE OF REGULATIONS
- 2019 CALIFORNIA BUILDING CODE
- 2019 CALIFORNIA MECHANICAL CODE
- 2019 CALIFORNIA PLUMBING CODE
- 2019 CALIFORNIA ELECTRIC CODE
- 2019 GREEN CODE
- 2019 EDITION OF TITLE 24 ENERGY STANDARDS
- ANY LOCAL BUILDING CODE AMENDMENTS TO THE ABOVE
- CITY/COUNTY ORDINANCES
- 2019 CALIFORNIA FIRE CODES WITH ALL LOCAL AMENDMENTS

HANDICAP REQUIREMENTS:

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED IN ACCORDANCE WITH CALIFORNIA ADMINISTRATIVE STATE CODE PART 2, TITLE 24, CHAPTER 11B, SECTION 1103B.

GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

SITE INFORMATION

APPLICANT: VERIZON
 ADDRESS: 15505 SAND CANYON AVE.
 BUILDING 17 1st FLOOR
 IRVINE, CA 92618
 PHONE: (949) 286-7000

PROPERTY OWNER: SOUTHERN CALIFORNIA EDISON
 ADDRESS: 2244 WALNUT GROVE AVE
 ROSEMEAD, CA 91770
 CONTACT:

LATITUDE (NAD 83): 34° 9' 25.7004" (34.157139)
 LONGITUDE (NAD 83): -119° 3' 45.6012" (-119.062667)

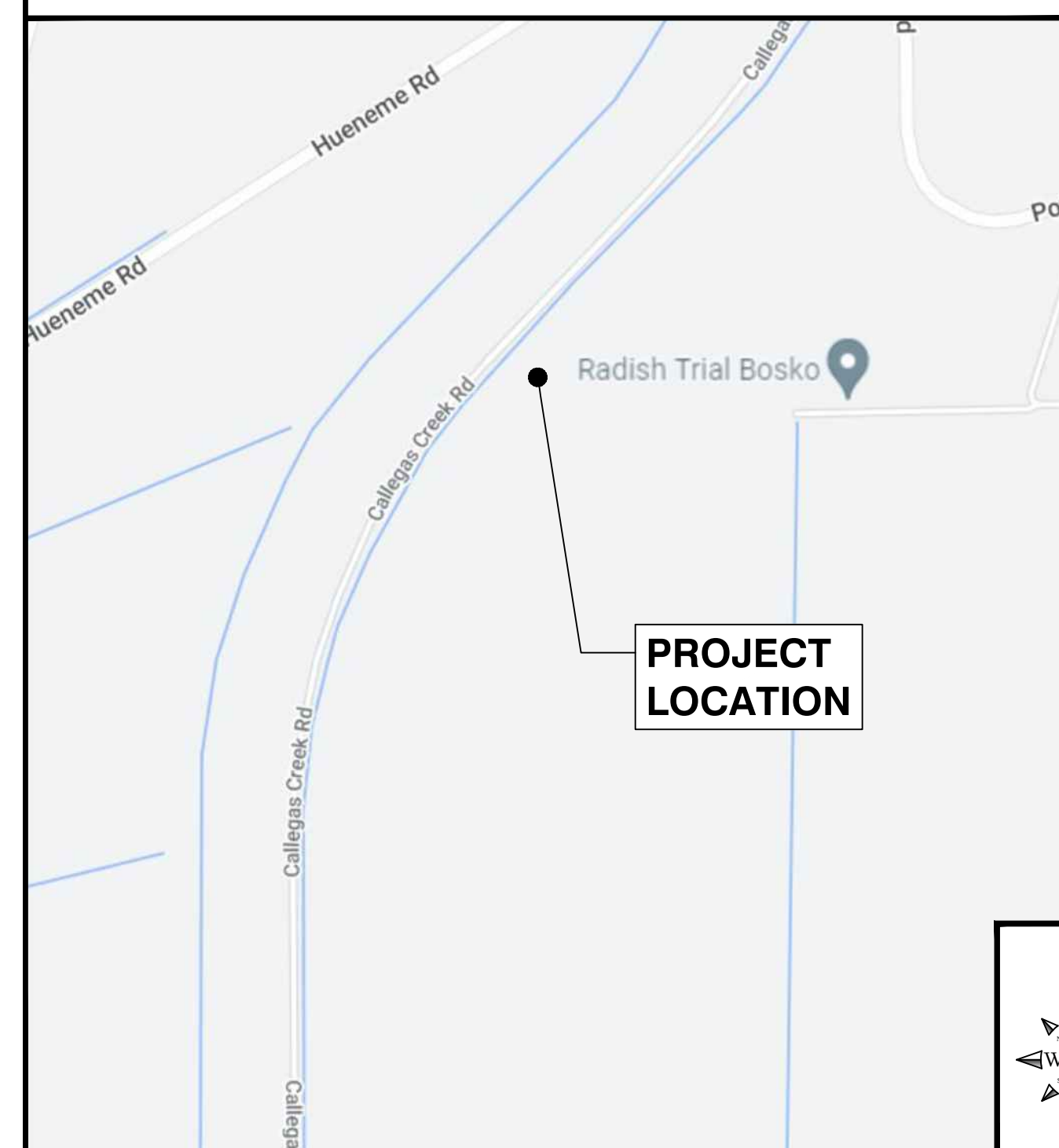
ASSESSOR'S PARCEL NO.: 234-0-090-385
 PROPOSED USE: UNMANNED TELECOMMUNICATIONS FACILITY
 TYPE OF CONSTRUCTION: V-B
 OCCUPANCY GROUP: B
 ZONING JURISDICTION: COUNTY OF VENTURA
 ZONING CLASSIFICATION: A-E

PROJECT TEAM

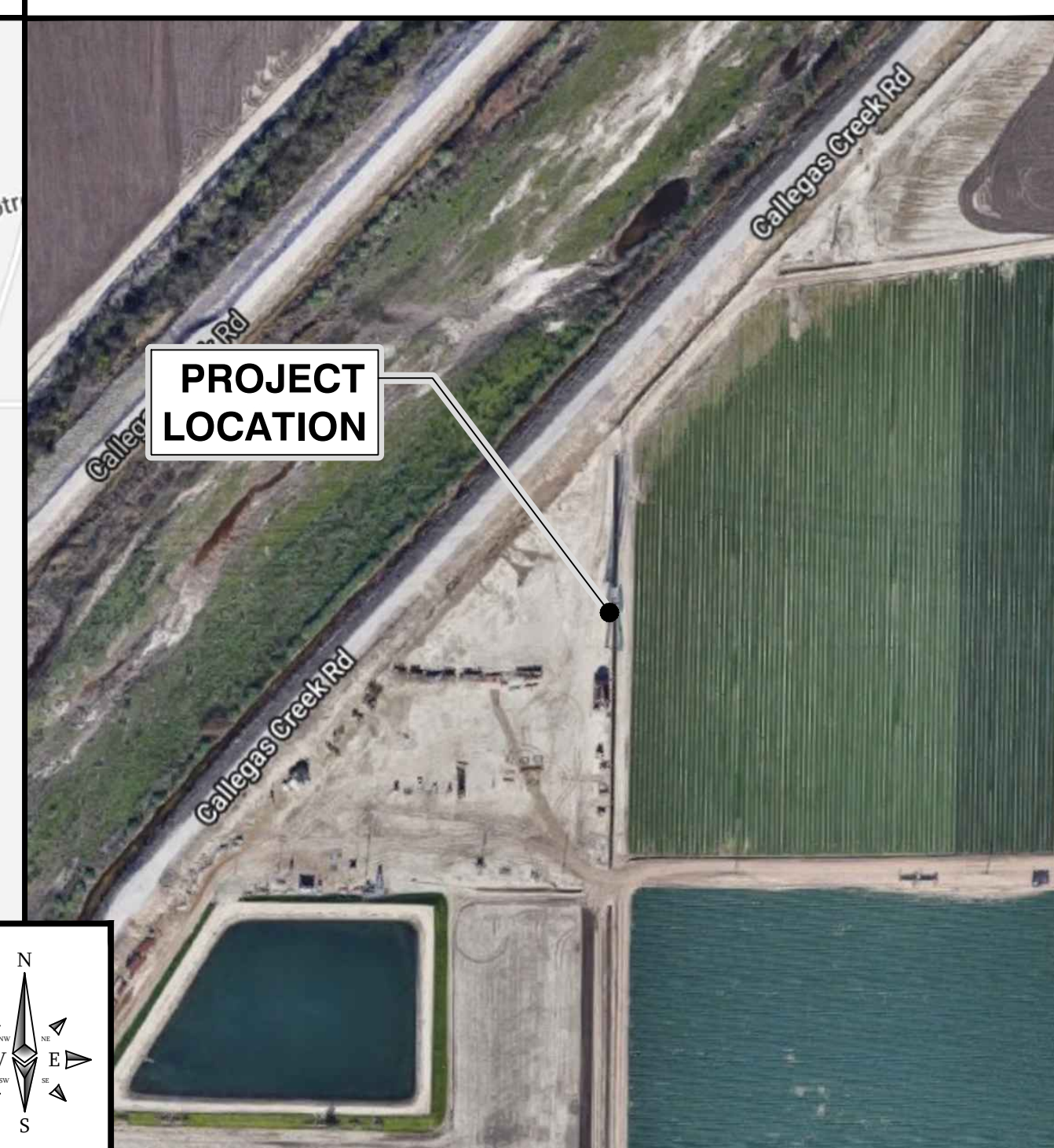
PROJECT MANAGER: BLACK ROCK CONSULTING LLC
 CONTACT: PATRICIA RALYA
 PHONE: (619) 901-7280
 EMAIL: PATRICIA@BLK-ROCK.COM

ENGINEER: BLACK ROCK CONSULTING LLC
 CONTACT: CARLOS CASTREJON
 PHONE: (619) 665-3073
 EMAIL: CARLOS@BLK-ROCK.COM

VICINITY MAP



AERIAL MAP



DRAWING INDEX

SHEET NO.	SHEET TITLE
T-1	TITLE SHEET
A-1	SITE PLAN
A-2	NOT USED
A-3	EQUIPMENT PLAN
A-4	ANTENNA SCHEDULE, EXISTING ANTENNA PLAN
A-5	ELEVATIONS
A-6	ELEVATIONS
A-7	ELEVATIONS
A-8	ELEVATIONS

PROJECT DESCRIPTION

THIS IS AN UNMANNED TELECOMMUNICATIONS FACILITY FOR THE VERIZON WIRELESS COMMUNICATIONS NETWORK. SCOPE WILL CONSIST OF THE FOLLOWING:

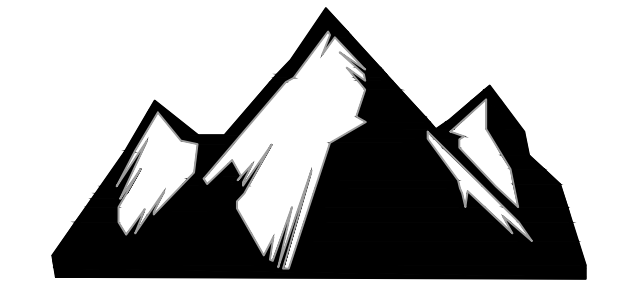
- RENEWAL OF EXISTING VERIZON CUP 5287 (LU12-0058).

APPROVAL / SIGN OFF

TITLE	SIGNATURE	DATE
CONSTRUCTION MANAGER		
RF ENGINEER		
REAL ESTATE		
SITE ACQUISITION		
PROPERTY OWNER		
TOWER OWNER		



15505 SAND CANYON AVENUE
IRVINE, CA 92618



BLACK ROCK
BLACK ROCK CONSULTING LLC

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED.

DRAWN BY: MB
CHECKED BY: CC

REV.	DATE	DESCRIPTION
0	04/01/2022	90% ZD

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LEWIS

450 W POTRERO RD
CAMARILLO, CA 93012
SCE TOWER

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

DRIVING DIRECTIONS

DIRECTIONS FROM VERIZON OFFICE:
TURN LEFT ONTO SAND CANYON AVE. TURN LEFT ONTO ROAD TOWARD I-5 NO RAMP ON THE RIGHT FOR US-101 NORTH AND HEAD TOWARD VENTURA. KEEP / LEWIS RD, TURN RIGHT ONTO E DAILY DR TOWARD CALIF STATE UNIV / CHANNEL ISLANDS RD, TURN RIGHT TO STAY ON POTRERO RD, TURN RIGHT

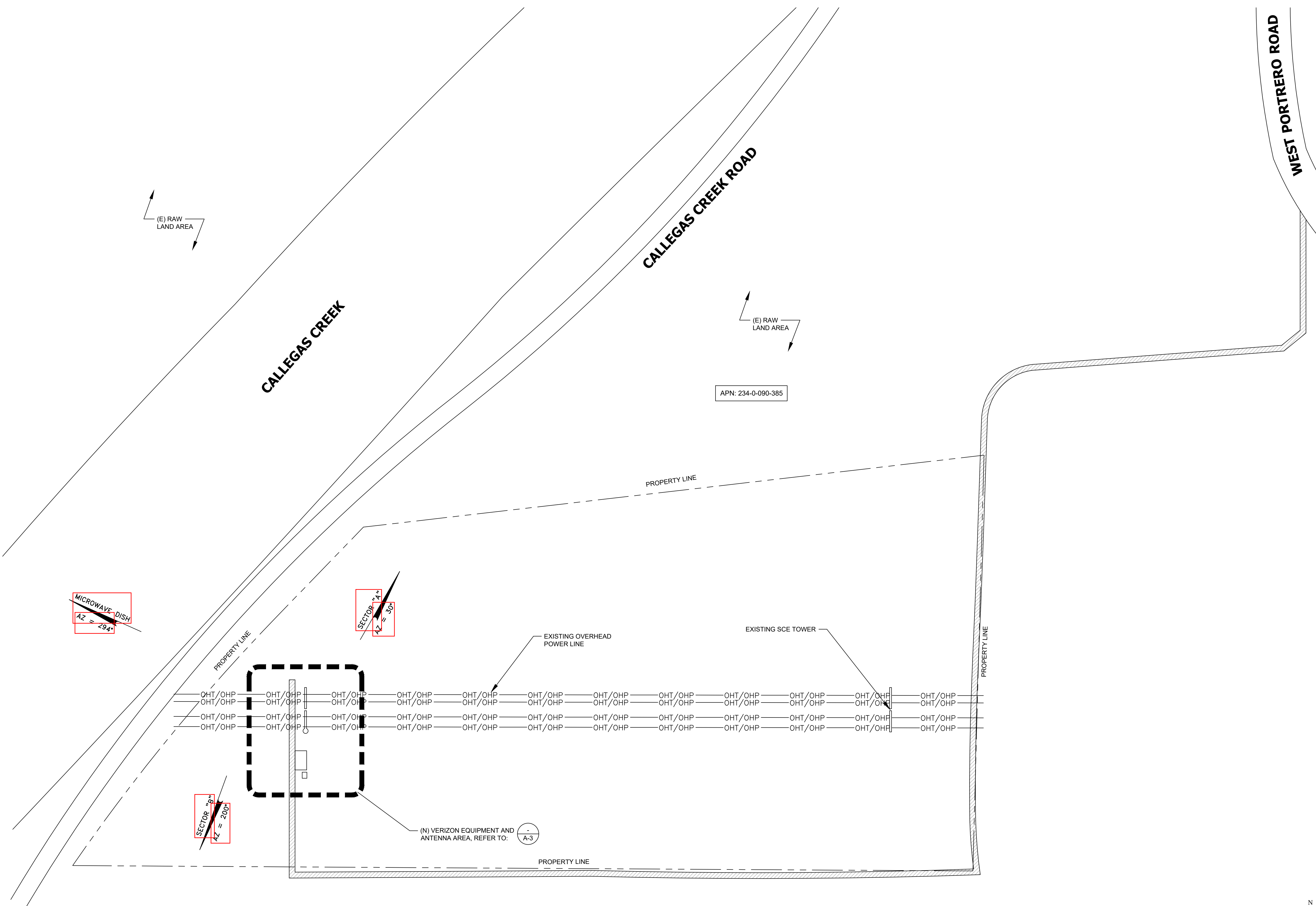
County of Ventura
Planning Director Hearing
Case No. PL22-0093
Exhibit 3 - Site Plans

US-101 N. TAKE THE IV / CHANNEL ISLANDS LEFT ONTO POTRERO

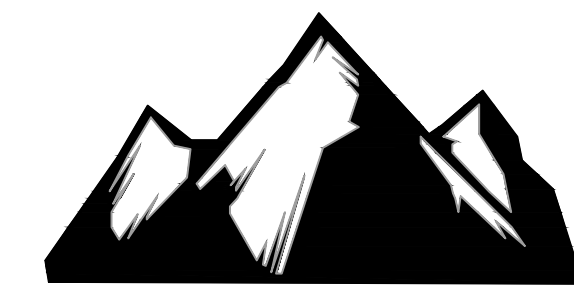


1-800-227-2600
DIAL BEFORE YOU DIG
AT LEAST TWO DAYS BEFORE YOU DIG

A PUBLIC SERVICE BY UNDERGROUND SERVICE ALERT



15505 SAND CANYON AVENUE
IRVINE, CA 92618



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BLACK ROCK CONSULTING LLC

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LEWIS
450 W POTRERO RD
CAMARILLO, CA 93012
SCE TOWER

SHEET TITLE
SITE PLAN

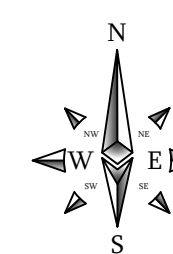
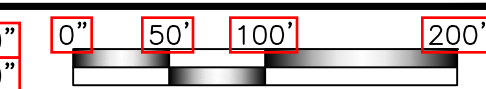
SHEET NUMBER
A-1

SITE PLAN

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES.

VERIZON WIRELESS TEMPLATE VERSION 01 - 3/11/2022

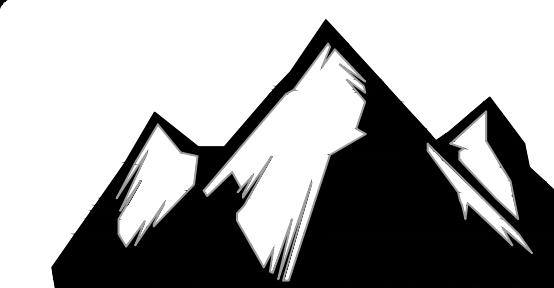
24"x36" SCALE: 1" = 100'-0"
11"x17" SCALE: 1" = 200'-0"



1



15505 SAND CANYON AVENUE
IRVINE, CA 92618



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DRAWN BY: MB

CHECKED BY: CC

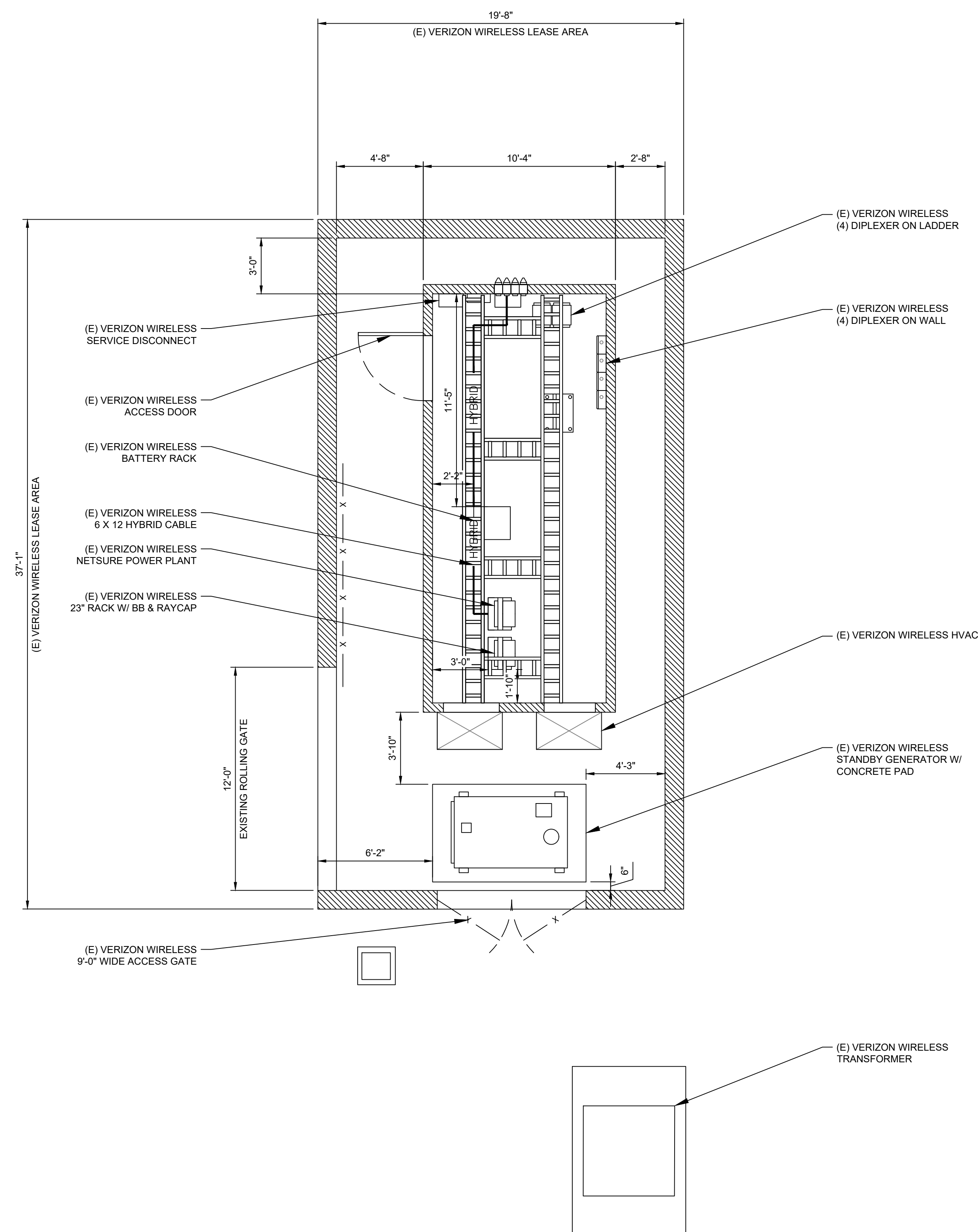
REV	DATE	DESCRIPTION
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LEWIS
450 W POTRERO RD
CAMARILLO, CA 93012
SCE TOWER

SHEET TITLE
EQUIPMENT PLAN

SHEET NUMBER
A-3

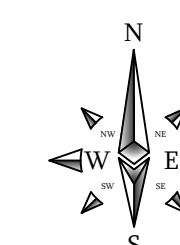


NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES.

EXISTING EQUIPMENT LAYOUT

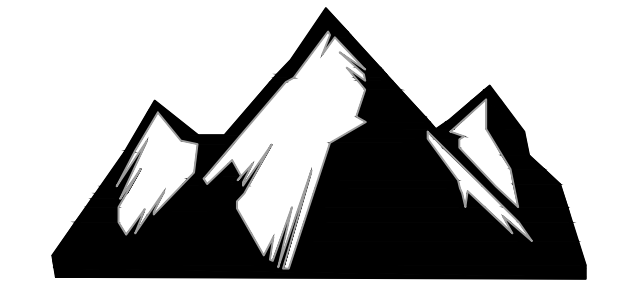
VERIZON WIRELESS TEMPLATE VERSION 01 - 3/11/2022

24"x36" SCALE: 1/4" = 1'-0"
11"x17" SCALE: 1/8" = 1'-0"





15505 SAND CANYON AVENUE
IRVINE, CA 92618



BLACK ROCK
BLACK ROCK CONSULTING LLC

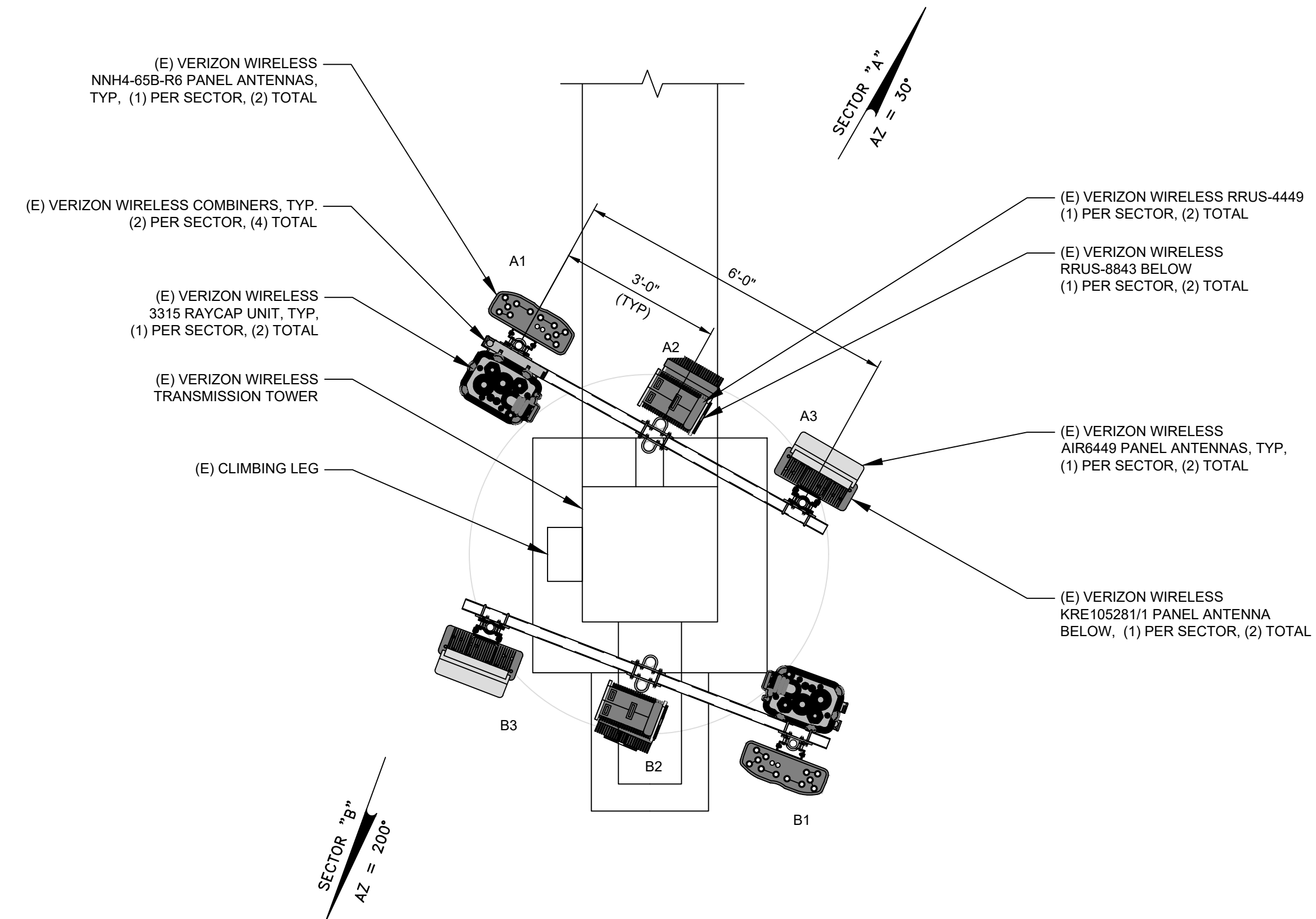
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EXISTING ANTENNA SCHEDULE						
SECTOR	ANTENNA MODEL	ANTENNA AZIMUTH	RAD CENTER OF ANTENNA	TIP HEIGHT OF ANTENNA	RRU	
SECTOR "A"	A1	NNH4SS-65B-R3T8	30°	50'	53'-0"	
	A2	-	-	-		(4) (E) RRU
	A3	AIR6449 KRE105281/1	30°	51'-8" 47'-4"	53'-1" 47'-8"	
SECTOR "B"	B1	NNH4SS-65B-R3T8	200°	50'	53'-0"	
	B2	-	-	-		(4) (E) RRU
	B3	AIR6449 KRE105281/1	200°	51'-8" 47'-4"	53'-1" 47'-8"	

ANTENNA SCHEDULE

2

NOTE:
MICROWAVE NOT SHOWN FOR CLARITY



DRAWN BY: MB
CHECKED BY: CC

REV	DATE	DESCRIPTION
0	04/01/2022	90% ZD

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LEWIS
450 W POTRERO RD
CAMARILLO, CA 93012
SCE TOWER

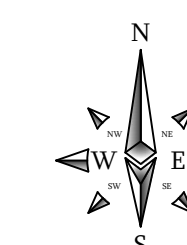
SHEET TITLE
**ANTENNA SCHEDULE,
EXISTING ANTENNA PLAN**

SHEET NUMBER
A-4

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES.

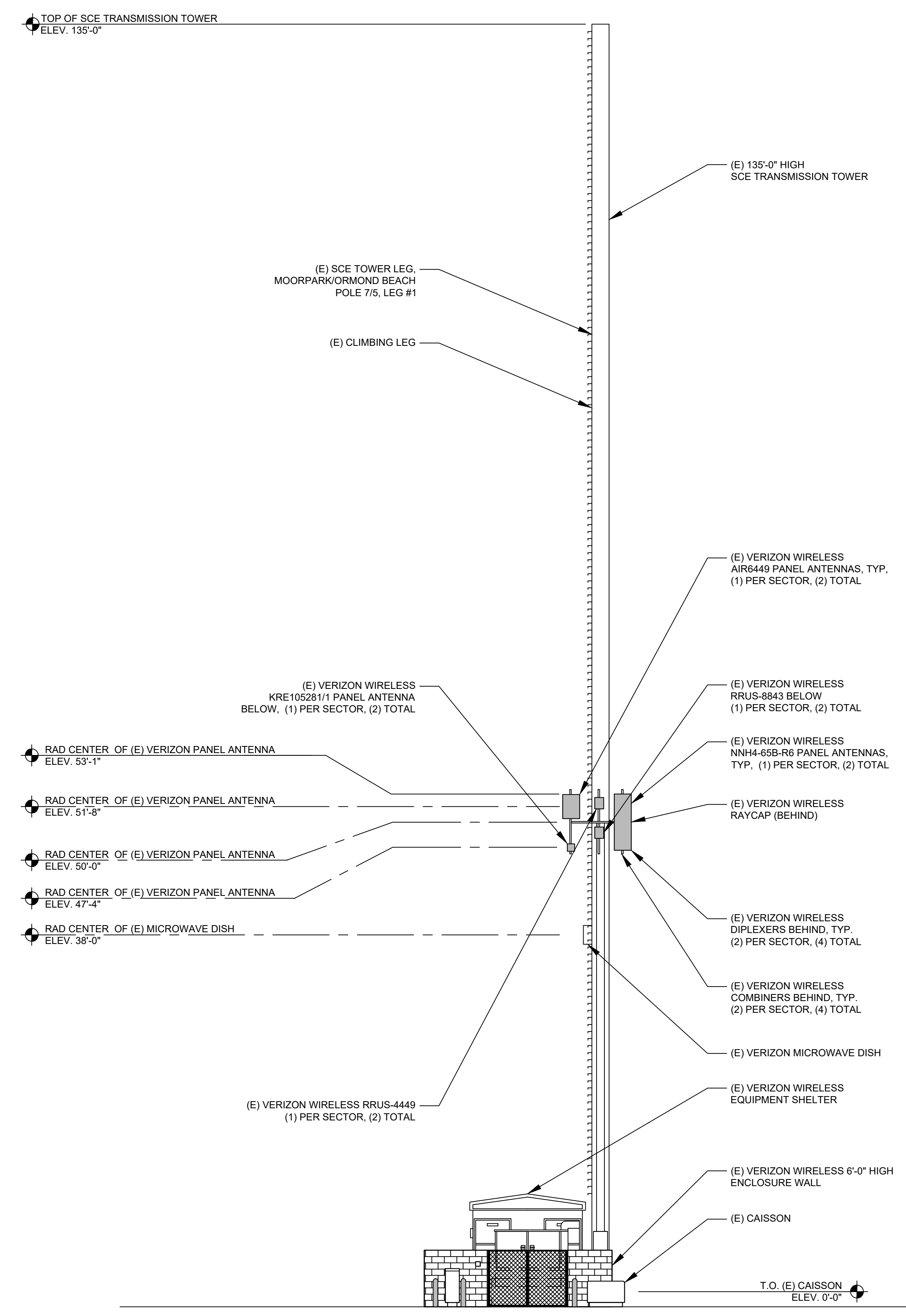
EXISTING ANTENNA LAYOUT

24"x36" SCALE: 1/2" = 1'-0"
11"x17" SCALE: 1/4" = 1'-0"

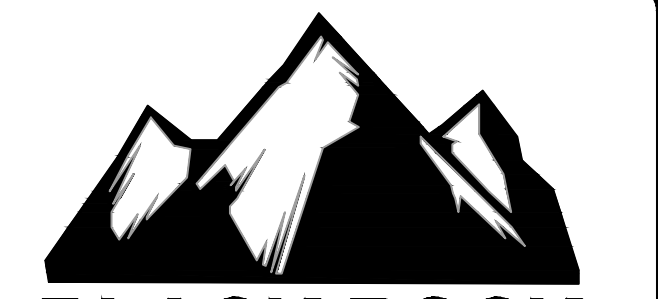


1

NOTE:
ALL EQUIPMENT IS PAINTED / 3M FILM
TO MATCH EXISTING SCE TOWER



15505 SAND CANYON AVENUE
IRVINE, CA 92618



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BLACK ROCK CONSULTING LLC

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LEWIS
450 W POTRERO RD
CAMARILLO, CA 93012
SCE TOWER

SHEET TITLE
ELEVATIONS

SHEET NUMBER
A-5

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES

NOT USED

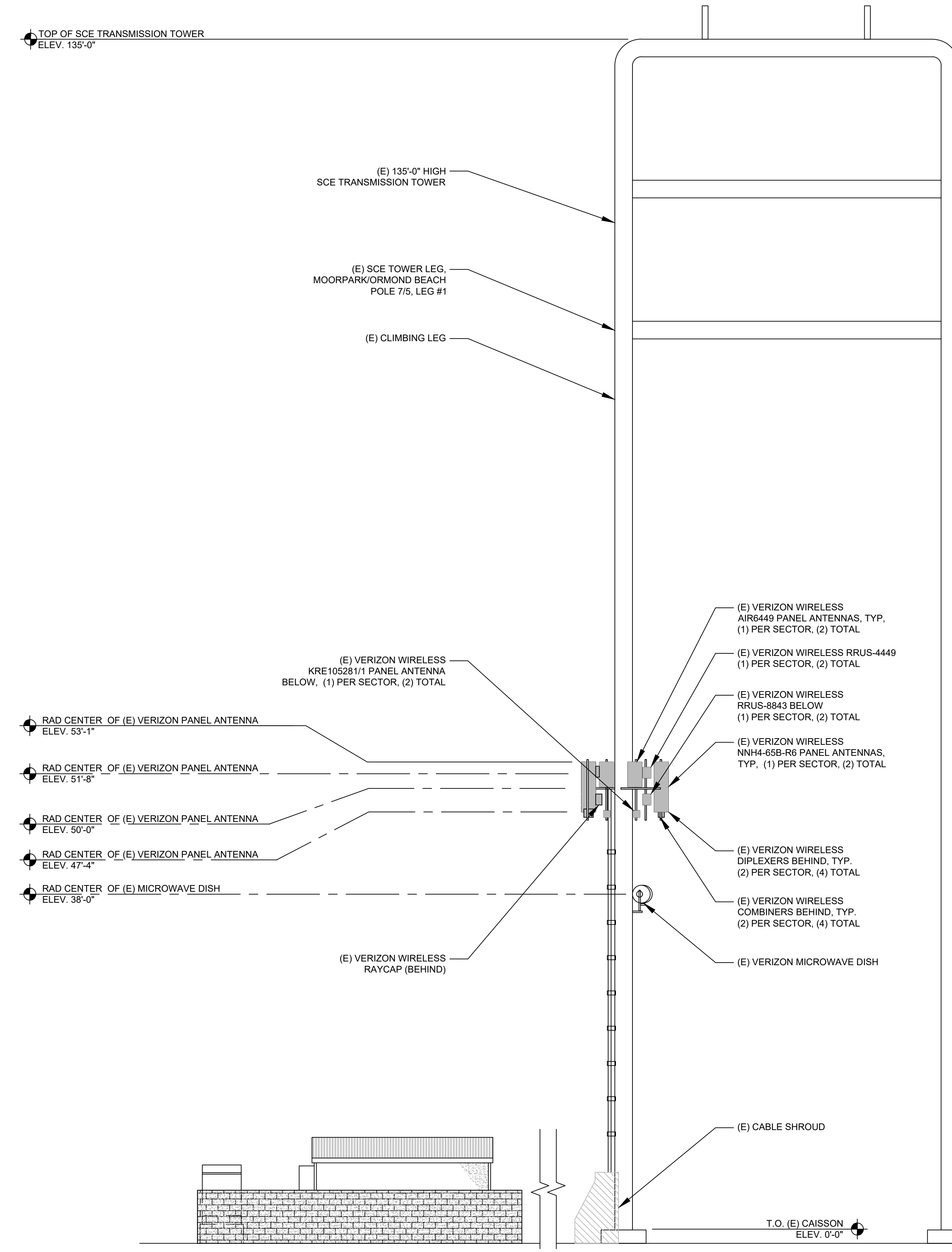
2 EXISTING SOUTH ELEVATION

24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"

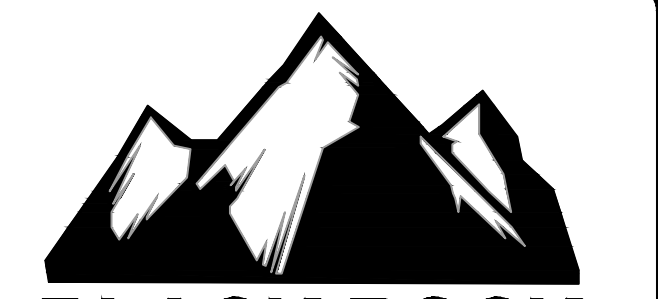
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NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES.

NOTE:
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TO MATCH EXISTING SCE TOWER



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LEWIS
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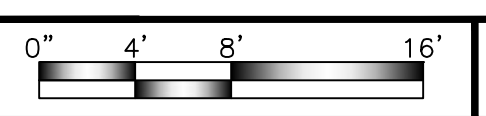
SHEET TITLE
ELEVATIONS

SHEET NUMBER
A-6

NOT USED

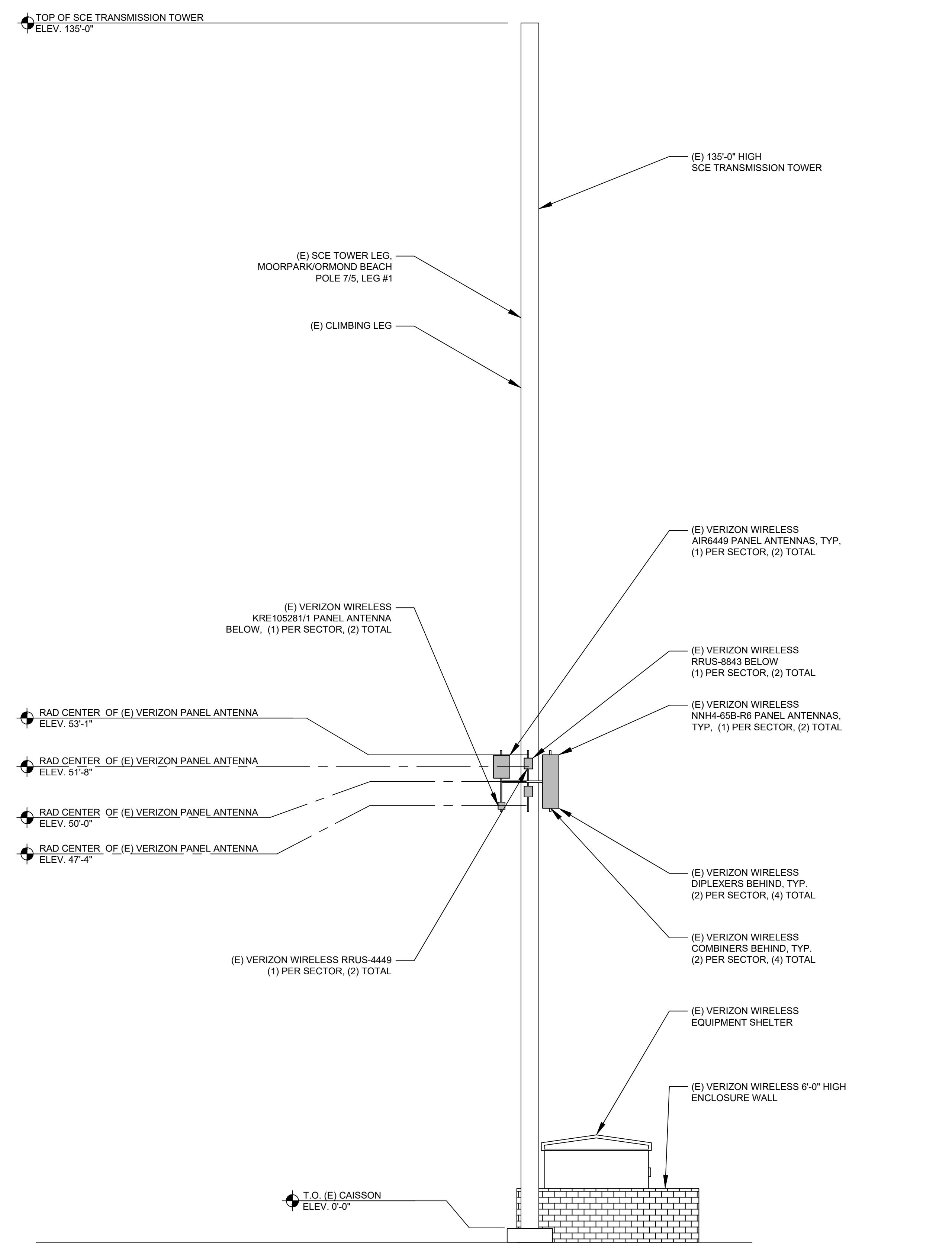
2 EXISTING EAST ELEVATION

24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"

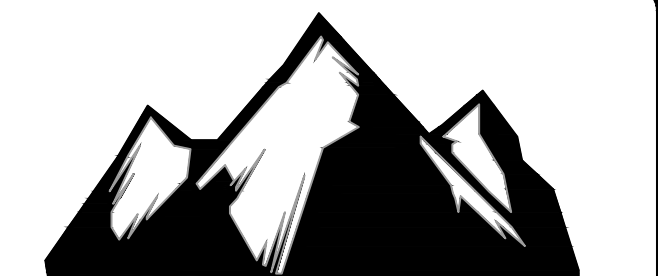


1

NOTE:
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TO MATCH EXISTING SCE TOWER



15505 SAND CANYON AVENUE
IRVINE, CA 92618



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BLACK ROCK CONSULTING LLC

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LEWIS
450 W POTRERO RD
CAMARILLO, CA 93012
SCE TOWER

SHEET TITLE
ELEVATIONS

SHEET NUMBER
A-7

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES.

NOT USED

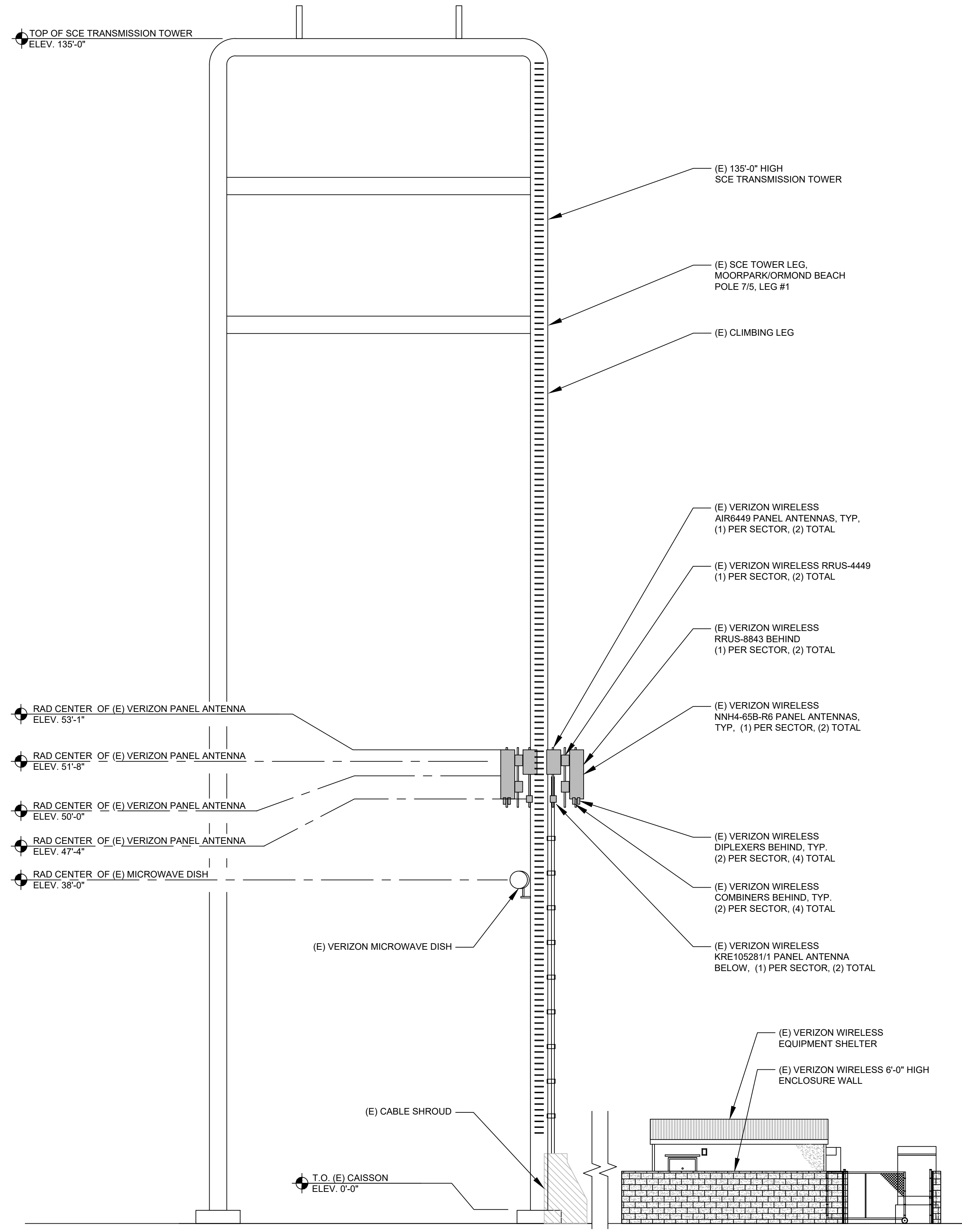
2 EXISTING NORTH ELEVATION

24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"

1

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES.

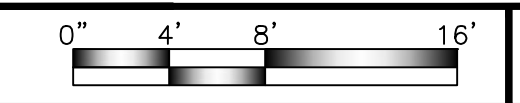
NOTE:
ALL EQUIPMENT IS PAINTED / 3M FILM
TO MATCH EXISTING SCE TOWER



NOT USED

2 EXISTING WEST ELEVATION

24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"



1

verizon

15505 SAND CANYON AVENUE
IRVINE, CA 92618

BLACK ROCK

BLACK ROCK CONSULTING LLC

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LEWIS
450 W POTRERO RD
CAMARILLO, CA 93012
SCE TOWER

SHEET TITLE
ELEVATIONS

SHEET NUMBER
A-8



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 FOR “LEWIS” WIRELESS COMMUNICATION FACILITY

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.

The proposed project would authorize a Minor Modification of Planned Conditional Use Permit (CUP) 5287 for the continued use, operation, and maintenance of an existing Wireless Communication Facility (WCF) for a 10-year period (Case No. PL22-0093).

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 Wireless Communication Facility (WCF) is located designated as Agricultural on the General Plan Land Use Diagram and identified as Prime Farmland and Farmland of Statewide importance. The WCF is collocated 50 feet above grade on an existing 135-foot-tall Southern California Edison (SCE) tower. There are no proposed operational or physical 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. 17 was also added to the project to designate a point of contact to inform the

County of Ventura
Planning Director Hearing
Case No. PL22-0093
Exhibit 4 - General Plan Consistency
Analysis

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.

- 2. COS-1.10 Evaluation of Potential Impacts on Discretionary Development on Wetlands:** *The County shall require discretionary development that is proposed to be located within 300 feet of a wetland to be evaluated by a County-approved biologist for potential impacts on the wetland and its associated habitats pursuant to the applicable provisions of the County's Initial Study Assessment Guidelines.*

The proposed project is for the continue operation and maintenance of an existing WCF for a 10-year period. The WCF is collocated 50 feet above grade, on an existing 135-foot-tall SCE tower. The WCF is located more than 300 feet from Calleguas Creek, which is the nearest significant wetland habitat. The County Biologist has previously reviewed the proposed project for any potential impact to biological resources and has determined that the proposed project does not have the potential to adversely impact any biological resources. The area surrounding the project site is absent of any native plants up to the edge of Colleguas Creek. Furthermore, there are no proposed operational or physical changes to the existing WCF.

Based on the discussion above, the proposed project is consistent with General Plan Policy COS-1.10.

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

The proposed project site is located over one-half mile southwest of Potrero Road which is an Eligible County Scenic Highway. The existing WCF is not visible from Potrero Road due to the topography and vegetation adjacent to the roadway. The existing WCF is not prominently visible from Potrero Road or other public viewing places. Therefore, the project would not significantly alter or obscure public views of visual resources.

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

- 4. 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 50 feet above grade level on a 135-foot-tall SCE tower. The subject parcel is surrounded by agriculture uses. All equipment is

located behind a 6-foot-tall enclosure wall. There are no proposed operational or physical changes. 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.

- 5. 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 50 feet above grade level on a 135-foot-tall SCE tower. There are no proposed operational or physical changes. The design and color of the WCF would continue to provide wireless telecommunication service to the surrounding area and remain compatible with neighboring uses. No new land use conflicts would occur with the continued use of the WCF. The WCF over one-half mile southwest of Potrero Road which is an Eligible County Scenic Highway. The existing WCF is not visible from Potrero Road due to the topography and vegetation adjacent to the roadway. The visual impact from the WCF is minimized by the continued use of the collocation on the SCE tower. Lastly, no water is required for the proposed project.

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

- 6. 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.

EXHIBIT 5

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP) CASE NO. PL22-0093 FOR “LEWIS” WIRELESS COMMUNICATION FACILITY

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. Project Description

This Conditional Use Permit is based on and limited to compliance with the project description stated in this condition below, all exhibits of the Planning Director hearing on September 1, 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 5287 has been granted to authorize the continued use, operation and maintenance of an existing Verizon WCF for additional 10-year period. The facility is located on an existing 135-foot-tall SCE lattice tower and consist of four (4) 6-foot panel antennas and two (2) 5-foot panel antennas located 50 feet above grade. The WCF also includes the following components:

- one (1) 2-foot diameter microwave dish located 38 feet above grade.
- one (1) roof mounted GPS antenna located 10 feet above grade.
- two (2) raycap boxes mounted 50 feet above grade.
- four (4) remote radio head antennas located 47 feet above grade.

The associated equipment is located in a 240-square-foot equipment shelter within a 760-square-foot lease area enclosed by a 6-foot-tall enclosure wall.

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 unpaved private road (Terry Road) which connects to Potrero Road (County maintained road) north of the project site. No exterior

lighting, grading, or fencing was proposed with the project.

The use and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and 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.

2. Site Maintenance

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

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

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

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

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

3. CUP Modification

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

- a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and

- b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, §§ 21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §§ 15000-15387), as amended from time to time.

4. 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 in order to initiate the land uses set forth in Condition No. 1
- (2) This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year (see the Ventura County Non-Coastal Zoning Ordinance (§ 8111-4.7)) from the date the approval decision of this CUP becomes effective. The Planning Director may grant a one-year extension of time to the Permittee in order to obtain the Zoning Clearance for use inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the

time extension in writing at least 30 days prior to the one year expiration date.

- (3) Prior to the issuance of the Zoning Clearance for use inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.
- b. 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 [expiration date]; 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. In the event that the federal, state, or local government regulatory agency prepares new documentation due to changes in the Project or the other agency's requirements, the Permittee shall submit the new documentation within 30 days of receipt of the documentation from the other agency.

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 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. **Establishment of Revolving Compliance Account:**
 - (1) Pursuant to the requirements of CUP 5287 Case No. PL22-0093, the Resource Management Agency created Condition Compliance Case No. CC06-0133 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding CUP 5287 Case No. PL22-0093. The Planning Division will continue to use Condition Compliance Case No. CC06-0133 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 12.a (above), and any duly-imposed civil administrative penalties regarding this CUP.
 - (2) 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. CC06-0133, 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 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. 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. 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 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. Change of Permittee

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

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

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

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

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

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 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.

17. Designated Contact for Restricted Entry

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 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

18. Hazardous Materials/Waste Management

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.

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>

Ventura County Fire Protection District (VCFPD) Conditions

19. Hazard Abatement

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

Requirement: The Permittee shall have all grass or brush adjacent to structure's footprint cleared for a distance of 100 feet or to the property line if less than 100 feet. Antenna Support Structures shall have brush clearance of at least 30 feet, and emergency power supply equipment shall have a brush clearance of 30 feet. Note: A Notice to Abate Fire Hazard may be recorded against the parcel.

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

Timing: The Permittee shall remove all grass and brush as outlined by the Ventura County Fire Protection District's Fire Hazard Reduction Program guidelines before the start of construction on any structure.

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

20. Fire Department Clearance (Note: condition satisfied)

Purpose: To provide the Permittee a list of all applicable fire department requirements for their project.

Requirement: The Permittee shall obtain VCFD Form #126 "Requirements for Construction" for any new structures or additions to existing structures before issuance of building permits.

Documentation: A signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction."

Timing: The Permittee shall submit VCFPD Form #126 Application to the VCFPD for approval before issuance of building permits.

Monitoring and Reporting: A copy of the completed VCFPD Form #126 shall be kept on file with the VCFPD. The VCFPD will conduct a final on-site inspection of the project to ensure compliance with all conditions and applicable codes / ordinances.

21. Fire Sprinklers (Note: condition satisfied)

Purpose: To comply with current California Codes and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall be responsible to have an automatic fire sprinkler system installed in all structures as required by the VCFPD. The fire sprinkler system shall be designed and installed by a properly licensed contractor under California State Law.

Documentation: A stamped copy of the approved fire sprinkler plans.

Timing: The Permittee shall submit fire sprinkler plans to the VCFPD for approval before the installation of the fire sprinkler system.

Monitoring and Reporting: A copy of the approved fire sprinkler plans shall be kept on file with the VCFPD. The VCFPD shall conduct on-site inspections to ensure that the fire sprinkler system is installed according to the approved plans. Unless a modification is

approved by the VCFPD, the Permittee, and their successors in interest, shall maintain the fire sprinkler system for the life of the development.

22. Inspection Authority

Purpose: To ensure on-going compliance with all applicable codes, ordinances and project conditions.

Requirement: The Permittee, by accepting these project conditions of approval, shall acknowledge that the fire code official (Fire District) is authorized to enter at all reasonable times and examine any building, structure or premises subject to this project approval for the purpose of enforcing the Fire Code and these conditions of approval.

Documentation: A copy of the approved entitlement conditions.

Timing: The Permittee shall allow on-going inspections by the fire code official (Fire District) for the life of the project.

Monitoring and Reporting: A copy of the approved entitlement conditions shall be kept on file with the VCFPD. The VCFPD shall ensure ongoing compliance with this condition through on-site inspections.