CROWN CASTLE (SITE NAME: LAS POSAS, SITE NO. 881025)  
MINOR MODIFICATION TO CONDITIONAL USE PERMIT (CUP) NO. 5020  
CASE NO. PL18-0041

A. PROJECT INFORMATION

1. Request: The applicant requests approval to modify CUP 5020 (as modified by Minor Modification Case No. CUP 5020-1 and Permit Adjustment Case Nos. PL12-0134 and PL14-0148) for the continued use, operation and maintenance of an existing Wireless Communication Facility (WCF) for an additional 10-year period (Case No. PL18-0041) for Crown Castle, known as “Las Posas,” Site No. 881025.

2. Applicant: Crown Castle, Attn: Jim Lee, 200 Spectrum Center Drive, Suite 1700 Irvine, CA 92618.

3. Property Owner: Seacoast Farms, LLC., Attn: Fred Ferro, 5725 Ralston St. #200, Ventura, CA 93003.

4. Applicant’s Representative: Core Development Services, Attn: Alexander Lew, 210 West Birch Street, Suite 201, Brea, CA 92821.

5. Decision-Making Authority: Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-4 and Section 8111-1.2 et seq.), the Planning Director the decision-maker for the requested modified CUP.

6. Project Site Size, Location, and Parcel Numbers: The WCF is located on a 0.01-acre leased portion of a 316.52-acre parcel, located at 4011 La Vista Road, near the intersection of La Vista Road and Los Angeles Avenue, near the city of Somis, in the unincorporated area of Ventura County. The Tax Assessor’s parcel numbers for the parcels that constitutes the project site are 109-0-041-110 (0.01-acre parcel) and 109-0-041-180 (316.52-acre parcel) (Exhibit 2).

7. Project Site Land Use and Zoning Designations (Exhibit 2):
   a. Countywide General Plan Land Use Map Designation: Agriculture
   b. Zoning Designation: “AE-40 ac” (Agricultural Exclusive, 40-acre minimum lot size)
8. Adjacent Zoning and Land Uses/Development (Exhibit 2):

<table>
<thead>
<tr>
<th>Location in Relation to the Project Site</th>
<th>Zoning</th>
<th>Land Uses/Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>AE-40 ac</td>
<td>Agricultural field</td>
</tr>
<tr>
<td>East</td>
<td>AE-40 ac</td>
<td>Agricultural field</td>
</tr>
<tr>
<td>South</td>
<td>AE-40 ac</td>
<td>Agricultural field</td>
</tr>
<tr>
<td>West</td>
<td>AE-40 ac</td>
<td>Agricultural field</td>
</tr>
</tbody>
</table>

9. History: On March 30, 1998, the Planning Director granted CUP No. 5020 to authorize construction of an unmanned WCF consisting of a 48-foot monopole with two antenna arrays. Each array included four panel antennas and six equipment cabinets, surrounded by a six-foot chain link fence.

On February 12, 2001, the Planning Director granted Permit Modification No. 5020-1 to authorize co-locating additional equipment at the existing WCF. This permit modification (No. 5020-1) authorized replacement of the 48-foot monopole with a 60-foot “co-location” monopole and construction of a 230 square-foot (sq. ft.) equipment shelter near the base of the monopole.

On October 22, 2012, the Planning Manager granted a Permit Adjustment (PL12-0134) to authorize the installation of two panel antennas mounted at heights of 58 feet and 51 feet, 9 inches on the existing WCF.

On November 5, 2014, the Planning Manager granted Permit Adjustment (PL14-0148) to authorize removal and replacement of panel antennas and installation of ancillary equipment on the existing monopole.

10. Project Description: The applicant requests that a modified CUP (PL18-0041) be granted to authorize the continued operation and maintenance of the WCF for an additional 10-year period. The wireless carriers operating from this monopole are Sprint and Verizon Wireless.

Sprint’s existing equipment on the monopole consists of six panel antennas mounted at a centerline height of 47 feet. Verizon Wireless’ equipment on the monopole consists of six panel antennas mounted at a centerline height of 50 feet and 57 feet. Additionally, a microwave dish and ancillary equipment are mounted at a centerline of 21 feet.

All existing support ground-mounted equipment is located within a chain link enclosure surrounding the monopole. Sprint’s equipment consists of four equipment cabinets with one GPS antenna mounted to one of the cabinets, two H-frames with three Remote Radio Units (RRU’s), three combiners, and associated power cables. Verizon Wireless’ equipment is located within a freestanding 232 sq. ft. equipment shelter, which includes a GPS antenna. A
210-gallon emergency generator is located adjacent to Verizon Wireless’ equipment shelter.

This request does not authorize any physical changes to the monopole, support equipment, impervious area, or ground disturbance on the Project site.

Access to the Project site is available from La Vista Road, a public, paved road and then by an unpaved (dirt) road along an existing agricultural field. Water service is not required for the Project. Exterior lighting is not proposed with this request.

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

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

On March 30, 1998, the Planning Director adopted a Negative Declaration (ND) that evaluated the environmental impacts of installation of a 48-foot high monopole, holding a total of four panel antennas and six equipment cabinets. This ND is enclosed as Exhibit 4.

Subsequently, on February 12, 2001, the Planning Director adopted an initial Addendum to the ND that evaluated the environmental impacts to authorize replacement of the 48-foot monopole with a 60-foot “co-location” monopole and construction of a 230 square-foot equipment shelter. The initial Addendum to the ND is enclosed at Exhibit 5.

The CEQA Guidelines [Section 15164(b)] state that the lead agency shall prepare an addendum to an adopted ND if: (1) minor changes or additions are necessary; but (2) none of the conditions described in the CEQA Guidelines (Section 15162) calling for the preparation of a subsequent ND have occurred. Exhibit 6 includes a description of the changes or additions that are necessary to the ND and a discussion of why none of the conditions described in the CEQA Guidelines exist, which require the preparation of a subsequent ND.

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

**C. CONSISTENCY WITH THE GENERAL PLAN**

The Ventura County General Plan Goals, Policies and Programs (2015, page 4) states:

...in the unincorporated area of Ventura County, zoning and any permits issued thereunder, any subdivision of land, any public works project, any public (County, Special District, or Local Government) land acquisition or disposition, and any
specific plan, must be consistent with the Ventura County General Plan Goals, Policies and Programs, and where applicable, the adopted Area Plan.

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

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

1. **General Plan Resources Policy 1.1.2-1:** All General Plan amendments, zone changes and discretionary development shall be evaluated for their individual and cumulative impacts on resources in compliance with the California Environmental Quality Act.

   As discussed in Section B (above), the project’s individual impacts and contribution to cumulative impacts on resources have been evaluated in compliance with CEQA.

   Based on the discussion above, the proposed project is consistent with General Plan Resources Policy 1.1.2-1.

2. **General Plan Resources Policy 1.1.2-2:** Except as otherwise covered by a more restrictive policy within the Resources Chapter, significant adverse impacts on resources identified in environmental assessments and reports shall be mitigated to less than significant levels or, where no feasible mitigation measures are available, a statement of overriding considerations shall be adopted.

   As discussed in Section B (above), the Project's individual impacts and contribution to cumulative impacts on resources have been evaluated in compliance with CEQA. No significant adverse environmental impacts have been identified that would result from implementation of the proposed Project. No mitigation measures or a statement of overriding considerations must be adopted to grant the proposed Project.

   Based on the discussion above, the proposed Project is consistent with General Plan Resources Policy 1.1.2-2.

3. **General Plan Water Resources Policy 1.3.2-2:** Discretionary development shall comply with all applicable County and State water regulations.

   **General Plan Water Resources Policy 1.3.2-4:** Discretionary development shall not significantly impact the quantity or quality of water resources within watersheds, groundwater recharge areas or groundwater basins.
As discussed in Section A (above), the Project includes a request to continue the use, operation, and maintenance of an existing WCF with no modifications to the existing monopole. The existing monopole would not require the use of or impact the quantity or quality of water resources and therefore, no impacts would occur.

Based on the discussion above, the proposed Project is consistent with General Plan Resource Policies 1.3.2-2 and 1.3.2-4.

4. General Plan Biological Resources Policy 1.5.2-1: *Discretionary development which could potentially impact biological resources shall be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures.*

Implementation of the proposed Project would authorize the continued operation and maintenance of an existing WCF and would not introduce any new uses on the site. Therefore, no effects on biological resources would occur with implementation of the proposed Project.

Based on the discussion above, the proposed Project is consistent with General Plan Policy 1.5.2-1.

5. General Plan Farmland Resources Policy 1.6.2-1: *Discretionary development located on land designated as Agricultural (see Land Use Chapter) and identified as Prime Farmland or Farmland of Statewide Importance on the State’s Important Farmland Inventory, shall be planned and designed to remove as little land as possible from potential agricultural production and to minimize impacts on topsoil.*

**General Plan Farmland Resources Policy 1.6.2-6:** *Discretionary development adjacent to Agricultural-designated lands shall not conflict with agricultural use of those lands.*

The Project site is located on land designated by the Ventura County General Plan as Agricultural; however, as the monopole is existing and no ground disturbance is proposed, no agricultural land or production would be removed by the implementation of the Project.

Based on the discussion above, the proposed Project is consistent with General Plan Resource Policies 1.6.2-1 and 1.6.2-6.

6. General Plan Scenic Resources Policy 1.7.2-1: *Notwithstanding Policy 1.7.2-2, discretionary development which would significantly degrade visual resources or significantly alter or obscure public views of visual resources shall be prohibited unless no feasible mitigation measures are available, and the decision-making body determines there are overriding considerations.*
General Plan Public Utilities Policy 4.5.2-4: *Wireless communication facilities shall be designed to minimize visual impacts from public viewpoints and to blend with the surrounding area in a manner that is consistent with the community character, natural environment, and existing development.*

As discussed in Section -A (above), the Project would not involve any physical changes to the existing monopole but would authorize the continued operation and maintenance for a 10-year period. Therefore, with the granting of the Project as proposed, the existing monopole would continue to be designed to minimize visual impacts and would not significantly alter or obscure public viewpoints.

Based on the discussion above, the proposed Project is consistent with General Plan Resource and Public Utilities Policies 1.7.2-1 and 4.5.2-4.

7. General Plan Paleontological and Cultural Resources Policy 1.8.2-1: *Discretionary developments shall be assessed for potential paleontological and cultural resource impacts, except when exempt from such requirements by CEQA. Such assessments shall be incorporated into a Countywide paleontological and cultural resource data base.*

The proposed Project would not include grading or other types of ground disturbance activities (e.g. trenching) that would impact subsurface resources that might exist on-site. Additionally, no paleontological or cultural resources were encountered during the original construction of the monopole.

Based on the above discussion, the proposed Project is consistent with General Plan Resource Policy 1.8.2-1.

8. General Plan Fire Hazards Policy 2.13.2-1: *All applicants for discretionary permits shall be required, as a condition of approval, to provide adequate water supply and access for fire protection and evacuation purposes.*

General Plan Fire Protection Policy 4.8.2-1: *Discretionary development shall be permitted only if adequate water supply, access and response time for fire protection can be made available.*

The Project proposes no modifications to the monopole and water supply for fire protection would not be required for implementation of the Project. According to the Ventura County Fire Protection District (VCFPD), the existing access and response time for fire protection to the Project site are adequate.

Based on the above discussion, the proposed Project is consistent with General Plan Hazards and Public Facilities and Services Policies 2.13.2-1 and 4.8.2-1.

9. General Plan Hazardous Materials and Waste Policy 2.15.2-2: *Site plans for discretionary development that will generate hazardous wastes or utilize
hazardous materials shall include details on hazardous waste reduction, recycling and storage.

The Project includes a request to authorize the continued use of an emergency back-up generator for emergency purposes. The Ventura County Environmental Health Division reviewed the request and determined there would be no additional impacts to hazardous materials or waste by the implementation of the Project. Additionally, a condition of approval would require that the applicant store, handle and dispose of any potentially hazardous material in compliance with applicable state regulations (Condition of Approval No. 18, Exhibit 7).

Based on the discussion above, the proposed Project is consistent with General Plan Hazards Policy 2.15.2-2.

10. General Plan Public Facilities and Services Policy 4.1.2-2: Development shall only be permitted in those locations where adequate public services are available (functional), under physical construction or will be available in the near future.

General Plan Public Facilities and Services Policy 4.1.2-6: Within a City’s Area of Interest, but outside that City’s Sphere of Influence, unincorporated Existing Communities should financially support County-administered urban services which are comparable to those services provided by cities.

The Project site is located on a legal lot with adequate public services. Additionally, as the Project site is located within the City of Camarillo (Las Posas) Area of Interest but outside the City of Camarillo’s Sphere of Influence, implementation of the Project, as proposed, would be conditioned to support County-administered urban services comparable to the services provided by the City of Camarillo.

Based on the discussion above, the proposed Project is consistent with General Plan Public Facilities and Services Policies 4.1.2-2 and 4.1.2-6.

D. ZONING ORDINANCE COMPLIANCE

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

The proposed WCF is subject to the special use standards of the Ventura County NCZO (Section 8107-45.4). Table 1 lists the applicable special use standard and a description of whether the proposed Project complies with the special use standards.
## Table 1 – Special Use Standards Consistency Analysis

<table>
<thead>
<tr>
<th>Special Use Standard</th>
<th>Complies?</th>
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<tbody>
<tr>
<td><strong>Section 8107-45.4(f)(4)(e), Maximum Antenna Height:</strong></td>
<td>Yes, no antenna would extend more than 5 feet above the structure.</td>
</tr>
<tr>
<td>Flush-mounted wireless communication facilities shall not extend above the building height. If mounted on a structure other than a building, such as a light pole or utility pole, the antennas shall not extend more than 5 feet above the structure.</td>
<td>Yes, none of the accessory equipment would be visible from any public viewpoint, would be located behind an existing chain-link enclosure and screened by existing orchard trees.</td>
</tr>
<tr>
<td><strong>Section 8107-45.4(n), Accessory Equipment:</strong></td>
<td>Yes. Additionally, a condition of approval would be included to require the applicant to repaint the existing monopole to blend in with the natural surroundings.</td>
</tr>
<tr>
<td>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.</td>
<td>Yes, the facility would always be operated and maintained to comply with the Ventura County noise standards.</td>
</tr>
<tr>
<td><strong>Section 8107-45.4(o), Colors and Materials:</strong></td>
<td>Yes, the facility would continue to be enclosed within an existing chain link fence surrounding the entire facility, preventing access and vandalism to the Project site. No new fencing would be proposed as part of this Project.</td>
</tr>
<tr>
<td>All wireless communication facilities shall use materials and colors that blend in with the natural or man-made surroundings. Highly reflective materials are prohibited.</td>
<td>Yes, the existing facility is not illuminated, and no lighting would be proposed with this Project.</td>
</tr>
<tr>
<td><strong>Section 8107-45.4(p), Noise:</strong></td>
<td>Yes, the facility would be maintained within a hazardous building.</td>
</tr>
<tr>
<td>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.</td>
<td>Yes, the facility would always be operated and maintained to comply with the Ventura County noise standards.</td>
</tr>
<tr>
<td><strong>Section 8107-45.4(r), Security:</strong></td>
<td>Yes, the facility would continue to be enclosed within an existing chain link fence surrounding the entire facility, preventing access and vandalism to the Project site. No new fencing would be proposed as part of this Project.</td>
</tr>
<tr>
<td>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.</td>
<td>Yes, the facility would continue to be enclosed within an existing chain link fence surrounding the entire facility, preventing access and vandalism to the Project site. No new fencing would be proposed as part of this Project.</td>
</tr>
<tr>
<td>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.</td>
<td>Yes, the facility would continue to be enclosed within an existing chain link fence surrounding the entire facility, preventing access and vandalism to the Project site. No new fencing would be proposed as part of this Project.</td>
</tr>
<tr>
<td><strong>Section 8107-45.4(s), Lighting:</strong></td>
<td>Yes, the existing facility is not illuminated, and no lighting would be proposed with this Project.</td>
</tr>
<tr>
<td>1. No facility may be illuminated unless specifically required by the FAA or other government agency.</td>
<td>Yes, the existing facility is not illuminated, and no lighting would be proposed with this Project.</td>
</tr>
<tr>
<td>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.</td>
<td>Yes, the existing facility is not illuminated, and no lighting would be proposed with this Project.</td>
</tr>
</tbody>
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<tbody>
<tr>
<td>Section 8107-45.4(t), Signage:</td>
<td>Yes, the existing facility is surrounded by a chain-link fence with signage indicating all necessary information related to the on-going operation and maintenance of the WCF.</td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>Section 8107-45.4(u), Access Roads:</td>
<td>Yes, the facility would continue to be accessed by an existing public road, maintained by the County of Ventura.</td>
</tr>
<tr>
<td>1. Where feasible, wireless communication facility sites shall be accessed by existing public or private access roads and easements.</td>
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<tr>
<td>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 Department District.</td>
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E. CUP FINDINGS AND SUPPORTING EVIDENCE

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

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

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

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

   The existing WCF that is the subject of this CUP application has been in operation since 1998. Upon granting the proposed Project, no changes would occur to the WCF, and therefore, the WCF would continue to be compatible with the character of the surrounding legally established development.
Based on the discussion above, this finding can be made.

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

As discussed in Sections A and E.2 (above), the proposed Project would include the continued operation and maintenance of an existing WCF with no physical changes proposed. No adverse effects on neighboring properties or ongoing uses has been identified that would result from implementation of the proposed Project. Additionally, conditions of approval (Exhibit 7) would be imposed with the Project to ensure the compatibility of the Project with the ongoing uses in the vicinity.

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

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

The proposed Project would not create any adverse effects on the environment or the use of adjacent properties. Similarly, no effect of the Project has been identified that would be detrimental to the public interest, health, safety, or welfare.

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

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

The existing WCF is located within an established agricultural orchard and the location of the WCF is not proposed to change. Additionally, conditions of approval (Exhibit 7) would be imposed with the Project to ensure the WCF remains compatible with existing and ongoing uses nearby. No new development is proposed on any of the surrounding parcels.

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

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

The subject property is comprised of two lots which were legally created by conveyances (deeds recorded in Book 130, Page 391 and in Book 132, Page 10 all of Official Records, prior to regulation by the Subdivision Map Act or local subdivision ordinance. Thus, the proposed Project would occur on a legal lot.

Based on the discussion above, this finding can be made.
7. The proposed development is approved in accordance with the California Environmental Quality Act and all other applicable laws.

As discussed in Section B (above), a ND was adopted for the existing WCF. As the proposed Project includes a request to authorize continued use, maintenance, a subsequent Addendum to the ND (Exhibit 6) has been prepared, pursuant to Section 15164(b) of the CEQA Guidelines.

Additionally, as indicated in Sections C and D (above) of this staff report, the project has been reviewed and found to be in compliance with the Ventura County General Plan and NCZO.

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].

As discussed in Section A (above) of this staff report, no ground disturbance is proposed, and therefore, there would be no impacts to agricultural land or production by the implementation of the Project.

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 WCF is existing and has been in operation since 1998. Additionally, the Project would not request to change the siting of the WCF, and therefore, no conflicts with agricultural operations would occur.

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].

As discussed in Section E.9 (above), the WCF is existing with no change in siting of the facility, and therefore, no agricultural land would be removed by the implementation of the 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) and the Ventura County NCZO (Section 8111-3.1). On August 28, 2020, the Planning Division mailed notice to owners of property within 2,500 feet of the property on which the project site is located. On August 31, 2020, the Planning Division placed a legal ad in the Ventura County Star. As of the date of this document, the Planning Division has not received any correspondence related to the project.

The project site is located within the City of Camarillo's Area of Interest. Therefore, on April 11, 2019, the Planning Division notified the City of Camarillo of the proposed project and requested the City of Camarillo submit any comments that the City might have on the proposed project. As of the date of this document, the Planning Division has not received any correspondence related to the project from the City of Camarillo.

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, including the ND (Exhibit 4), initial Addendum to the ND (Exhibit 5), and proposed Addendum to the ND (Exhibit 6), and has considered all comments received during the public comment process;

2. FIND that none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent ND have occurred;

3. ADOPT the Addendum to the ND (Exhibit 6);

4. MAKE the required findings to grant a Minor Modification of CUP 5020, 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;

5. GRANT Minor Modification of CUP 5020 (Case No. PL18-0041), subject to the conditions of approval (Exhibit 7).

6. SPECIFY that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

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

If you have any questions concerning the information presented above, please contact John Kessler at (805) 654-2461 or john.kessler@ventura.org.

Prepared by:                          Reviewed by:

John Kessler, Case Planner             Mindy Fogg, Manager
Commercial & Industrial Permits Section Commercial & Industrial Permits Section
Ventura County Planning Division       Ventura County Planning Division

EXHIBITS
Exhibit 2  Maps
Exhibit 3  Project Plans
Exhibit 4  Original ND (CUP 5020)
Exhibit 5  Initial Addendum to the ND (CUP 5020-1)
Exhibit 6  Subsequent Addendum to the ND
Exhibit 7  Conditions of Approval
AE-40 ac
Agricultural

County of Ventura
Planning Director Hearing
General Plan & Zoning Map
PL18-0041

Disclaimer: this map was created by the Ventura County Resource Management Agency Information Systems GIS, which is designed and operated solely for the convenience of the County and related public agencies. This County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED ARCHITECT, TO ALTER THIS DOCUMENT.
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NEGATIVE DECLARATION

A. PROJECT DESCRIPTION:

1. **Entitlement:** Conditional Use Permit No. CUP-5020

2. **Applicant:** COX COMMUNICATIONS/ SPRINT

3. **Location:** 4011 LA VISTA, VENTURA

4. **Assessor Parcel No(s):** 109-0-041-090

5. **Parcel Size:** 443 ACRES

6. **General Plan Designation:** AGRICULTURE

7. **Existing Zoning:** AGRICULTURE EXCLUSIVE (A-E)

8. **Project Description:** The installation of an unmanned communications facility consisting of a 48 foot high monopole with two antenna arrays. Each array will have four panel antennas (75" x 8.4" x 7.4") for a total of eight and six metal equipment cabinets placed at the base of the antenna. The entire facility will be surrounded by a six foot chain link fence.

9. **Responsible Agencies:** N/A

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

State law requires that an Initial Study (environmental evaluation) be conducted to determine if this project could significantly affect the environment. Based on the findings contained in the attached Initial Study, it has been determined that this project **could not** have a significant effect on the environment; therefore, a Negative Declaration (ND) has been prepared.

C. PUBLIC REVIEW:

1. **Legal Notice Method:** Direct mailing to property owners within 300 feet of proposed project boundary, and a legal notice in a newspaper of general circulation.


3. **Comments:** The public is encouraged to submit written comments regarding this Mitigated Negative Declaration no later than 5:00 p.m. on the last day of the above posting period to the Case Planner listed below, Ventura County Planning Division, 800 South Victoria Avenue, Ventura, CA 93009. The Planning Division’s FAX number is (805) 654-2509.
D. CONSIDERATION AND APPROVAL:

Prior to approving the project, the decision-making body of the Lead Agency must consider this ND and all comments received during public review. That body shall approve the ND if it finds that the document is adequate.

Prepared by:

[Signature]
Case Planner: Debbie Morrisset
Phone No. (805) 654-3635

Reviewed for Release to the Public by:

[Signature]
Jeff Walker, Manager
Land Use Permits Section

Recommended for Approval by Lead Agency by:

[Signature]
Keith Turner, Director
Planning Division

Attachments:

1. Location Map
2. Site Plan
3. Elevations
4. Initial Study

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<tr>
<th>ISSUE</th>
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<td>GENERAL:</td>
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<td>LAND USE:</td>
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*EXPLANATION: DEGREE OF EFFECT
N = NO EFFECT
LS = LESS THAN SIGNIFICANT EFFECT
S = SIGNIFICANT EFFECT; MND OR EIR REQUIRED.
U = UNKNOWN; EIR REQUIRED.

AGENCIES
APCD - AIR POLLUTION CONTROL DISTRICT
PWA - PUBLIC WORKS AGENCY
PLNG - PLANNING DIVISION
GSA - GENERAL SERVICES AGENCY
AG. DPT. - AGRICULTURAL DEPARTMENT
FCD - FLOOD CONTROL DISTRICT

AIRPORTS - DEPARTMENT OF AIRPORTS
FIRE - FIRE PROTECTION DISTRICT
SHERIFF - SHERIFF'S DEPARTMENT
EH - ENVIRONMENTAL HEALTH DIVISION
SWMD - SOLID WASTE MANAGEMENT DEPT.
LIB. AGENCY - LIBRARY SERVICES AGENCY
### MANDATORY FINDINGS OF SIGNIFICANCE

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<th>NO</th>
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<td>1.</td>
<td>DOES THE PROJECT HAVE THE POTENTIAL TO SIGNIFICANTLY DEGRADE THE QUALITY OF THE ENVIRONMENT, SUBSTANTIALLY REDUCE THE HABITAT OF A FISH OR WILDLIFE SPECIES, CAUSE A FISH OR WILDLIFE POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, THREATEN TO ELIMINATE A PLANT OR ANIMAL COMMUNITY, REDUCE THE NUMBER OR RESTRICT THE RANGE OF A RARE OR ENDANGERED PLANT OR ANIMAL, OR ELIMINATE IMPORTANT EXAMPLES OF THE MAJOR PERIODS OF CALIFORNIA HISTORY OR PREHISTORY?</td>
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<td>DOES THE PROJECT HAVE THE POTENTIAL TO ACHIEVE SHORT-TERM, TO THE DISADVANTAGE OF LONG-TERM, ENVIRONMENTAL GOALS? (A SHORT-TERM IMPACT ON THE ENVIRONMENT IS ONE WHICH OCCURS IN A RELATIVELY BRIEF, DEFINITIVE PERIOD OF TIME WHILE LONG-TERM IMPACTS WILL ENDURE WELL INTO THE FUTURE)</td>
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<td>3.</td>
<td>DOES THE PROJECT HAVE IMPACTS WHICH ARE INDIVIDUALLY LIMITED, BUT CUMULATIVELY CONSIDERABLE? (SEVERAL PROJECTS MAY HAVE RELATIVELY SMALL INDIVIDUAL IMPACTS ON TWO OR MORE RESOURCES, BUT THE TOTAL OF THOSE IMPACTS ON THE ENVIRONMENT IS SIGNIFICANT)</td>
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<td>4.</td>
<td>DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH WILL CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY?</td>
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### DETERMINATION OF ENVIRONMENTAL DOCUMENT

**ON THE BASIS OF THIS INITIAL EVALUATION:**

- [X] I FIND THE PROPOSED PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT, AND A NEGATIVE DECLARATION SHOULD BE PREPARED.

- [ ] I FIND THAT ALTHOUGH THE PROPOSED PROJECT COULD HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT, THERE WILL NOT BE A SIGNIFICANT EFFECT IN THIS CASE BECAUSE THE MITIGATION MEASURE(S) DESCRIBED IN SECTION C OF THE INITIAL STUDY WILL BE APPLIED TO THE PROJECT. A MITIGATED NEGATIVE DECLARATION SHOULD BE PREPARED.

- [ ] I FIND THE PROPOSED PROJECT, INDIVIDUALLY AND/OR CUMULATIVELY, MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND AN ENVIRONMENTAL IMPACT REPORT IS REQUIRED.*

---

*EIR ISSUES OF FOCUS:

---

**DATE:** 2-25-98

**SIGNATURE OF PERSON RESPONSIBLE FOR ADMINISTERING THE PROJECT:**

**EIR2**

Rev. March 17, 1994
SECTION “C” TO INITIAL STUDY CHECKLIST

DISCUSSION OF RESPONSES

PERMIT NO. CUP 5020
SPRINT COMMUNICATIONS
La Vista Ave., Saticoy

GENERAL

1. General Plan Environmental Goals and Policies

After review of the General plan, staff has determined that the proposed project is in compliance with the environmental goals, policies and programs of the General Plan, therefore, no impacts are anticipated.

LAND USE

2. Land Use

Item A. Community Character

The proposed project is an unmanned communications facility, consisting of a (48) foot monopole with two (2) antenna arrays. Each array will include four (4) (75 X 8.4 X7.4 inch) directional panel antennas, and six (6) equipment cabinets approximately 5'5" by 30" by 32" in size. The entire facility will be surrounded by a 6 foot chain link fence.

The surrounding uses are agriculture and open space. The average lot sizes vary from 100 to 443 acres. The nearest structures and or residence is on the project parcel and is within 500 feet of the facility. The proposed project is consistent with the General Plan designation and the requested use is permitted in this zone. This project will not disrupt or divide the existing physical arrangement of the surrounding community. Therefore, impacts to the community character are expected to be less than significant.

Item B. Housing

The proposed communications facility will not, individually or cumulatively, affect existing housing or create a demand for additional housing. Therefore there will be no impacts to housing as a result of this project.

Item C. Growth Inducement

The proposed communications facility will not result in the removal of any impediments to growth, nor will any new services be required. Therefore, no "growth inducing" impacts from are expected.

RESOURCES

3. AIR QUALITY

Item A. Regional

Based on the criteria in Ventura County’s Guidelines for the Preparation of Air Quality Impact Analyses, and information in the project application, the project will not have a significant impact on regional air quality.

Item B. Local

Based on information in the project application, the subject project will generate local air quality impacts but, those impacts will be less than significant.

4. Water Resources

Items A. Ground Water Quantity & C. Surface Water Quantity:

Due to the nature of the proposed project, there will be no water needed for construction or operation of the facility nor will there be any site runoff at the location into any nearby streams, therefore there will be no impacts to ground water quantity or surface water quantity.

Items B. Ground Water Quality & C. Surface Water Quality:
The proposed project will not change or alter ground water quality nor does the site contain any open or exposed surface water bodies or streams that could be affected by the proposed project. Therefore there will be no impacts to ground water quality or surface water quality as a result of the proposed project.

5. Mineral Resources

Item A. Aggregate

The proposed project site is not zoned for "mineral resource protection", will not effect current aggregate manufacturing or production "stream" nor will the proposed project result in direct impacts through the use of mineral resources. Therefore, no impacts to aggregate mineral resources are expected.

Item A. Petroleum Resources

The proposed communications facility will not preclude access to petroleum resources, nor create a demand for the use of additional resources. Therefore, no impacts to petroleum resources are expected.

6. Biological Resources

The proposed project site was reviewed by Padre Associates for possible biological resources. A site inspection was performed on December 31, 1997. The report states that the site does not support native vegetation and is surrounded by lemon orchards to the north and west. Southern arroyo willow riparian forest occurs about 50 feet from the project, but will not be affected by the proposed project. Therefore, no impacts to biological resources are expected to occur as a result of the proposed project.

7. Agricultural Resources

Items A. thru E.

The project site is located in an agricultural zone. The Agricultural Commissioner's office has not provided any comments on this project. However, the Planning Division feels that the project site has been designed to reduce any impacts to existing and surrounding agricultural uses. There will be no impacts to soils, water, air quality/ microclimates or from on site pests/diseases to agricultural resources from the proposed project.

8. Visual Resources

Items A. and B.

The proposed project site is located north of Highway 118, an "Eligible County Scenic Highway". The proposed project is designed to minimize the visual impacts. The distance of the project from the highway is over one mile, the color of the proposed antennas and pole will match the surrounding uses, and the surrounding vegetation will screen much of the project. Therefore, visual impacts will be less than significant.

9 & 10. Paleontological and Cultural Resources

Items A - C.

Due to the disturbed nature of the proposed site and entire parcel being well developed with agriculture uses, it is considered unlikely that the proposed project will have any effect on cultural resources. Therefore, no further archaeological investigations are required for the site, and no impacts to cultural resources are expected.

11. Energy Resources

The proposed project is not expected to create a significant increase in demand upon utility services. The project may generate additional traffic during the construction phase, however that would be a short term effect. All proposed construction will be regulated by the Uniform Building Code, and as such, fuel and energy will not be used in a wasteful manner. Therefore, there will be no impacts to energy resources.

12. Coastal Beaches and Sand Dunes

The project site is not located on the coast, therefore there will be no impacts to coastal beaches or sand dunes.

13. Seismic Hazards

Item A. Fault Rupture

Pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.2.1b, no indications of faulting were identified on the proposed project site. As no known active of potentially active faults project into or appear to cross
through the property, the potential for fault rupture on the proposed project site is considered very low. Therefore, there would be no adverse impacts relating to fault rupture.

**Item B. Ground Shaking**

The primary geologic hazard relative to site development is ground shaking from earthquakes originating outside of the site area. The site is located within an active seismic area where past earthquakes have caused considerable ground-shaking. Based on the low probability of shaking occurring during the economical life of the structures, and the type of constructions anticipated it is recommended that the Uniform Building Code (UBC) guidelines for structural design be followed or considered as minimum requirements. Therefore, the adverse impacts relating to ground shaking would be considered to be less than significant.

**Items C. and D. Tsunamis and Seiches**

Pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.6, the proposed project is not located in a Tsunami and/or Seich Zone. Therefore, there will be no adverse impacts relating to tsunami and/or seiches

**Item E. Liquefaction**

Pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.6, the proposed project is not located in a Liquefaction Zone. Therefore, there would be no adverse impacts relating to liquefaction.

**14. Geologic Hazards**

**Items A. Subsidence and B. Expansive Soils**

If subsidence is to take place the majority of settlement would occur during construction and be minimal. Prior to construction, the expansive nature of the soils would be taken into consideration for the design of the foundations. Therefore, there would be no adverse impact relating to subsidence and expansion.

**Item C. Landslides/mudsides**

Pursuant to the County Wide General Plan, Hazards Appendix, Figure 2.9, the proposed project is not located in a landslide and/or mudslide zone. Therefore, there would be no adverse impacts relating to landslides or mudslides.

**15. Hydraulic Hazards**

**Item A. Erosion and Siltation**

During grading, erosion and siltation will occur, but the Ventura County Building Code requires storm damage prevention measures to reduce this potential impact. Pursuant to the Ventura County Building Code, when construction is completed the proposed project will have no erosion or siltation. Therefore, no adverse impacts relating to erosion/siltation would be expected.

**Item B. Flooding**

Due to the inland location and elevation of the project site, and since all the proposed building sites are at a sufficient relative elevation to mitigate potential storm induced flooding, there would be no adverse impacts relating to flooding.

**16. AVIATION HAZARDS (AIRPORTS)**

The project site is not located within, or near any existing flight paths or airports. Therefore, there will be no impacts to or from airports.

**17. FIRE HAZARDS**

The project site is not within a high fire hazard area. The surrounding area is comprised of groomed and irrigated lemon orchards. Therefore, there will be no impact from fire hazards as a result of this project.

**18. HAZARDOUS MATERIALS/ WASTE**

**Item A. Above-Ground Hazardous Materials**:

There are no above ground hazardous materials proposed as a part of this project, therefore no impacts expected.
Item B. Below-Ground Hazardous Materials:

The proposed does not include an underground hazardous materials storage tank. Therefore, the project will not have any impacts relative to underground tanks.

Item C. Hazardous Waste:

The proposed project is not considered to be a producer of hazardous waste. Therefore, the project will not have any adverse environmental impacts relative to hazardous wastes.

19. NOISE AND VIBRATION

The surrounding area consists of large Open Space zone properties. Based on the nature and design of the proposed use and distance from residential uses, no noise or vibration impacts are expected.

20. GLARE

Based on the information presented in the project description, the size of the subject parcel and surrounding parcels, this project will not result in any creation of additional light or glare upon surrounding properties. Therefore, no impacts from glare are expected.

PUBLIC FACILITIES AND SERVICES

21. TRANSPORTATION/ CIRCULATION

Items A. (1) Level of Service and (2) Safety / Design:

This project will not generate any additional traffic. Therefore, there will be no adverse traffic impact on the County’s Regional Road Network and/or local street system relating to level of service and safety/design.

Item A. (3) Tactical Access:

The existing public road access meets County Fire Division requirements and any impacts related to tactical access will be less than significant.

Item B. (1) Private Roads and (2) Driveways:

Private road access will be required to meet the Fire Division “Requirements for Construction” therefore any adverse impacts relating to private roads and driveways will be addressed prior to construction and the impacts will be less than significant.

Item C. Pedestrian/ Bicycle

Items. (1) Public Facilities and (2) Private facilities:

Due to the nature and location of the proposed project, the project will not impact any pedestrian or bicycle facilities.

Item D. Parking:

The proposed project will not create a demand for any on or off site parking, therefore no impacts from parking are expected.

Item E. Bus Transit and F. Railroads:

Due to the nature and location of the proposed project there will no impacts to bus transit or railroads.

Item G. Airports:

Due to the location of the proposed project there will be no impacts to airports.

Item H. Harbors:

The project site is not located near any harbor, therefore there will be no impacts to harbors.

Item I. Pipelines:

The proposed project site is not located on or adjacent to any pipeline or pipeline easement. The nearest pipeline is a Shell Oil pipeline located along Highway 118 approximately 500 feet south of the project site. Therefore, no impacts to pipelines are expected.
22. WATER SUPPLY

Item A. Quality:

The project does not include any structures that contain domestic plumbing fixtures. Therefore, a domestic water supply is not required for the project and domestic water supply quality will not be adversely impacted by the project.

Item B. Quantity:

The proposed project will not require any water for domestic use. Therefore there will be no impact due to water quantity.

Item C. Fire Flow:

Due to the size and nature of the proposed project and building construction requirements the impact from fire flow will be less than significant.

23. WASTE TREATMENT AND DISPOSAL

Item A. Individual Sewage Disposal System:

The project does not include any structures that contain domestic plumbing fixtures. Therefore, an individual sewage disposal system (septic system) is not required for the project and the project will not create any adverse environmental impacts relative to onsite disposal of domestic waste.

Item B. Sewage Collection/Treatment Facilities:

The project does not include any structures that contain domestic plumbing fixtures and will not be connected to the public sewer system. Therefore there will be no impacts to sewage collection and/or treatment facilities.

Item C. Solid Waste Facilities:

Due to the nature of the proposed project there will be no impacts on solid waste management facilities.

24. UTILITIES

Item A. Electric, Item B. Gas and Item C. Communications:

The project site has existing utilities, some minor upgrades may be included in the project. However the extent of improvements will be considered less than significant.

25. FLOOD CONTROL AND DRAINAGE

Items A. FCD Facility and B. Other Facilities:

The project site is not located in or near a flood plain and no flood control facilities will be impacted as a result of the construction or operation of the proposed facility. Therefore no impacts to Flood Control Facilities are expected.

26. LAW ENFORCEMENT/ EMERGENCY SERVICES

Item A. Personnel / Equipment and Item B. Facilities:

Due to the nature and location of the proposed project no impacts are expected to personnel, equipment or facilities.

27. FIRE PROTECTION DISTRICT

Item A. Distance / Response Time and Item B. Personnel / Equipment / Facilities:

The project site is located within five (5) miles of a fully manned fire station. Therefore, there will be no impacts from Distance/ Response time and due to the nature of the project there will be no impacts to Personnel / Equipment or Facilities.

28. EDUCATION

Items A. Schools and B. Libraries:
Due to the nature of the proposed project, there will be no increase in the demand for schools and libraries, therefore there will be no impacts to schools or libraries from this project.

29. RECREATION

Items A. Local Parks/Facilities, B. Regional Parks/Facilities and C. Regional Trails/Corridors:

Based on the location and the nature of the proposed project, it is not expected to create any new or additional demands on recreational needs, therefore no impacts to recreational facilities are expected.
NEGATIVE DECLARATION

ADDENDUM

A. PROJECT DESCRIPTION

1. Entitlement: CUP-5020-Modification #1

2. Applicant: Whalen and Company for Airtouch/Verizon
   357 Van Ness Way
   Torrance, Ca 90501

   (Airtouch/Verizon, 15505 Sand Canyon Ave. Bldg. D First Floor, Irvine, Ca 92618)

   Lease Holder/Permittee for CUP-5020: Sprint PCS Communications
   4683 Chabot Drive
   Pleasanton, CA 94588

   Property Owner: Seacoast Farms
   183 Montgomery
   Oxnard, Ca 93030

3. Location: 4011 La Vista Avenue, Saticoy, Ca

4. Assessor Parcel Number: 109-0-041-100

5. Parcel Size: 443 acres

6. General Plan Designation: Agriculture

7. Area Plan Designation: None

8. Existing Zoning: A-E (Agriculture Exclusive, 40 acre minimum) zone

9. Project Description: To co-locate additional equipment at an existing wireless communications site. The existing 45 foot monopole will be replaced with a new 60 foot "co-location" pole. The top of the new pole will have four Airtouch/Verizon antennas "flush mounted" near the top and the original Sprint sector will be located at the original 45 foot level. A 230 square foot equipment shelter for the additional equipment will be constructed at the base of the monopole. Sprint will maintain their original equipment cabinets in their original location north of the monopole.

10. Responsible Agencies: None

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

California State law requires that an analysis be conducted to determine if this project required a subsequent EIR. Based on the findings from that analysis, it has been determined that this project is a minor addition to the previous project and does not require a subsequent EIR. An addendum to the previously adopted Negative Declaration (ND) has been prepared pursuant to the provisions of the California Environmental Quality Act (CEQA) Guidelines, Section 15164.

Pursuant to Section 15164, an Addendum to the previously approved ND for CUP-5044 may be prepared if minor changes or additions are necessary, and none of the conditions described in Section 15182, calling for the preparation of a Subsequent EIR have occurred.
Evidence Supporting the Decision Not to Prepare a Subsequent EIR:

Pursuant to Section 15162(a)(1)(2)(3)(A)(B)(C) or (D) of the CEQA Guidelines, it was determined that:

1. The project does not add any new environmental impacts not previously addressed in the original ND; and

2. No subsequent changes have occurred with respect to the circumstances under which the project is to be undertaken which would require important revisions to the ND; and

3. No new information or mitigation measures, which were not known, and could not have been known when the ND was adopted, have become available.

The addition of the equipment for Sprint PCS is not more than a 10% increase in the existing use on site. The location of the project site is not in an area designated as a scenic resource nor is it within a ½ mile of a scenic highway.

Nature of the Changes: The addition of the following equipment to the site: Three sectors of panel antennas, with four panels per sector, to be mounted on an existing 63 foot AirTouch monopole. A total of seven ground mounted equipment cabinets and a ground mounted GPS antenna.

Therefore, this Addendum to the Negative Declaration for CUP-5020 has been prepared pursuant to 15164 of the CEQA Guidelines.

C. PUBLIC REVIEW:

Pursuant to Section 15164 (c) of the CEQA Guidelines, an Addendum to the Negative Declaration need not be circulated for public review, but can be included in or attached to the adopted Negative Declaration.

Prepared by: Debbie Morrisset  Reviewed by: Nancy Butler Francis, Manager
Case Planner               Land Use Permits Section

The Planning Director recommends that the decision-making body find that the above Addendum has been completed in compliance with the California Environmental Quality Act.

Keith Turner, Director,
Planning Division

Date: \text{Feb 13, 01}
NEGATIVE DECLARATION (ND) ADDENDUM

A. BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Entitlement:** Minor Modification of Conditional Use Permit (CUP) 5020 for the continued operation and maintenance of an existing Wireless Communication Facility (WCF) for an additional 10-year period (Case No. PL18-0041).

2. **Applicant:** Crown Castle, Attn: Jim Lee, 200 Spectrum Center Drive, Suite 1700 Irvine, CA 92618.

3. **Property Owner:** Seacoast Farms, LLC., Attn: Fred Ferro, 5725 Ralston St. #200, Ventura, CA 93003.

4. **Applicant’s Representative:** Core Development Services, Attn: Alexander Lew, 210 West Birch Street, Suite 201, Brea, CA 92821.

5. **Location:** 4011 La Vista Road, Somis, Unincorporated Ventura County

6. **Tax Assessor’s Parcel Numbers:** 216-0-040-655 and 216-0-040-665

7. **Lot Sizes:** 316.53 acres total

8. **General Plan Land Use Designation:** Agricultural

9. **Zoning Designation:** AE-40 ac (Agricultural Exclusive, 40-acre minimum lot size)

10. **Project Description:** The applicant requests that a modified CUP (PL18-0041) be granted to authorize the continued operation and maintenance of the WCF for an additional 10-year period. The wireless carriers operating from this monopole are Sprint and Verizon Wireless.

Sprints existing equipment on the monopole consists of six panel antennas mounted at a centerline height of 47 feet. Verizon Wireless’s equipment on the monopole consists of six panel antennas mounted at a centerline height of 50 feet and 57 feet. Additionally, a microwave dish and ancillary equipment are mounted at a centerline of 21 feet.

All existing support ground-mounted equipment is located within a chain link enclosure surrounding the monopole. Sprints equipment consists of four equipment cabinets with one GPS antenna mounted to one of the cabinets, two H-frames with three Remote Radio Units (RRU’s), three combiners, and associated power cables. Verizon Wireless’ equipment is located within a freestanding 232 sq. ft. equipment shelter, which includes a GPS antenna. A 210-gallon emergency generator is located adjacent to Verizon Wireless’ equipment shelter.
This request does not authorize any physical changes to the monopole, support equipment, impervious area, or ground disturbance on the Project site.

Access to the Project site is available from La Vista Road, a public, paved road and then by an unpaved (dirt) road along an existing agricultural field. Water service is not required for the Project. Exterior lighting is not proposed with this request.

**B. STATEMENT OF ENVIRONMENTAL FINDINGS:**

On March 30, 1998, the Planning Director adopted a Negative Declaration (ND) that evaluated the environmental impacts of installation of a 48-foot high monopole, holding a total of four panel antennas and six equipment cabinets. This ND is attached as Exhibit 4 of the September 10, 2020 Planning Director staff report.

Subsequently, on February 12, 2001, the Planning Director adopted an initial Addendum to the ND that evaluated the environmental impacts to authorize replacement of the 48-foot monopole with a 60-foot “co-location” monopole and construction of a 230 square-foot equipment shelter. The initial Addendum to the ND is enclosed at Exhibit 5 of the September 10, 2020 Planning Director staff report.

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

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

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

   The proposed continued operation and maintenance of the existing WCF would not create new environmental impacts that were not previously analyzed in the ND that was prepared for CUP 5020. There would not be any ground disturbance that would alter the approved location of the WCF and would not change the requirements that were analyzed in the adopted ND as part of the CUP.

   The Project would not create any new significant impacts to biological resources, scenic resources, public roads and highways, or fire flow that were not identified in
the ND, and implementation of the Project would not increase the severity of or change the significance of these impacts that were identified in the ND.

With the implementation of the modified CUP and the adoption of this addendum to the ND, the proposed Project would be in compliance with the Ventura County Non-Coastal Zoning Ordinance standards for WCF’s.

Finally, implementation of the Project would not modify the location of the WCF or access driveway that was previously approved for CUP 5020.

Based on the above discussion, the proposed Project would not involve any new significant environmental impacts that were not identified in the ND and no revisions to the ND are required.

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

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

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

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Planning Director adopted the previous ND, shows any of the following:

   a. The project will have one or more significant effects not discussed in the previous ND [§ 15162(a)(3)(A)].

   No new information that was not known and could not have been known when the ND was adopted have become available. There are no environmental resources, hazards, or public facilities located on, or in the vicinity of, the Project site that was previously unknown and could be substantially affected by the proposed Project. No new significant effects have been identified. As stated in this Addendum (above), the proposed Project would not change the analysis set forth in the previous ND adopted for CUP 5020. The environmental conditions
that currently exist on site are substantially the same as those that existed at the time at which the ND was prepared and adopted. Therefore, no new information of substantial importance has been discovered, and the minor modification would not result in any new environmental effects compared with those analyzed in the adopted ND.

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

C. PUBLIC REVIEW:

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

Prepared by: John Kessler, Case Planner
Commercial & Industrial Permits Section
Ventura County Planning Division

Reviewed by: Mindy Fogg, Manager
Commercial & Industrial Permits Section
Ventura County Planning Division
EXHIBIT 7
DRAFT CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT 5020, (AS MODIFIED BY MINOR MODIFICATION CASE NOS. CUP 5020-1 AND PL18-0041 AND PERMIT ADJUSTMENT CASE NOS. PL12-0134 AND PL14-0148) FOR CROWN CASTLE “LAS POSAS” WIRELESS COMMUNICATION FACILITY

RESOURCE MANAGEMENT AGENCY CONDITIONS

I. 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 2 through 7 of the Planning Director hearing on September 10, 2020, 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:

The applicant has been granted authorization for the continued operation and maintenance of the Wireless Communication Facility (WCF) for an additional 10-year period. The wireless carriers operating from this monopole are Sprint and Verizon Wireless.

Sprint's existing equipment on the monopole consists of six panel antennas mounted at a centerline height of 47 feet. Verizon Wireless' equipment on the monopole consists of six panel antennas mounted at a centerline height of 50 feet and 57 feet. Additionally, a microwave dish and ancillary equipment are mounted at a centerline of 21 feet.

All existing support ground-mounted equipment is located within a chain link enclosure surrounding the monopole. Sprint's equipment consists of four equipment cabinets with one GPS antenna mounted to one of the cabinets, two H-frames with three Remote Radio Units (RRU's), three combiners, and associated power cables. Verizon Wireless' equipment is located within a freestanding 232 sq. ft. equipment shelter, which includes a GPS antenna. A 210-gallon emergency generator is located adjacent to Verizon Wireless' equipment shelter.
The project does not authorize any physical changes to the monopole, support equipment, impervious area, or ground disturbance on the Project site.

Access to the Project site is available from La Vista Road, a public, paved road and then by an unpaved (dirt) road along an existing agricultural field. Water service is not required for the Project. Exterior lighting is not authorized with this request.

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

2. Site Maintenance

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

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

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

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

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

3. CUP Modification

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

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

4. Acceptance of Conditions and Schedule of Enforcement Responses
The Permittee’s acceptance of this CUP and/or commencement of construction and/or operations under this CUP shall constitute the Permittee’s formal agreement to comply with all conditions of this CUP. Failure to abide by and comply with any condition of this CUP shall constitute grounds for enforcement action provided in the Ventura County Non-Coastal Zoning Ordinance (Article 14), which shall include, but is not limited to, the following:

a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;

b. Suspension of the permitted land uses (Condition No. 1);

c. Modification of the CUP conditions listed herein;

d. Recordation of a “Notice of Noncompliance” on the deed to the subject property;

e. The imposition of civil administrative penalties; and/or

f. Revocation of this CUP.

The Permittee is responsible for being aware of and complying with the CUP conditions and all applicable federal, state, and local laws and regulations.

5. Time Limits
a. Use inauguration:

(1) The approval decision for this CUP becomes effective upon the expiration of the 10-day appeal period following the approval 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 from the date the approval decision of this CUP becomes effective. The Planning Director may
grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for Use Inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.

(3) Prior to the issuance of the Zoning Clearance for Use Inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for Use Inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.

b. Permit Life or Operations Period: This CUP will expire on [insert date]. 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 [insert date]; and

(2) The County decision-maker grants the requested modification.

The uses authorized by this CUP may continue during processing of a timely-filed modification application in accordance with § 8111-2.10 of the Ventura County Non-Coastal Zoning Ordinance.

6. Documentation Verifying Compliance with Other Agencies’ Requirements Related to this CUP

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

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

Documentation: The Permittee shall provide this documentation to Planning Division staff in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division Project file.
Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for Use Inauguration or as dictated by the respective agency.

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

7. Notice of CUP Requirements and Retention of CUP Conditions

Purpose: To ensure full and proper notice of these CUP conditions affecting the use of the subject property.

Requirement: Unless otherwise required by the Planning Director, the Permittee shall notify, in writing, the Property Owner(s) of record, contractors, and all other parties and vendors who regularly conduct activities associated with the Project, of the pertinent conditions of this CUP.

Documentation: The Permittee shall present to the Planning Division staff copies of the conditions, upon Planning Division staff’s request.

Timing: Prior to issuance of a Zoning Clearance for Use Inauguration and throughout the life of the Project.

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

8. Recorded Notice of Land Use Entitlement

Purpose: The Permittee shall record a “Notice of Land Use Entitlement” form and the conditions of this CUP with the deed for the subject property that notifies the current and future Property Owner(s) of the conditions of this CUP.

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

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

Timing: The Permittee shall record the “Notice of Land use Entitlement” form and conditions of this CUP prior to issuance of a Zoning Clearance for Use Inauguration.
Monitoring and Reporting: The Permittee shall return a copy of the recorded “Notice of Land Use Entitlement” form and conditions of this CUP to Planning Division staff to be included in the Project file.


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

b. Pursuant to the requirements of CUP 5020, the Resource Management Agency created Condition Compliance Case No. CC06-0070 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly imposed civil administrative penalties, regarding CUP 5020. The Planning Division will continue to use Condition Compliance Case No. CC06-0070 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 9.a (above), and any duly imposed civil administrative penalties regarding this CUP.

Within 10 calendar days of the effective date of the final decision approving this CUP, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC06-0070, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee’s right to challenge all such charges and penalties prior to payment.

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

a. The Permittee shall defend, at the Permittee’s sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, “Indemnified Parties”) arising out of or in any way related to the County’s issuance, administration, or enforcement of this CUP. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.

b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, “Liabilities”), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.

c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party’s sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee’s sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this CUP, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.

d. Neither the issuance of this CUP, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

11. Invalidation of Condition(s)

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

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

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

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this CUP, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such work. Whenever feasible, the County will use the lowest responsible bidder or proposer. Any decisions made by County staff in reliance on consultant or contractor work may be appealed pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant’s proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with this condition, if the County hires a consultant to review any work undertaken by the Permittee or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee’s expense.

13. Relationship of CUP Conditions, Laws, and Other Entitlements
The Permittee shall implement the Project in compliance with all applicable requirements and enactments of federal, state, and local authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any CUP condition contained herein is in conflict with any other CUP condition contained herein, when principles of law do not provide to the contrary, the CUP condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.
No condition of this CUP for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules, or regulations, or orders of an authorized governmental agency. Neither the approval of this CUP, nor compliance with the conditions of this CUP, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

14. **Contact Person**

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

**Requirement:** The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP.

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

**Timing:** Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall provide the Planning Division the contact information of the Permittee’s field agent(s) for the Project file. If the address or phone number of the Permittee’s field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide Planning Division staff with the new information in writing within three calendar days of the change in the Permittee’s field agent.

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

15. **Change of Permittee**

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

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

**Documentation:** The initial notice must be submitted with the new Permittee’s contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s)
Draft Conditions of Approval for CUP 5020 (as modified by Minor Modification Case Nos. CUP 5020-1 and PL18-0041 and Permit Adjustment Case Nos. PL12-0134 and PL14-0148)

Date of Approval: TBD

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of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP.

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

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

16. **Color/Material/Manufacture Specifications**

**Purpose:** To comply with the Ventura County General Plan Goals, Policies and Programs Scenic Resources Policy 1.7.2-1 and to ensure that the communication facility is constructed as illustrated on the approved plans and photo simulations.

**Requirement:** The Permittee shall:

- a. construct and maintain the exterior surfaces (antenna brackets, all panel sectors, remote radio units, equipment, cables, etc.) of the communication facility using building materials and colors that are compatible with surrounding terrain (e.g., earth tones and non-reflective paints);

- b. provide the manufacturer’s specifications and model numbers of all tower, antenna, and ancillary equipment (e.g., batteries, equipment in cabinets, GPS, and antennae) on all development plans;

- c. construct and maintain the site in compliance with the approved plans and photo-simulations; and

- d. provide photos to the Planning Division to verify that the facility is constructed as approved.

**Documentation:** The Permittee shall provide plans and photo simulations 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 and photo simulations.

**Timing:** Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall provide the colors and materials of all buildings and structures on building plans for the Planning Division’s review and approval. Prior to final inspection, the Permittee shall construct and paint the structures according to the approved plans.
Monitoring and Reporting: The Planning Division maintains copies of the approved plans and photo simulations 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 and photo simulations. The Planning Division maintains the Permittee's approved plans and photo simulations, 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.

17. 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.
II. Environmental Health Division Conditions

The storage, handling, and disposal of any potentially hazardous material must be in compliance with applicable state regulations. Used batteries must be properly disposed of or recycled in accordance with state and local regulations. If hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid) are stored onsite, or any hazardous wastes are generated, additional permitting, monitoring, and reporting requirements would apply. Ventura County Environmental Health Division/Certified Unified Program Agency issues hazardous material and hazardous waste permits in Ventura County.

OTHER VENTURA COUNTY AGENCIES

III. Ventura County Fire Protection District Conditions

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

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

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

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

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

20. Access Road / Driveway Maintenance
Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall maintain all on-site access road(s) and driveway(s) not included in a maintenance agreement. Repairs shall be made as needed or as required by the Fire District to maintain the original design and installation of the access road(s) and driveway(s).
Documentation: A copy of the Covenants, Conditions and Restrictions or such other documentation as may be deemed acceptable by the Fire Prevention Bureau.

Timing: The Permittee shall provide evidence of provisions for maintenance must be submitted to the Fire Prevention Bureau upon request.

Monitoring and Reporting: The Fire District has the authority to inspect all on-site access road(s) and driveway(s) as it deems necessary. The Permittee shall be responsible for ongoing maintenance of the access road and driveways and shall conduct repairs as required by the Fire District.

21. Hazard Abatement

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

Requirement: The Permittee shall have all grass or brush adjacent to structure’s footprint cleared for a distance of 100 feet or to the property line if less than 100 feet. All grass and brush shall be removed a distance of 10 feet on each side of all access road(s)/driveway(s) within the project. The Fire District may require the entire parcel to be cleared. Note: A Notice to Abate Fire Hazard may be recorded against the parcel.

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

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

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

22. Fire Code Permits

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

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

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

Timing: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for approval before final occupancy, installation and/or use of any item/system requiring a Fire Code permit.

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

23. Inspection Authority

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

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

**Documentation:** A copy of the approved entitlement conditions.

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

**Monitoring and Reporting:** A copy of the approved entitlement conditions shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall ensure ongoing compliance with this condition through on-site inspection.