



Planning Director Staff Report Hearing on September 28, 2023

County of Ventura • Resource Management Agency

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

AMERICAN TOWER: SOMIS WIRELESS COMMUNICATIONS FACILITY CONDITIONAL USE PERMIT (CUP) CASE NO. PL22-0171 (FORMERLY CASE NO. CUP 5081)

A. PROJECT INFORMATION

1. **Request:** The applicant requests a Conditional Use Permit (CUP) for the modification and continued operation of an existing wireless communications facility (WCF) for a 10-year period (Case No. PL22-0171).
2. **Applicant:** Spectrasite Communications, LLC, C/O John Merritt, 630 Quintana Road, Suite 321, Morro Bay, CA 93442
3. **Property Owner:** George Gilpatrick, 3046 Ventavo Drive, Moorpark, CA 93021
4. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-4 and Section 8111-1.2 et seq.), the Planning Director is the decision-maker for the requested CUP.
5. **Project Site Size, Location, and Parcel Number:** The 20.21-acre property is located at 3046 Ventavo Road, near the City of Moorpark, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 163-0-210-190 (Exhibit 2).
6. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Agricultural
 - b. Zoning Designation: AE-40 ac (Agricultural Exclusive, 40-acre minimum lot size).
7. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	AE-40 ac (Agricultural Exclusive, 40-acre minimum lot size)	Agriculture and low density residential
East	AE-40 ac	Agriculture and low density residential
South	AE-40 ac	Agriculture and low density residential
West	OS-40 ac (Open Space, 40-acre minimum lot size)	Agriculture and low density residential

8. **History:** On November 18, 1999, CUP 5081 was approved by the Planning Director authorizing the construction of a WCF designed as a 55-foot-tall monopole with 15 antennas and ground-mounted equipment cabinets for a period of 20-years. The WCF was constructed as 58-foot-tall monopole. CUP 5081 expired on November 8, 2019.
9. **Project Description:** The applicant requests a CUP for the modification and continued operation of an existing stealth WCF for a 10-year period. The existing WCF includes a monopole, 58-feet in height, with antennas for T-Mobile, a ground-mounted equipment cabinet, utility rack, and meter pedestal. The WCF will be modified by flush mounting the antennas to the existing monopole to better conceal and camouflage the WCF into its surrounding visual setting.

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. Access to the site is via Ventavo Road, which is a private road. 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 project includes the modification and continued operation of an existing WCF. The WCF will be modified by flush mounting the existing antennas to the monopole, a negligible expansion of the existing use. Therefore, the proposed project qualifies for 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 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 Agricultural Exclusive (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 project is subject to the special use standards of the Ventura County NCZO (Section 8105-4). 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>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 monopole that is effectively camouflaged by the surrounding vegetation. The WCF will be modified by flush mounting the antennas to the existing monopole to better conceal and camouflage the WCF into its surrounding visual setting.</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> <ol 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 project site is located on Ventavo Road, a private road, in an area with agricultural and low-density residential development. The WCF is designed and sited so that the existing topography and vegetation camouflage the WCF from public viewpoints.</p>
<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. 	<p>Yes. The WCF is not prominently visible from public viewpoints.</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p>(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>	
<p>Section 8107-45.4 (f)(4)(c), Height: A stealth facility that exceeds 80 feet in height shall be considered a non-stealth facility for entitlement processing under Section 8107-45. However, stealth design features may be included in the wireless communication facility to blend the facility with the surrounding environment.</p>	<p>Yes. The WCF is designed as a stealth monopole, 58-feet in height.</p>
<p>Section 8107-45.4 (g)(1)(2), Setbacks: (1) All wireless communication facilities shall comply with the required minimum front, side, and rear yard setbacks for the zone in which the site is located. No portion of an antenna array shall extend beyond the property lines. (2) Ground-mounted wireless communication facilities shall be set back a distance equal to the total facility height or 50 feet, whichever is greater, from any offsite dwelling unit.</p>	<p>Yes. The WCF meets all setback requirements.</p>
<p>Section 8107-45.4 (h), Retention of Concealment Elements: 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: (1) A stealth facility is modified to such a degree that it results in a non-stealth facility; or (2) The stealth facility no longer meets the applicable development standards for stealth facilities in Sec. 8107-45.4; or (3) Equipment and antennas are no longer concealed by the permitted stealth design features; or (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. The WCF will be modified by flush mounting the antennas to the existing monopole, enhancing the concealment elements of the WCF.</p>
<p>Section 8107-45.4 (i)(3), Standards for Flush Mounted Facilities A wireless communication facility may be flush-mounted on a building or other structure pursuant to the following standards, and provided that associated equipment is located in manner consistent with the definition for flush-mounted antenna in Sec. 8102-0: (a) Flush-mounted wireless communication facilities shall be designed as a stealth facility and shall be compatible with the architectural style, color, texture, façade, and materials of the structure. Panel antennas shall not interrupt architectural lines of building façades, including the length and width of the portion of the façade on which it is</p>	<p>Yes. a) The WCF will be modified by flush mounting the antennas to the existing monopole. Mounting equipment will be screened from view. b) The WCF meets the height requirements for a flush mounted WCF.</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p>mounted. Mounting brackets, pipes, and coaxial cable shall be screened from view.</p> <p>(b) Shall not exceed the maximum height limits for flush-mounted wireless communication facilities stated in Sec. 8107-45.4(f)(4)(e).</p> <p>(c) Any flush-mounted wireless communication facility attached to a light pole or a utility pole must exhibit the same or improved appearance than existing local light poles or utility poles.</p> <p>(d) Flush-mounted wireless communication facilities should be attached to a vertical surface except they may be mounted atop a light pole or a utility pole when flush-mounting is infeasible. Panel antennas shall be mounted no more than 18 inches from building surfaces or poles and shall appear as an integral part of the structure. They may be mounted a further distance than 18 inches on lattice towers and other industrial structures.</p>	<p>c) Not applicable. The antennas will be mounted to the existing monopole.</p> <p>d) The antennas will be mounted on the vertical surface of the existing monopole and designed to appear integrated with the structure.</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. The WCF is located on an existing, legally disturbed area. There are no proposed modifications to the facility.</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 accessory equipment is effectively screened by existing vegetation and is not prominently visible from public viewpoints.</p>
<p>Section 8107-45.4 (o), Colors and Materials:</p> <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>Yes. All colors and materials used for the WCF blend in with the natural surroundings. There are no reflective materials.</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p>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 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. No new landscaping is proposed. The WCF is effectively screened by existing vegetation.</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 includes signage that deters access to the WCF and associated equipment.</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 existing 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, FCC-adopted standards, and specify a 24-hour telephone number at which the operator can be reached during an emergency.</p>	<p>Yes. The site includes signage indicating all necessary information related to the equipment for the operation of the facility.</p>
<p>Section 8107-45.4 (u), Access Roads:</p>	<p>Yes. The site is accessible via Ventavo Road, a private road.</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
(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.	

E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a CUP pursuant to Section 8111-1.2.1.1a 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 8111-1.2.1.1a.a].**

Based on the information and analysis presented in Section D and Exhibit 4 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 8111-1.2.1.1a.b].**

The project involves the modification and continued operation of an existing WCF located in an area with agricultural and low-density residential development. The WCF will be modified by flush mounting the antennas to the existing monopole to better conceal and camouflage the WCF into its surrounding visual setting. No new effects on the surrounding land uses have been identified.

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 8111-1.2.1.1a.c].**

The project involves the modification and continued operation of an existing WCF. 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 (Exhibit 5, Condition No. 15) to identify a contact person for the timely resolution of complaints.

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

4. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [Section 8111-1.2.1.1a.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 and the reporting of all major incidents so as to prevent a recurrence of such an incident (Exhibit 5, Condition Nos. 15, 16, and 18). 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. 25).

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 8111-1.2.1.1a.e].

The project involves the modification and continued operation of an existing WCF. There will be no change in the surrounding land uses. The project is compatible with the existing and surrounding agricultural and low-density residential development.

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

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

The project site is depicted as Parcel 8 on Book 14, Page 24 to 27, of Parcel Maps recorded in the County of Ventura in June of 1973.

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 [Section 8111-1.2.1.1a.g].

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].

The project involves the modification and continued operation of an existing WCF. The modifications will occur on the existing structure and will not disturb agricultural resources or operations. Additionally, the issuance of this CUP will not impact agricultural resources or operations on adjacent properties.

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 involves the modification and continued operation of an existing WCF. The modifications will occur on the existing structure and there is no expansion or land disturbing activities. Furthermore, the WCF occupies a relatively small portion of the subject site, a 600 square foot lease area on a 22-acre property.

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 involves the modification and continued operation of an existing WCF. The modifications will occur on the existing structure and there are no land disturbing activities. 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 September 18, 2023, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located. On September 17, 2023, the Planning Division placed a legal ad in the Ventura County Star.

The project site is located within the City of Moorpark's Area of Interest. On August 16, 2023, the Planning Division notified the City of Moorpark of the proposed project and requested the City of Moorpark to submit any comments that the City might have on the

proposed project. The City of Moorpark responded on August 16, 2023, noting they had no comment on the project.

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. **GRANT** the requested CUP (Case No. PL22-0171), 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.

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:



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

EXHIBITS

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



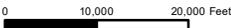
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



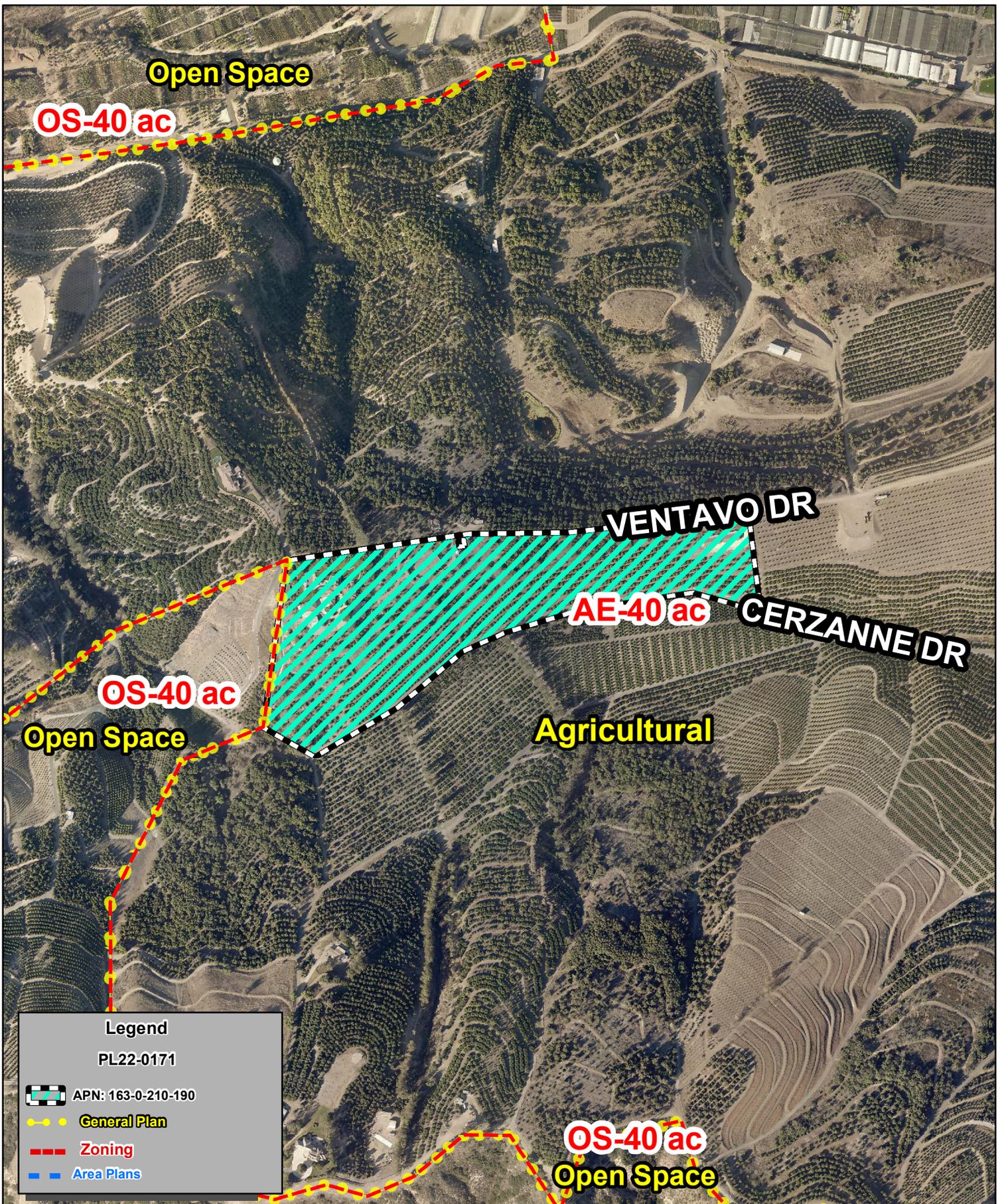
Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map created on 04-12-2023

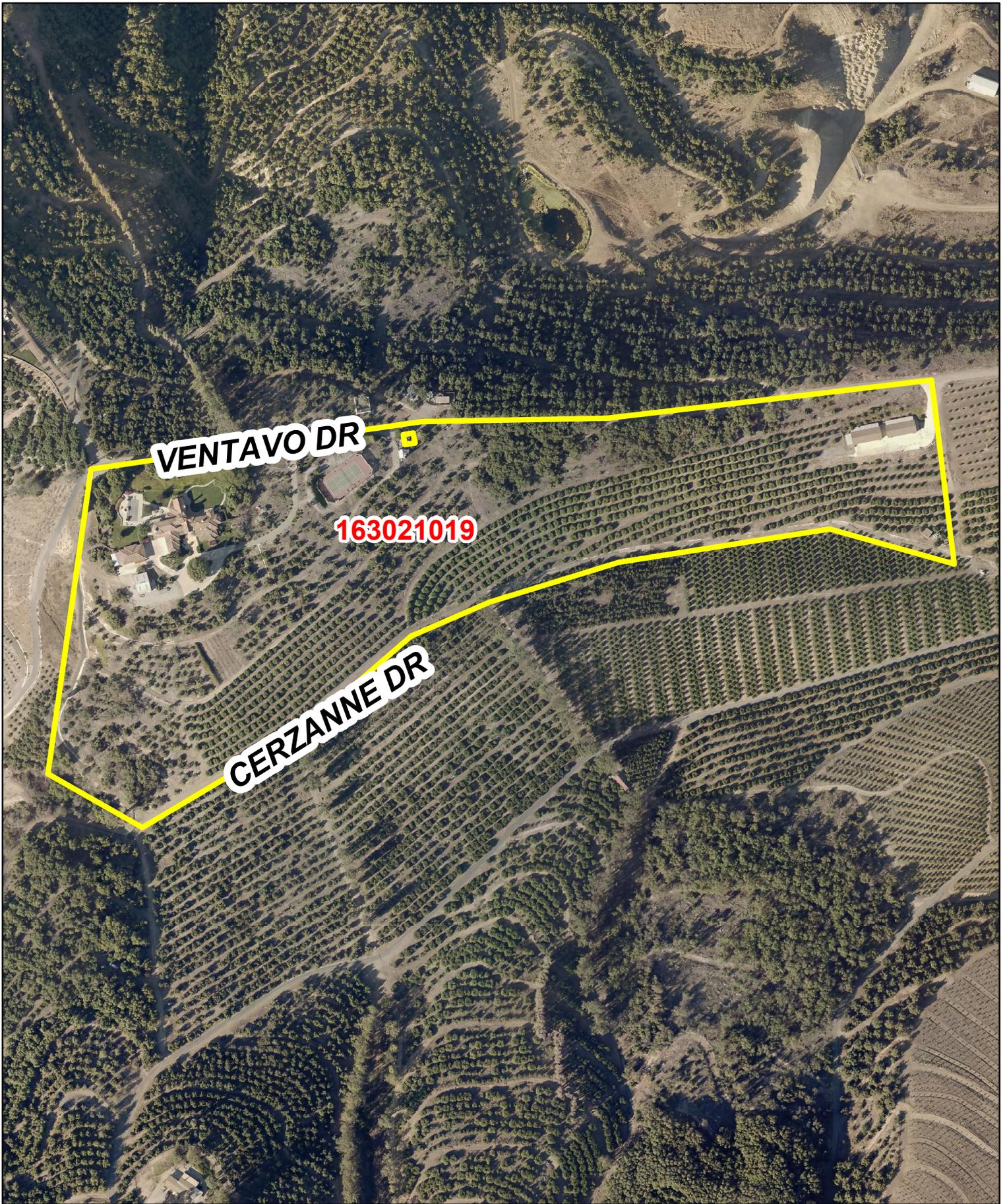


County of Ventura
Planning Director Hearing
Case No. PL22-0171
Exhibit 2 - Maps



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.





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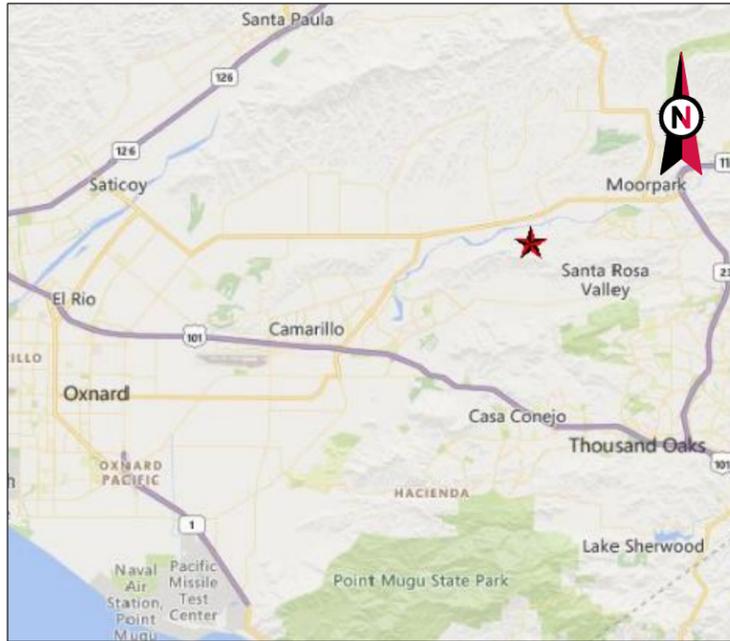


County of Ventura
Planning Director Hearing
PL22-0171
Aerial Photography

0150 Feet

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VICINITY MAP



AMERICAN TOWER®

SITE NAME: SOMIS
SITE NUMBER: 301324
SITE ADDRESS: 3046 VENTAVO ROAD
CAMARILLO, CA 93012



LOCATION MAP

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

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REV.	DESCRIPTION	BY	DATE
0	FOR CONSTRUCTION	EB	06/28/23

CONDITIONAL USE PERMIT RENEWAL

ATC SITE NUMBER:
301324
 ATC SITE NAME:
SOMIS
 SITE ADDRESS:
 3046 VENTAVO ROAD
 CAMARILLO, CA 93012



Digitally signed by Scott Fletcher
 Date: 2023.06.29 16:14:06 -04'00'

DATE DRAWN: 06/28/23
 ATC JOB NO: 13736600

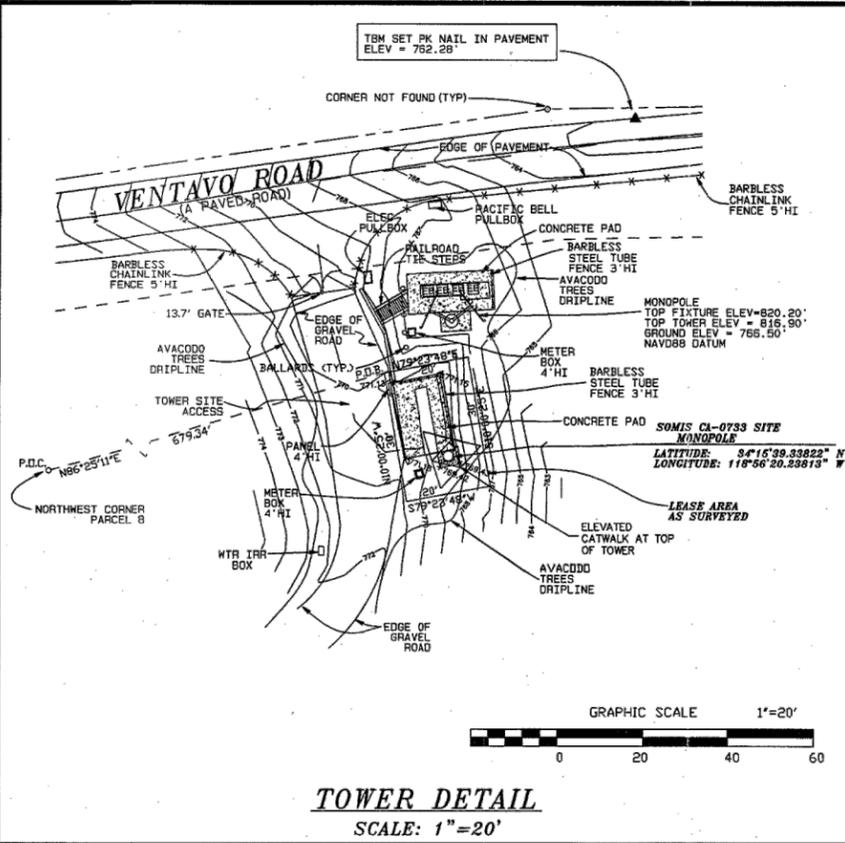
TITLE SHEET

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 REVISION: **0**

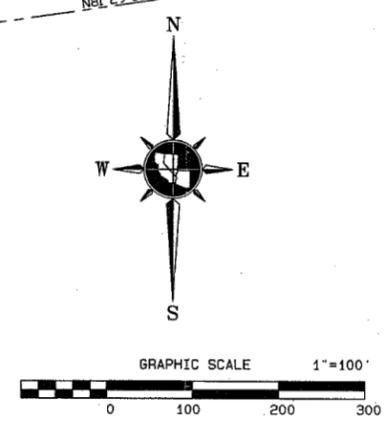
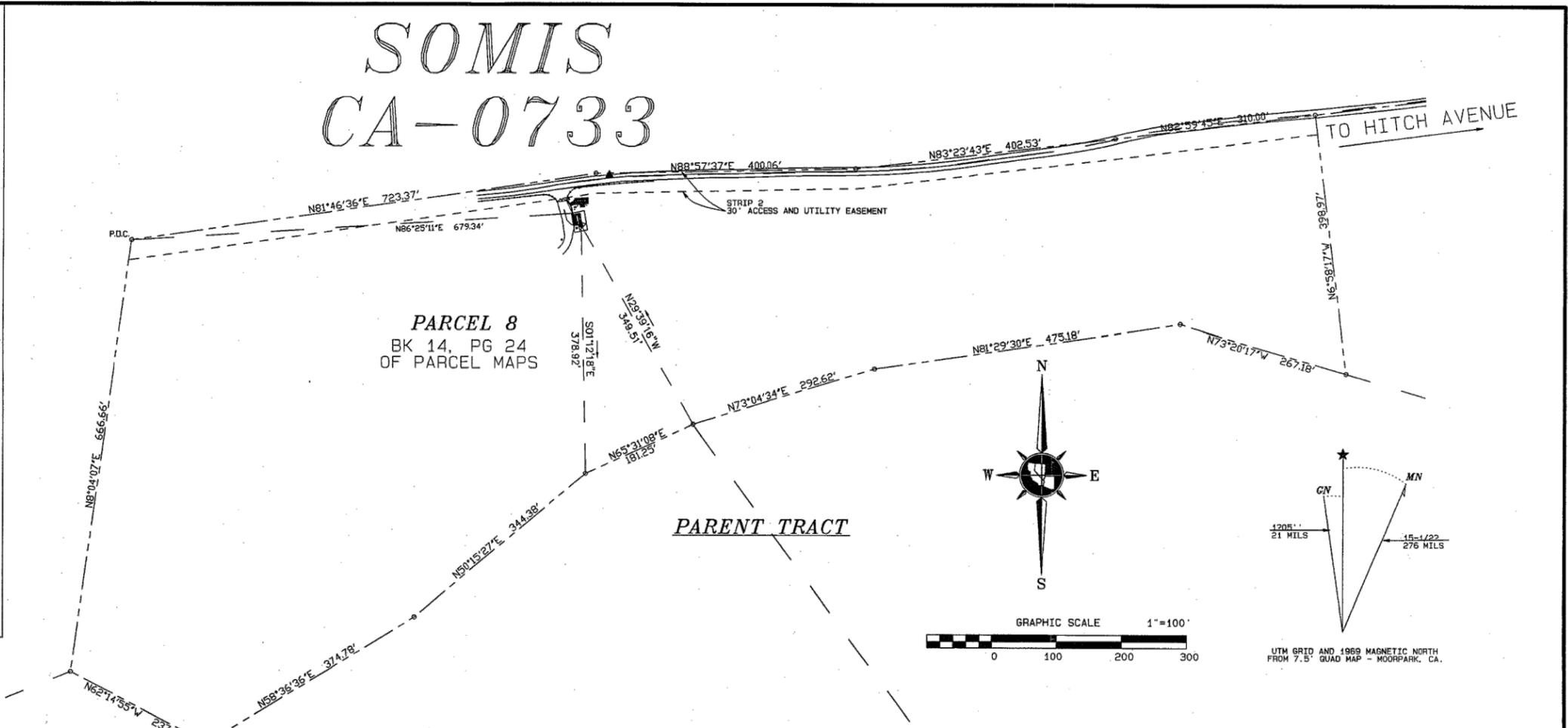
COMPLIANCE CODE	PROJECT SUMMARY	PROJECT DESCRIPTION	SHEET INDEX				
ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. 1. 2019 CALIFORNIA ADMINISTRATIVE CODE 2. 2019 CALIFORNIA BUILDING CODE 3. 2019 CALIFORNIA RESIDENTIAL CODE 4. 2019 CALIFORNIA ELECTRICAL CODE 5. 2019 CALIFORNIA PLUMBING CODE 6. 2019 CALIFORNIA ENERGY CODE 7. 2019 CALIFORNIA FIRE CODE 8. 2019 CALIFORNIA EXISTING BUILDING CODE 9. 2018 INTERNATIONAL BUILDING CODE (IBC) 10. NATIONAL ELECTRIC CODE (NEC) 11. LOCAL BUILDING CODE 12. CITY/COUNTY ORDINANCES	<u>SITE ADDRESS:</u> 3046 VENTAVO ROAD CAMARILLO, CA 93012 COUNTY: VENTURA <u>GEOGRAPHIC COORDINATES:</u> LATITUDE: 34.26088649 LONGITUDE: -118.93898994 GROUND ELEVATION: 770' AMSL <u>ZONING INFORMATION:</u> JURISDICTION: COUNTY OF VENTURA PARCEL NUMBER: 163-0-210-190	THIS SUBMITTAL IS FOR RE-PERMITTING WITH VENTURA COUNTY. THIS SET OF DRAWINGS IS INTENDED TO DEPICT THE RECONFIGURATION OF TOWER MOUNTED ANTENNAS. PROJECT NOTES 1. THE FACILITY IS UNMANNED. 2. A TECHNICIAN WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR ROUTINE INSPECTION AND MAINTENANCE. 3. EXISTING FACILITY MEETS OR EXCEEDS ALL FAA AND FCC REGULATORY REQUIREMENTS. 4. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT LAND DISTURBANCE OR EFFECT OF STORM WATER DRAINAGE. 5. NO SANITARY SEWER, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED. 6. HANDICAP ACCESS IS NOT REQUIRED. 7. THE PROJECT DEPICTED IN THESE PLANS QUALIFIES AS AN ELIGIBLE FACILITIES REQUEST ENTITLED TO EXPEDITED REVIEW UNDER 47 U.S.C. § 1455(A) AS A MODIFICATION OF AN EXISTING WIRELESS TOWER THAT INVOLVES THE COLLOCATION, REMOVAL, AND/OR REPLACEMENT OF TRANSMISSION EQUIPMENT THAT IS NOT A SUBSTANTIAL CHANGE UNDER CFR § 1.61000 (B)(7).	SHEET NO:	DESCRIPTION:	REV:	DATE:	BY:
	PROJECT TEAM <u>TOWER OWNER:</u> SPECTRASITE COMMUNICATIONS, LLC 116 HUNTINGTON AVENUE BOSTON, MA 02116 <u>PROPERTY OWNER:</u> GEORGE GILPATRICK 3046 VENTAVO ROAD CAMARILLO, CA 93012 <u>ENGINEER:</u> ATC TOWER SERVICES 3500 REGENCY PARKWAY SUITE 100 CARY, NC 27518 <u>AGENT:</u> BONNIE BELAIR ATTORNEY, AMERICAN TOWER 10 PRESIDENTIAL WAY WOBURN, MA 01801	PROJECT LOCATION DIRECTIONS HWY 101 W TO HWY 23 N (HEAD TOWARDS SIMI VALLEY/MOORPARK). TAKE NEW L.A. AVE/HWY 118 WEST EXIT. FOLLOW ALONG 118 WEST THROUGH CITY OF MOORPARK. AT HITCH RD. TURN LEFT (1ST LEFT AFTER SCALES) AND GO TO VENTAVO RD. (2ND ROAD ON RIGHT) TURN RIGHT AND GO 1.1 MILE TO SITE.	G-001	TITLE SHEET	0	06/28/23	EB
	UTILITY COMPANIES POWER COMPANY: SO CAL EDISON PHONE: (800) 655-4555 TELEPHONE COMPANY: UNKNOWN PHONE: N/A	PROJECT LOCATION DIRECTIONS County of Ventura Planning Director Hearing Case No. PL22-0171 Exhibit 3 - Plans	V-101	OVERALL SITE PLAN	0	06/28/23	EB
			C-101	OVERALL SITE PLAN	0	06/28/23	EB
			C-102	DETAILED SITE PLAN	0	06/28/23	EB
			C-201	TOWER ELEVATION	0	06/28/23	EB
			C-202	TOWER ELEVATION	0	06/28/23	EB
			C-403	ANTENNA PLAN & SCHEDULE	0	06/28/23	EB
			C-501	SIGNAGE	0	06/28/23	EB

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SOMIS CA-0733



TOWER DETAIL
SCALE: 1"=20'



UTM GRID AND 1989 MAGNETIC NORTH FROM 7.5' QUAD MAP - MOORPARK, CA.

SURVEYOR'S CERTIFICATE:

I, Brett K. Jefferson, do hereby certify to SpectraSite Communications, Inc., Federal Aviation Administration and that this survey was made on the ground under my personal supervision and that this plat is a true, correct and accurate representation of the facts as found at the time of the survey, and more specifically, I so hereby certify that the survey conforms to the conditions and stipulations as checked (X) below:
(Note: On Leased Parcels, "subject property" is defined as the leased premises and its appurtenant easements; and this survey shall not be construed as a full boundary survey of the Parent Tract.)

- (X) 1. Correctly shows the location and dimension of all alleys, streets, roads, rights-of-way, easements and other matters of record which the surveyor has been advised affects the subject property (each has been identified by instrument volume and page number if available).
- (X) 2. Except as shown there are no apparent visible easements, rights-of-way, party walls or conflicts.
- (X) 3. Access is contiguous between the subject property and a public right-of-way, as shown.
- () 4. The legal description of the Parent Tract depicted hereon is the same demised in Title Commitment No. _____ prepared by _____ (No Title Commitment Provided)
- (X) 5. Survey meets or exceeds the minimum technical standards for Land Boundary surveys set forth by California State Law.



Tri State Surveying Ltd.
Brett K. Jefferson
Professional Land Surveyor
Certificate No. 6267 - California
Date of Survey: March 4, 2004
Date of Last Revision: 4/14/04

BASIS OF BEARINGS:

The Basis of Bearings for the land description contained herein is the World Geodetic Reference System of 1984 (WGS 84) North American Datum of 1983 (NAD 83) Geodetic North as determined by static observations of the Global Positioning System.

FEMA INFORMATION

Panel Number: 0604130790B
Zone: X
Date: OCTOBER 31, 1985

LEGEND:

- CONCRETE PAD
- POWER POLE
- GUY WIRE AND ANCHOR
- EDGE OF DIRT ROAD
- FENCE LINE
- POWER LINE
- STEEL TUBE FENCE
- BOUNDARY LINE
- EASEMENT LINE
- WATER IRRIGATION BOX
- ELECTRIC BOX
- MTR IRR EB

LEASE AREA LEGAL DESCRIPTION AS SURVEYED

Commencing at the Northwest corner of Parcel 8, Parent Tract, North 86°25'11" East, 679.34 feet to the Northwest corner of Lease Parcel, also being the Point of Beginning thence North 79°23'48" East, 20 feet; thence South 10°00'25" East, 30 feet; thence South 79°23'48" West, 20 feet; thence North 10°00'25" West, 30 feet to the Point of Beginning. Containing 600 square feet more or less.
(Per Communications Site Lease Agreement dated June 1, 1999)

SURVEYOR'S NOTES:

1. Access to Ventavo Road from Lease Area across the Parent Tract is provided for in the original Lease Agreement. However, the exact alignment of said access is not defined.
2. An easement and right of way for ingress, egress and utility purposes over, under, through and across all of those certain strip of land designated as: Strip 2 proposed 60 foot access and utility easement. (Per Memorandum of Agreement for lease dated June 1, 1999)

ACCESS NARRATIVE

Starting at Moorpark, California, go west on Los Angeles Avenue (Hwy 118) about 2-1/2 miles to Hitch Road on the left. Go southerly on Hitch Road about 1/4 mile to Ventavo Road on the right. Go southwesterly on Ventavo Road about 12 miles to a gate, 13.7 feet in width, and gravel road on the left side of the road at the Parent Parcel, proceed through gate about 70 feet to the second tower site on the left side of the gravel road.

LATITUDE & LONGITUDE:

Latitude and Longitude of existing tower is based on the NAD 83.
LATITUDE: 34°15'39.33822" N
LONGITUDE: 118°56'20.23813" W

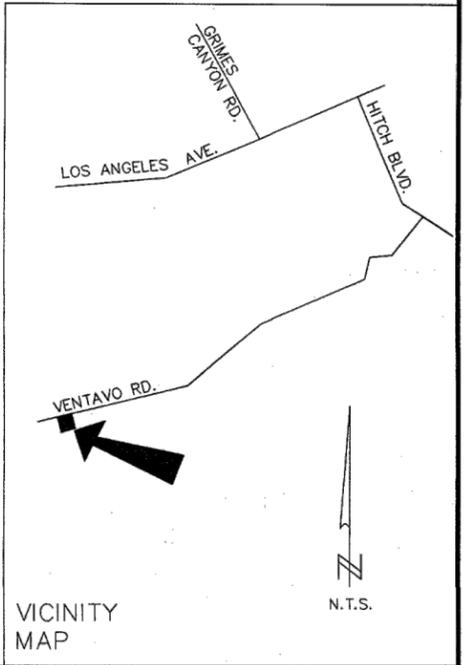
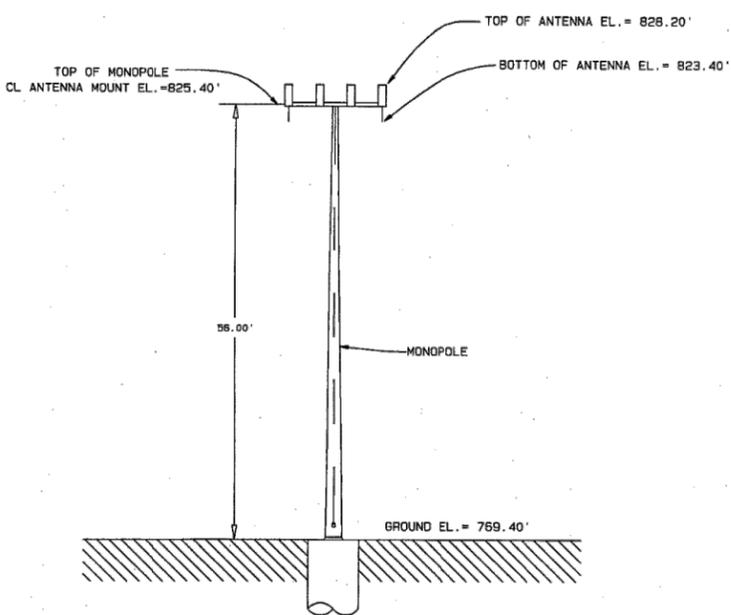
ELEVATION DATUM:

All elevations are based on NGVD 1988 Datum.
GROUND ELEVATION: 769.41'
STRUCTURE HEIGHT: 55.94'
ELEVATION AT TOP OF ANTENNA: 828.20' ALSO HIGHEST APPURTENANCE
ELEVATION AT CL MOUNT: 825.40' ALSO TOP OF MONOPOLE
ELEVATION AT BOTTOM OF ANTENNA: 823.40'

THE LATITUDE AND LONGITUDE VALUES FOR THE CENTER OF THE TOWER AS SHOWN HEREON ARE ACCURATE TO WITHIN +/- 15 FEET HORIZONTALLY AND THE SITE ELEVATIONS AS SHOWN HEREON ARE ACCURATE TO WITHIN +/- 3 FEET VERTICALLY.

PARENT TRACT LEGAL DESCRIPTION:

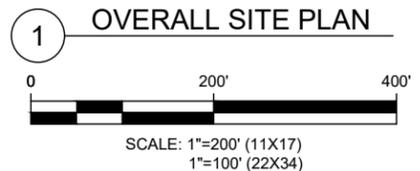
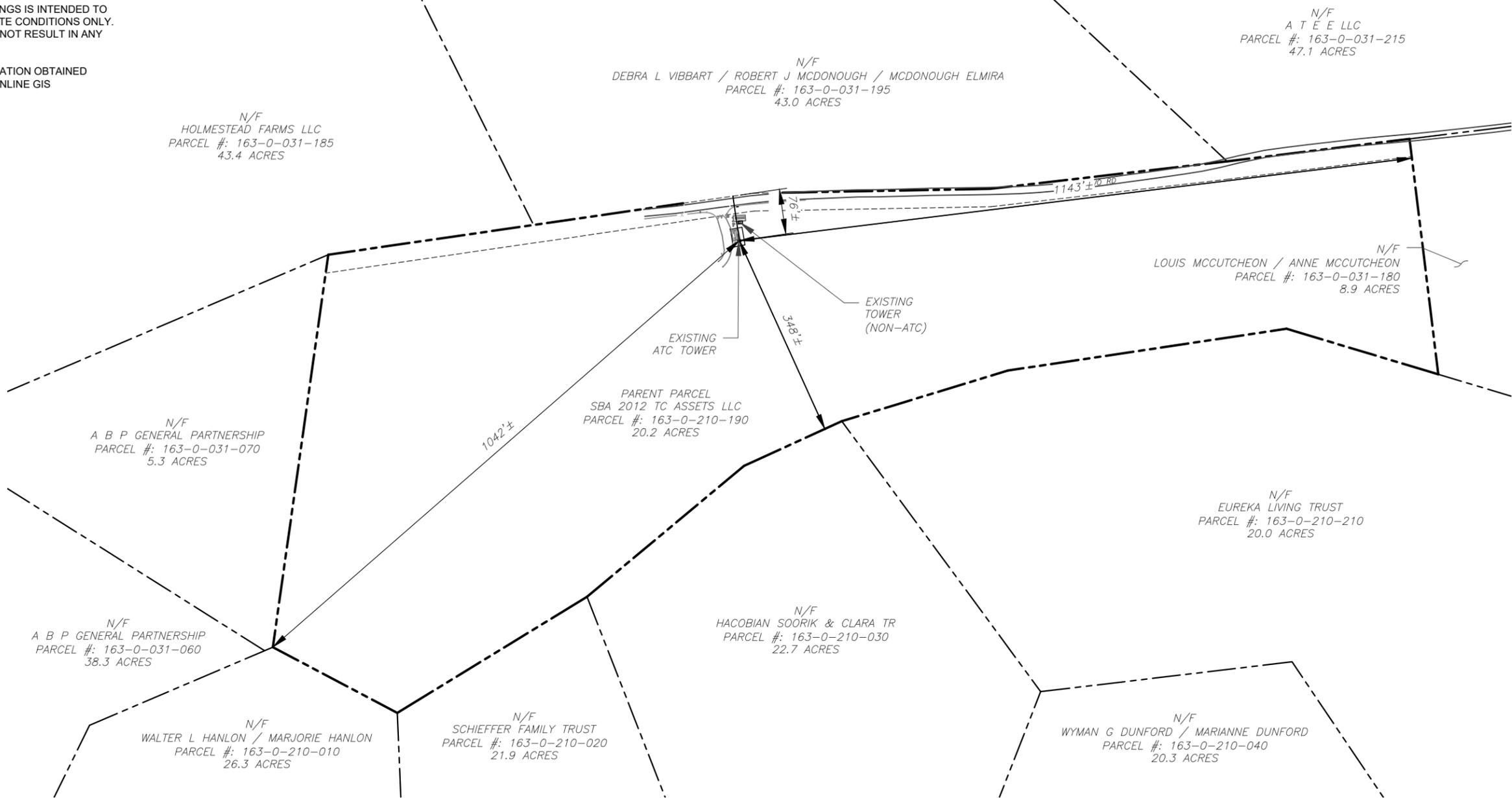
The land referred to in this Report is situated in the State of California, County of Ventura, and is described as follows:
PARCEL A:
Parcel 8, in the County of Ventura, State of California, as shown on a Parcel Map filed in Book 14, page 24 of Parcel Maps in the office of the County Recorder of said County.
(Per Communications Site Lease Agreement dated the 1st day of June 1999.)



 ASC NATIONAL LLC 124 Main Street Waltham, MA 02453 Telephone: 781.893.6277 Fax: 781.893.7091	TRI STATE SURVEYING, LTD 1925 E. PRATER WAY SPARKS, NEVADA 89434 (775) 358-9491 * FAX (775) 358-3664	SHEET 1 OF 1 AS-BUILT SURVEY Date: April 9, 2001 Drawn By: DC Apprv. By: BKJ Dwg. No.: Proj. No.: 01067.01.LV REVISIONS DESCRIPTION: DATE:
	Prepared For: SPECTRASITE COMMUNICATIONS 100 REGENCY FOREST DRIVE, SUITE 400 CARY, NC. 27511	Project Location: Moorpark, California Project Address: 3046 Ventavo Road Site Name: Somis SpectraSite No. CA-0733

NOTES:

1. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS ONLY. THE PROJECT WILL NOT RESULT IN ANY PROPOSED WORK.
2. BOUNDARY INFORMATION OBTAINED FROM: DATATREE ONLINE GIS



SURVEY LEGEND

	EXISTING PROPERTY
	EXISTING ADJ. PROPERTY
	EXISTING EASEMENT
	EXISTING CHAINLINK FENCE
	EXISTING BUILDING
	EXISTING ROAD (STONE)
	EXISTING ROAD (PAVED)
	EXISTING CONCRETE
	EXISTING LEASE AREA

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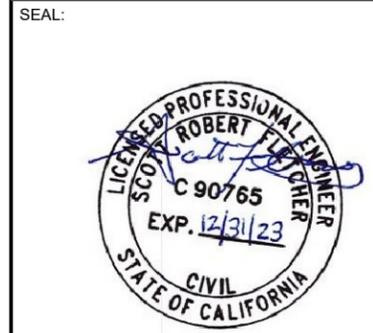
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REV.	DESCRIPTION	BY	DATE
0	FOR CONSTRUCTION	EB	06/28/23

ATC SITE NUMBER:
301324

ATC SITE NAME:
SOMIS

SITE ADDRESS:
3046 VENTAVO ROAD
CAMARILLO, CA 93012



DATE DRAWN:	06/28/23
ATC JOB NO:	13736600

OVERALL SITE PLAN

SHEET NUMBER: **C-101** REVISION: **0**

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ATC SITE NUMBER:

301324

ATC SITE NAME:

SOMIS

SITE ADDRESS:

3046 VENTAVO ROAD
 CAMARILLO, CA 93012

SEAL:



DATE DRAWN: 06/28/23

ATC JOB NO: 13736600

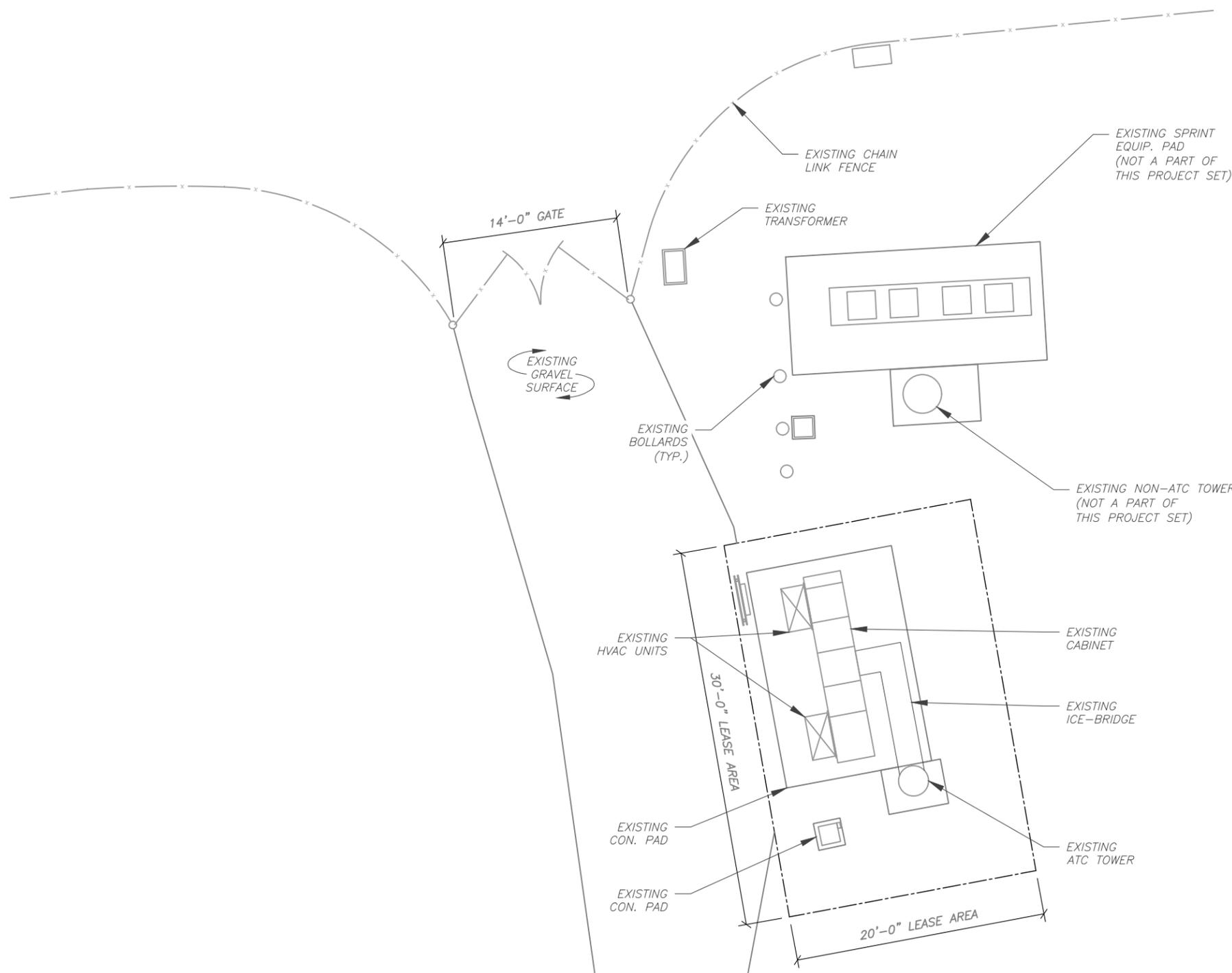
DETAILED SITE PLAN

SHEET NUMBER:

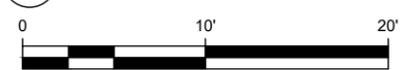
C-102

REVISION:

0



1 DETAILED SITE PLAN



SCALE: 1"=10' (11X17)
 1"=5' (22X34)



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301324
 ATC SITE NAME:
SOMIS

SITE ADDRESS:
 3046 VENTAVO ROAD
 CAMARILLO, CA 93012

SEAL:

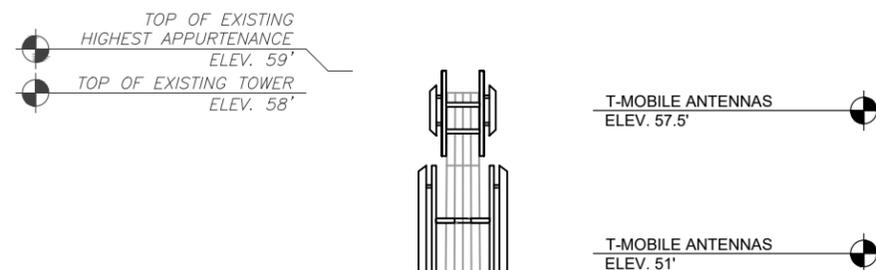


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 ATC JOB NO: 13736600

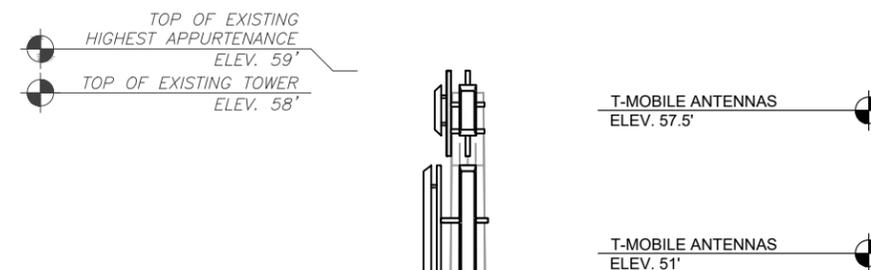
TOWER ELEVATION

SHEET NUMBER: **C-201** REVISION: **0**

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1 TOWER ELEVATION (LOOKING NORTH)
 SCALE: NOT TO SCALE



2 TOWER ELEVATION (LOOKING WEST)
 SCALE: NOT TO SCALE

EXISTING T-MOBILE CABINETS
 EXISTING HVAC

EXISTING T-MOBILE CABINETS

GRADE LEVEL ELEV. 0'

GRADE LEVEL ELEV. 0'



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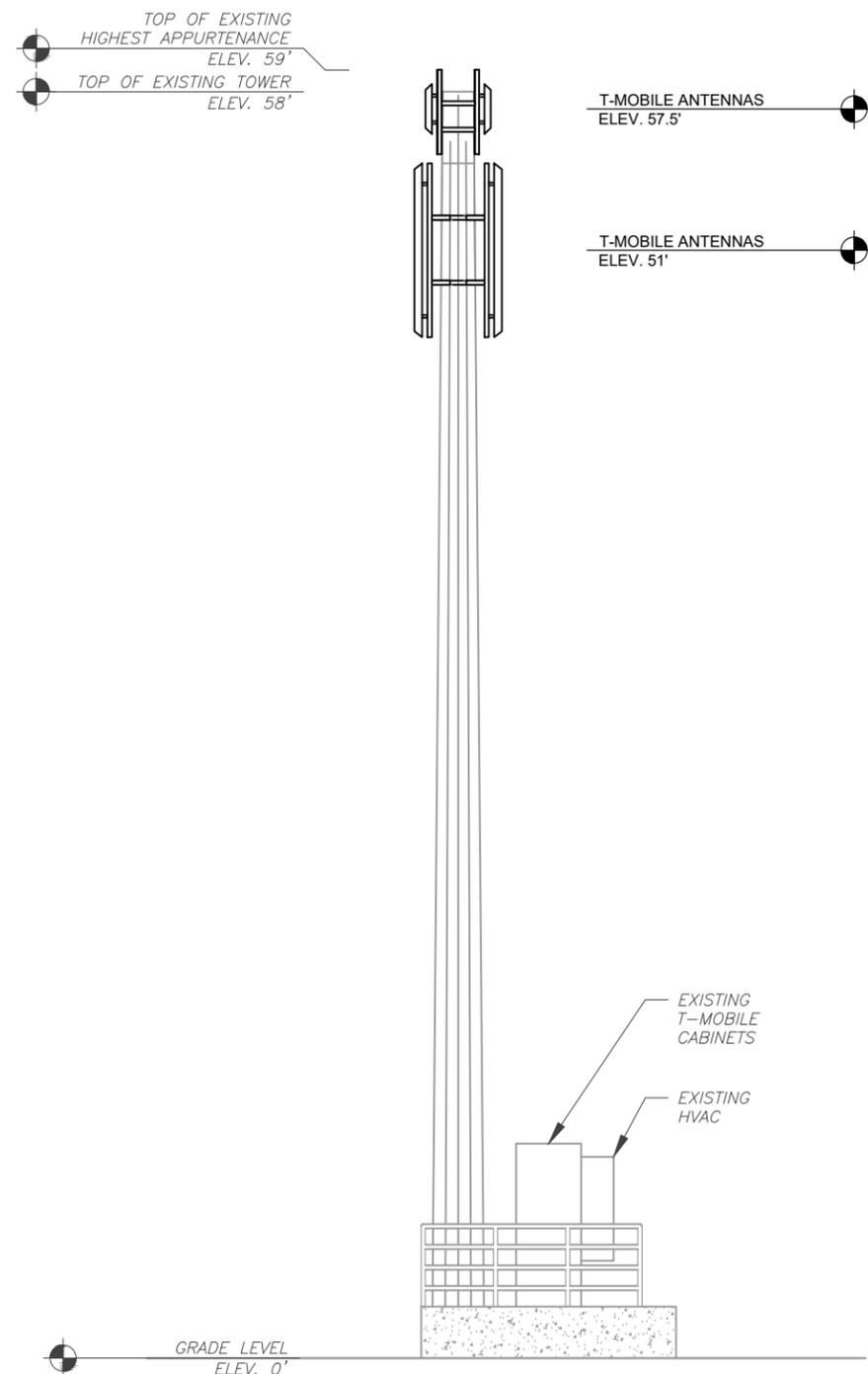
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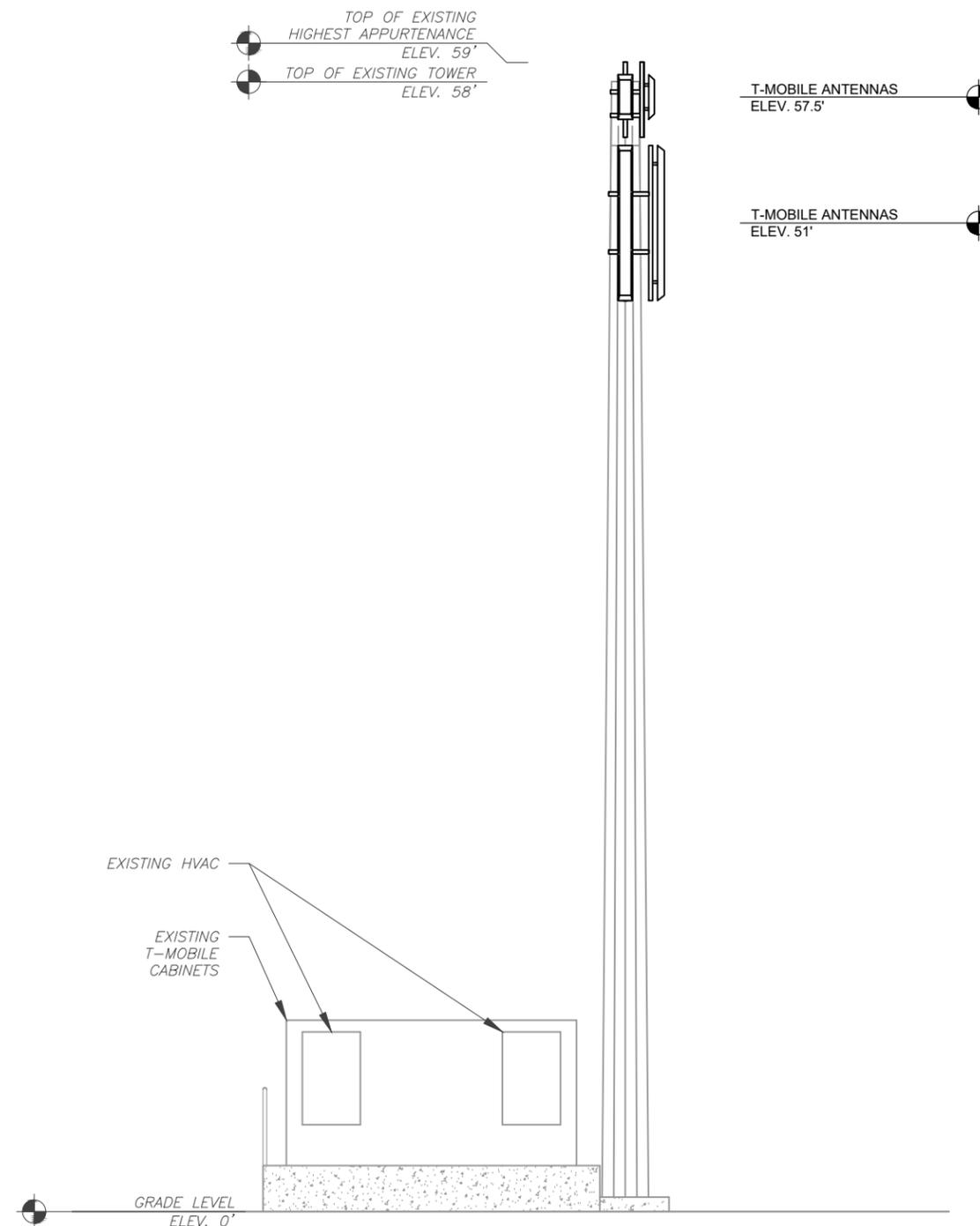
DATE DRAWN: 06/28/23
 ATC JOB NO: 13736600

TOWER ELEVATION

SHEET NUMBER: **C-202** REVISION: **0**



1 TOWER ELEVATION (LOOKING SOUTH)
 SCALE: NOT TO SCALE



2 TOWER ELEVATION (LOOKING EAST)
 SCALE: NOT TO SCALE

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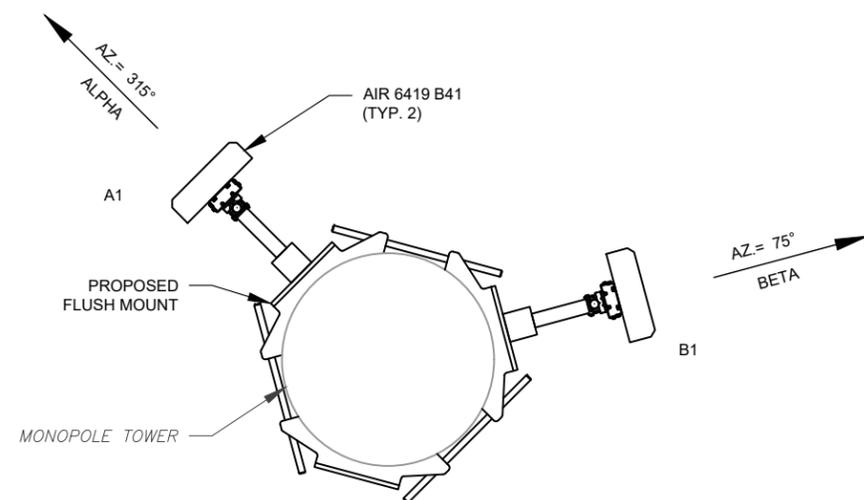
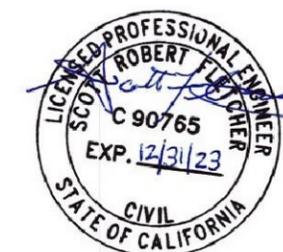
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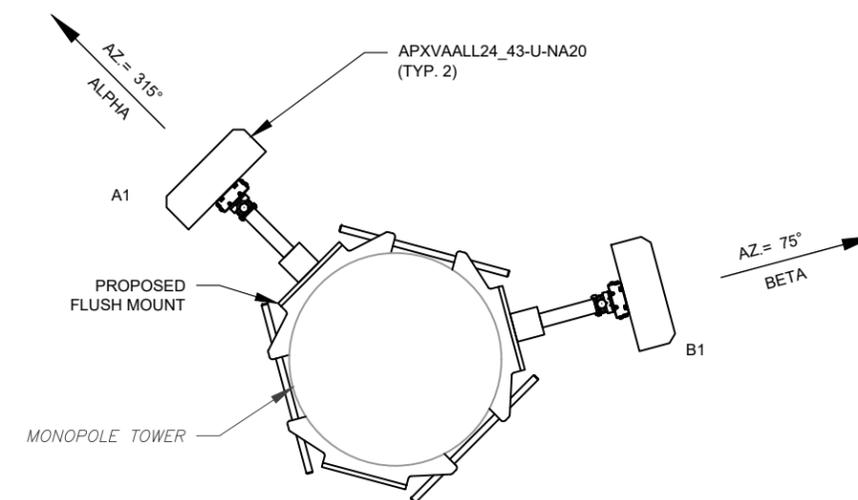
SITE ADDRESS:
 3046 VENTAVO ROAD
 CAMARILLO, CA 93012

SEAL:



1 ANTENNA PLAN
 SCALE: NOT TO SCALE

ANTENNA SCHEDULE							
SECTOR	RAD HEIGHT (FT.)	EQUIPMENT POS	MODEL NUMBER	EQUIPMENT TYPE	HEIGHT (IN.)	WIDTH (IN.)	DEPTH (IN.)
ALPHA	57.3'	A1	AIR 6419 B41	PANEL	33.6	20.0	6.3
BETA	57.3'	B1	AIR 6419 B41	PANEL	33.6	20.0	6.3



2 ANTENNA PLAN
 SCALE: NOT TO SCALE

ANTENNA SCHEDULE							
SECTOR	RAD HEIGHT (FT.)	EQUIPMENT POS	MODEL NUMBER	EQUIPMENT TYPE	HEIGHT (IN.)	WIDTH (IN.)	DEPTH (IN.)
ALPHA	51'	A1	APXVAALL24_43-U-NA20	PANEL	95.9	24.0	8.5
BETA	51'	B1	APXVAALL24_43-U-NA20	PANEL	95.9	24.0	8.5

DATE DRAWN: 06/28/23
 ATC JOB NO: 13736600

ANTENNA PLAN & SCHEDULE

SHEET NUMBER: **C-403** REVISION: **0**

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CAUTION



Beyond this point:
Radio frequency fields at this site may exceed FCC rules for human exposure.

For your safety, obey all posted signs and site guidelines for working in radio frequency environments.

In accordance with Federal Communications Commission rules on radio frequency emissions 47 CFR 1.1307(b)

NO TRESPASSING

ATC CAUTION AND NO TRESPASSING SIGN

WARNING



Beyond this point:
Radio frequency fields at this site may exceed FCC rules for human exposure.

For your safety, obey all posted signs and site guidelines for working in radio frequency environments.

In accordance with Federal Communications Commission rules on radio frequency emissions 47 CFR 1.1307(b)

ATC RF WARNING AND FCC NUMBER SIGN

FCC TOWER REGISTRATION # (NOT REQUIRED)

Posting of sign required by law

ATC STAND-ALONE FCC TOWER REGISTRATION SIGN



EXISTING SIGNAGE PHOTO

NOTICE
GUIDELINES FOR WORKING IN RADIOFREQUENCY ENVIRONMENTS

- ⚠ All personnel should have electromagnetic energy (EME) awareness training.
- ⚠ All personnel entering this site must be authorized.
- ⚠ Obey all posted signs.
- ⚠ Assume all antennas are active.
- ⚠ Before working on antennas, notify owners and disable appropriate transmitters.
- ⚠ Maintain minimum 3 feet clearance from all antennas.
- ⚠ Do not stop in front of antennas.
- ⚠ Use personal RF monitors while working near antennas.
- ⚠ Never operate transmitters without shields during normal operation.
- ⚠ Do not operate base station antennas in equipment room.

ATC RF PROGRAM NOTICE SIGN

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3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112

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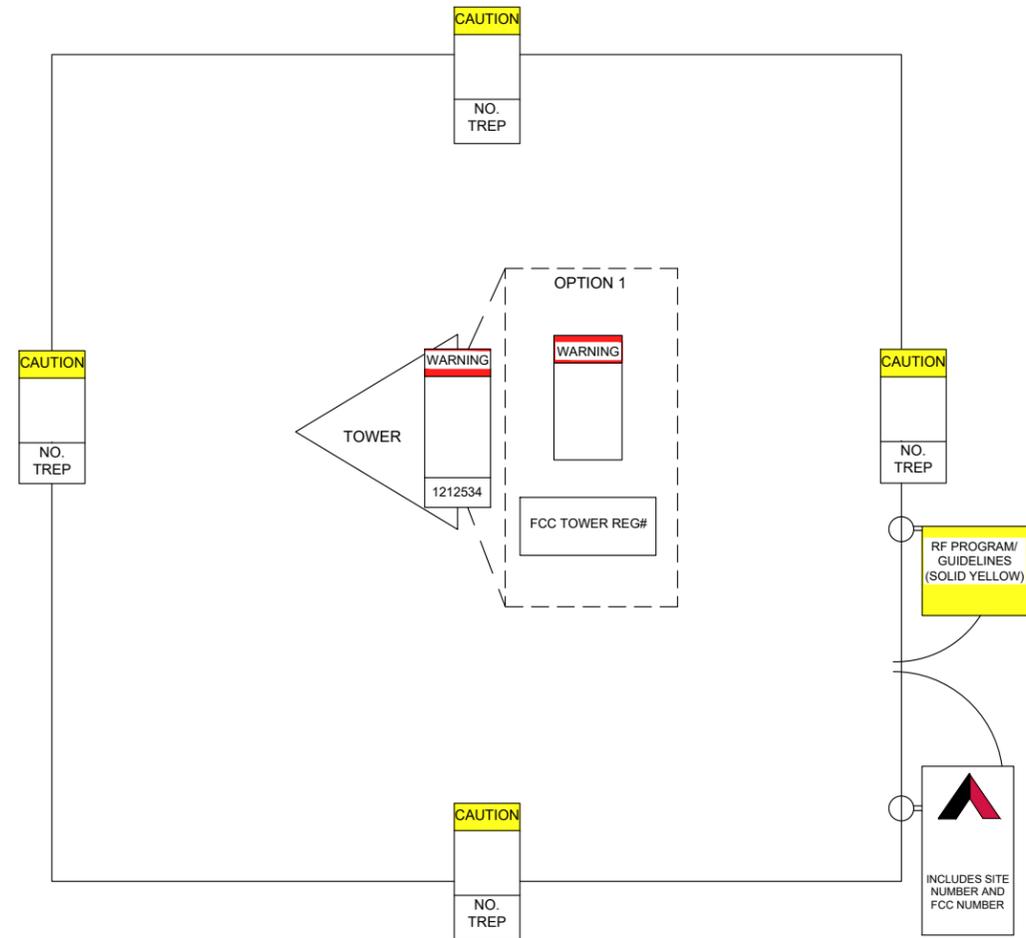
SEAL:

DATE DRAWN:	06/28/23
ATC JOB NO:	13736600

SIGNAGE

SHEET NUMBER: **C-501** REVISION: **0**

A "NO TRESPASSING" SIGN MUST BE POSTED A MINIMUM OF EVERY 50'.



THERE MUST BE AN ATC SIGN WITH SITE INFORMATION AND FCC REGISTRATION NUMBER AT BOTH THE ACCESS ROAD GATE (GATE OFF OF MAIN ROAD, IF APPLICABLE) AND COMPOUND FENCE (IF NO COMPOUND FENCE, THEN IN A CONSPICUOUS PLACE UPON DRIVE UP). IN ADDITION, PLEASE LOOK AT DIAGRAM FOR ALL ADDITIONAL SIGNS REQUIRED.

OPTION 1 MAY BE USED TO POST TOWER REGISTRATION NUMBERS AT THE BASE OF THE TOWER IF A WARNING SIGN DOES NOT HAVE SPACE FOR THE TOWER REGISTRATION NUMBER.

IMPORTANT: FOR ANY ATC SIGN THAT DOES NOT MEET THE ATC SPECIFICATION FOR SIGNAGE (I.E., SHARPIE/PAINT PEN, WORN LABELS, ETC.), BRING IT INTO COMPLIANCE (RE-WRITE IF WORN) AND FLAG FOR REPLACEMENT ASAP WITH THE APPROPRIATE PERMANENT SIGN (YOU CAN ORDER THESE THROUGH THE WAREHOUSE).

ONLY LABELS PRINTED BY A ZEBRA LABEL PRINTER WILL BE ACCEPTED.

AMERICAN TOWER

SITE NAME : SOMIS
SITE NUMBER : 301324
FCC REGISTRATION # : (NOT REQUIRED)

FOR LEASING INFORMATION: **877-282-7483**
877-ATC-SITE

FOR EMERGENCIES CALL: **877-518-6937**
877-51-TOWER

NO TRESPASSING

www.americantower.com

POSTING OF THIS SIGNAGE REQUIRED BY LAW

ATC SITE SIGN

REPLACEMENT OF SIGNAGE:

AS SIGNAGE BECOMES STOLEN, DAMAGED, BRITTLE OR FADED, IT SHOULD BE REPLACED WITH SIGNAGE PER THIS SPECIFICATION. ANY ACQUIRED SITE SHOULD HAVE NEW SIGNS POSTED WITHIN 60 DAYS UNLESS OTHERWISE SPECIFIED. ANY SITE SOLD SHOULD HAVE THE ATC SIGNS REMOVED WITHIN 30 DAYS UNLESS OTHERWISE SPECIFIED. ALL FCC OR REGULATORY SIGNAGE MUST BE INSTALLED OR REPLACED AS REQUIRED TO MEET OUR STANDARD. SIGNS SHOULD BE REPLACED ON NORMAL, QUARTERLY MAINTENANCE VISITS BY CONTRACTORS OR SITE MANAGERS, UNLESS OTHERWISE REQUIRED ON A CASE-BY-CASE BASIS.

NOTE:

EXTERIOR SIGNS ARE NOT PROPOSED EXCEPT AS REQUIRED BY THE FCC. ALL EXISTING SIGNAGE AND ANY FUTURE SIGNAGE WILL BE COMPLIANT WITH STATUTE 164-43.4 NO HIGH-VOLTAGE SIGNAGE IS NECESSARY. NO HIGH-VOLTAGE EQUIPMENT PRESENT.



Exhibit 4 – General Plan 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 AMERICAN TOWER WIRELESS COMMUNICATION FACILITY: SOMIS (CASE NO. PL22-0171)

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 project is a Conditional Use Permit (CUP) for the modification and continued operation of an existing stealth Wireless Communication Facility (WCF) for a 10-year period (Case No. PL22-0171).

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.*

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 project is for the modification and continued operation of an existing WCF. The WCF occupies a small portion of a 22-acre property predominately used for agriculture and a residential estate. No modifications or physical changes are proposed as part of this project and no agricultural land or crops will be impacted by issuance of this CUP. Additionally, the project will not affect agricultural uses

County of Ventura
Planning Director Hearing
Case No. PL22-0171
Exhibit 4 - General Plan Consistency Analysis

on the subject and adjacent properties. Finally, the WCF is sited on the subject site to avoid impacts to active agricultural operations.

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 WCF is designed as a stealth monopole, 58-feet in height, that is effectively screened from public viewpoints by surrounding vegetation. The subject site is zoned AE-40 ac and surrounded by similar properties with active agricultural operations. The WCF would continue to provide wireless telecommunication services to the surrounding area and remain compatible with the neighboring land uses. No new land use conflicts or visual impacts would occur with the continued use of the WCF. The site is accessed by Ventavo Road, a private access road. No water is required for this 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 project was reviewed by the Department of Environmental Health (EHD). In response to EHD's review, the WCF would be conditioned to require that the storage, handling, and disposal of any potentially hazardous material shall be in compliance with applicable state regulations (Exhibit 5, Condition No. 25).

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 unincorporated parts of Ventura County, 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 Policy PFS-1.1, PFS-7.1, and PFS-7.5.

**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP) CASE NO.
PL22-0171 FOR AMERICAN TOWER: SOMIS WIRELESS COMMUNICATION
FACILITY (WCF) (FORMERLY CUP 5081)**

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, exhibits of the Planning Director hearing on September 28, 2023, 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 CUP has been granted to authorize the modification and continued operation of an existing stealth Wireless Communication Facility (WCF) for a 10-year period. The existing WCF includes a monopole, 58-feet in height, with antennas for T-Mobile, a ground-mounted equipment cabinet, utility rack, and meter pedestal. The WCF will be modified by flush mounting the antennas to the existing monopole to better conceal and camouflage the WCF into its surrounding visual setting.

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. Access to the site is via Ventavo Road, which is a private road. No exterior lighting, grading, or fencing is proposed with the project.

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. 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.

5. 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.

6. 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 _____. 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 _____; 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.

7. 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.

8. 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 construction and 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.

9. 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 construction and 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.

10. 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: Within 10 calendar days of the effective date of the final decision approving this CUP, the Permittee shall submit the following deposit and reimbursement agreement to the Planning Director:
 - (1) A payment of \$500.00 for deposit into a revolving condition compliance and enforcement account to be used by the Planning Division to cover costs associated with condition compliance review, monitoring, and enforcement activities described in 10.a (above), and any duly imposed civil administrative penalties regarding this. The Permittee shall replenish such account to the above-stated amount within 10 calendar days after receiving notice of the requirement to do so from the Resource Management Agency.
 - (2) An executed reimbursement agreement, 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.

11. 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.

12. 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.

13. 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. 10 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.

14. 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.

15. 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.

16. 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. 15 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; and
- c. If following a complaint investigation by County staff, a violation of the Ventura County Code or a condition of this CUP is confirmed, County staff may initiate enforcement actions pursuant to § 8114-3 of the Non-Coastal Zoning Ordinance.

17. Change of Permittee

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

Requirement: The Permittee shall file, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). The Permittee shall provide the Planning Director with 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.

18. 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.

19. Future Collocation of Wireless Telecommunication Facilities and Equipment

Purpose: To reduce the number of communication facilities and minimize the potential environmental impacts associated with such facilities.

Requirement: The Permittee shall avail its facility and site to other telecommunication carriers and, in good faith, accommodate all reasonable requests for collocation in the future subject to the following parameters:

- a. The party seeking the collocation shall be responsible for all facility modifications, environmental review, mitigation measures, associated costs, and permit processing;
- b. The Permittee shall not be required to compromise the operational effectiveness of its facility or place its prior approval at risk;
- c. The Permittee shall make its facilities and site available for collocation on a non-discriminatory and equitable cost basis; and
- d. The County retains the right to verify that the use of the Permittee's facilities and site conforms to County policies.

Documentation: Permittee shall demonstrate to the satisfaction of the Planning Director that the wireless telecommunications tower associated with the communication facility is engineered in a manner that can accommodate supplementary antennas to collocate at least one additional telecommunication carrier.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall submit evidence to the Planning Division that the facility is engineered to accommodate the collocation of at least one additional carrier.

Monitoring and Reporting: Prior to the issuance of a Certificate of Occupancy, Building and Safety inspectors and Planning Division staff have the authority to inspect the facility to confirm that is constructed as approved.

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

Purpose: In compliance with § 8111-2.8 and § 8111-8.1 of the Ventura County Non-Coastal Zoning Ordinance and in order to ensure that the use of the subject property remains compatible with existing and potential uses of other property within the general area, the communication facility shall be removed if this CUP expires or if the facility is abandoned.

Requirement: Upon the expiration of this CUP, or abandonment of the use of the communication facility, the Permittee shall:

- a. Notify the County that the Permittee has discontinued the use of the facility;
- b. Remove the facility and all appurtenant structures; and
- c. Restore the premises to the conditions existing prior to the issuance of the CUP, to the extent feasible as determined by the Planning Director.

In the event that the Permittee fails to perform the required actions, the Property Owner shall be responsible for compliance with the requirements set forth in this condition. The facility shall be considered to be abandoned if it has not been in use for 12 continuous months.

Documentation: The Permittee shall provide photos of the site after restoration is completed, to the County Planning Division.

Timing: The Permittee shall complete the notification, removal, and restoration activities within 60 days of the expiration of this CUP, or abandonment of the use, unless the Planning Director grants (in writing) additional time.

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

21. Color/Material/Manufacture Specifications

Purpose: In order to ensure that buildings and structures comply with the development standards of the Ventura County Non-Coastal Zoning Ordinance 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; and
- d. Provide photos to the Planning Division to verify that the facility is constructed as approved.

Documentation: A copy of the approved plans denoting the building materials and colors.

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

Monitoring and Reporting: The Planning Division maintains copies of the approved plans, photo simulations, and materials sample/color board in the Project file. The Permittee shall provide photos of the constructed facility to the Planning Division, or schedule a site inspection with the Planning Division, to verify that the Permittee constructed and painted the facility according to the approved plans, photo simulations, and materials sample/color board. The Planning Division maintains the Permittee's approved plans, photo simulations, materials sample/color board, and (if submitted in lieu of a site inspection) photo documentation in the Project file. The Planning Division has

the authority to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

22. Paleontological Resources Inadvertently Discovered During Grading

Purpose: In order to mitigate potential impacts to paleontological resources that may be encountered during ground disturbance or construction activities.

Requirement: If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall:

1. Cease operations and assure the preservation of the area in which the discovery was made;
2. Notify the Planning Director in writing, within three days of the discovery;
3. Obtain the services of a paleontological consultant or professional geologist who shall assess the find and provide a report that assesses the resources and sets forth recommendations on the proper disposition of the site;
4. Obtain the Planning Director's written concurrence with the recommended disposition of the site before resuming development; and
5. Implement the agreed upon recommendations.

Documentation: The Permittee shall submit the paleontologist's or geologist's reports. Additional documentation may be required to demonstrate that the Permittee has implemented the recommendations set forth in the paleontological report.

Timing: If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the paleontological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Permittee shall provide the paleontological report to the Planning Division to be made part of the Project file. The Permittee shall implement any recommendations made in the paleontological report to the satisfaction of the Planning Director. The paleontologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the paleontological report. The Planning Division has the authority to conduct site inspections to ensure that the Permittee implements the recommendations set forth in the paleontological report, consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

23. Archaeological Resources Discovered During Grading

Purpose: In order to mitigate potential impacts to archaeological resources discovered during ground disturbance.

Requirement: The Permittee shall implement the following procedures.

1. If any archaeological or historical artifacts are uncovered during ground disturbance or construction activities, the Permittee shall:
 - a. Cease operations and assure the preservation of the area in which the discovery was made;
 - b. Notify the Planning Director in writing, within three days of the discovery;
 - c. Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
 - d. Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development; and
 - e. Implement the agreed upon recommendations.
2. If any human burial remains are encountered during ground disturbance or construction activities, the Permittee shall:
 - a. Cease operations and assure the preservation of the area in which the discovery was made;
 - b. Immediately notify the County Coroner and the Planning Director;
 - c. Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
 - d. Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development on-site; and
 - e. Implement the agreed upon recommendations.

Documentation: If archaeological remains are encountered, the Permittee shall submit a report prepared by a County-approved archaeologist including recommendations for the proper disposition of the site. Additional documentation may be required to demonstrate that the Permittee has implemented any recommendations made by the archaeologist's report.

Timing: If any archaeological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the archaeological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Permittee shall provide the archaeological report to the Planning Division to be made part of the Project file. The Permittee shall implement any recommendations made in the archaeological report to the satisfaction of the Planning Director. The archaeologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the archaeological report. The Planning Division has the authority to conduct site inspections to ensure that the Permittee implements the recommendations set forth in the archaeological report, consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

24. Site Improvements: Flush-Mounted Antennas

Purpose: To ensure the WCF is upgraded pursuant to the Project Description.

Requirement: The permittee shall modify the WCF by flush-mounting the antennas to the existing monopole to better conceal and camouflage the WCF into its surrounding visual settings.

Documentation: The permittee shall provide photographs of the completed improvements.

Timing: Prior to issuance of the Zoning Clearance for use inauguration, the Permittee must provide photographs to the Planning Division of the completed improvements.

Monitoring and Reporting: Approval, installation verification, monitoring activities, and enforcement activities shall occur according to Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance. The Planning Division shall maintain copies of the documentation in the Project file and has the authority to conduct site inspections to ensure that the Permittee maintains all approved structures in accordance with the requirements of this condition and with the requirements of Section 8114-3 of the Ventura County NCZO.

Environmental Health Division (EHD) Conditions

25. Hazardous Materials/Waste Management (CUPA Permit Required)

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

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

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

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 Air Pollution Control District (VCAPCD) Conditions

26. Nuisance

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

- I. 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: Monitoring and enforcement of nuisance provision is enforceable by APCD on a complaint-driven basis.