



Planning Director Staff Report Hearing on April 24, 2025

County of Ventura • Resource Management Agency

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

AT&T LA0404 CONIFER CONDITIONAL USE PERMIT (CUP) CASE NO. PL24-0122

A. PROJECT INFORMATION

1. **Request:** The applicant requests the approval and reinstatement of a Conditional Use Permit (CUP) PL24-0122 for the continued use, operation, and maintenance of an existing Wireless Communication Facility (WCF).
2. **Applicant:** AT&T, 5855 Copley Drive, San Diego, CA 92111
3. **Property Owner:** Rancho Simi Recreation and Park District, 4201 Guardian Street, Simi Valley, CA 93063
4. **Applicant's Representative:** Christina Thomas, MD7 LLC., 10590 West Ocean Air Drive, Suite 250, San Diego, CA 92130
5. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) Section 8105-4 and Section 8111-1.2 et seq., the Planning Director is the decision-maker for the requested CUP.
6. **Project Site Size, Location, and Parcel Number:** The 0.32-acre property is located on the south side of Conifer Circle up a private access road adjacent to 100 Conifer Circle, in the community of Oak Park, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 800-0-400-025 (Exhibit 2).
7. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Open Space
 - b. Oak Park Area Plan Land Use Map Designation: Public Open Space
 - c. Zoning Designation: OS-40 ac (Open Space, 40-acre minimum lot size)
8. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	OS-40 ac (Open Space, 40-acre minimum lot size) & RPD-12 du/ac (Residential Planned Development, 12 dwelling units per acre)	Open Space and residential neighborhood

Location in Relation to the Project Site	Zoning	Land Uses/Development
East	OS-40 ac & RPD-12 du/ac	Open Space and residential neighborhood
South	OS-40 ac	Open Space
West	OS-40 ac	Open Space

- 9. History:** On July 23, 1998, CUP No. LU 5024 was approved for the installation and operation of a Nextel Communications WCF on an existing water tank which was located on site.

On January 7, 2013, CUP LU11-0067 was approved for the Major Modification of Conditional Use Permit 5024. This CUP was required as the property owner was removing the existing water tank which the antennas were attached to. The permit authorized the construction of the faux Elm tree facility currently in operation. This permit was allowed to expire on January 7, 2023.

On December 17, 2024, a CUP request was received for the reinstatement of the expired CUP for the continued use, operation, and maintenance of the existing WCF.

- 10. Project Description:** The applicant requests approval of a CUP for the continued use, operation, and maintenance of an existing WCF. The facility consists of:

- One 21-foot-tall Faux Elm Tree (24-feet to top of concealment elements);
- Eight panel antennas;
- Sixteen Remote Radio Units (RRU's);
- approximately 230 square foot equipment shelter.

The WCF is unmanned, except for occasional periodic maintenance visits, and would continue to operate 24 hours per day. The WCF does not require water to operate. No changes are proposed to the existing facility (Exhibit 3).

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

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

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. The project includes the continued operation of an existing WCF with no proposed operational or physical changes. Therefore, the proposed project qualifies for

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

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

C. CONSISTENCY WITH THE GENERAL PLAN / OAK PARK AREA PLAN

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

D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the requirements of the Ventura County NCZO Section 8105-4, the proposed use is allowed in the Commercial Planned Development (CPD) zone district with the granting of a CUP. Upon the granting of the CUP, the Permittee will be in compliance with the requirements of the Ventura County NCZO.

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

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard		Complies?												
Section 8107-45.4(f)(4), Maximum Antenna Height: Maximum Height of Faux Trees¹ <table><tr><th>Type of Structure</th><th>Maximum Height</th></tr><tr><td>Mono-Broadleaves</td><td>60 feet</td></tr><tr><td>Mono-Elm</td><td>60 feet</td></tr><tr><td>Mono-Eucalyptus</td><td>80 feet</td></tr><tr><td>Mono-Palm</td><td>65 feet</td></tr><tr><td>Mono-Pine</td><td>80 feet</td></tr></table>		Type of Structure	Maximum Height	Mono-Broadleaves	60 feet	Mono-Elm	60 feet	Mono-Eucalyptus	80 feet	Mono-Palm	65 feet	Mono-Pine	80 feet	Yes, the project involves the construction and operation of a stealth, faux Elm tree WCF with a maximum height of 21' above grade level.
Type of Structure	Maximum Height													
Mono-Broadleaves	60 feet													
Mono-Elm	60 feet													
Mono-Eucalyptus	80 feet													
Mono-Palm	65 feet													
Mono-Pine	80 feet													
Section 8107-45.4(n), Accessory Equipment: <p><i>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.</i></p>		Yes, none of the accessory equipment is visible from offsite.												

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p>Section 8107-45.4(o), Colors and Materials:</p> <p><i>All wireless communication facilities shall use materials and colors that blend in with the natural or man-made surroundings. Highly reflective materials are prohibited.</i></p>	<p>Yes, the facility matches the color and look of the surrounding trees. No reflective materials will be used.</p>
<p>Section 8107-45.4(p), Noise:</p> <p><i>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.</i></p>	<p>Yes, the WCF will always be operated and maintained to comply with the Ventura County noise standards.</p>
<p>Section 8107-45.4(r), Security:</p> <ol style="list-style-type: none"> <i>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.</i> <i>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.</i> 	<p>Yes, the facility enclosed by an existing fence which prevents access and vandalism to the project site. The ground mounted equipment is surrounded by protective bollards to prevent cars from inadvertently entering the lease area.</p>
<p>Section 8107-45.4(s), Lighting:</p> <ol style="list-style-type: none"> <i>No facility may be illuminated unless specifically required by the FAA or other government agency.</i> <i>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.</i> 	<p>Yes, the WCF would not be illuminated.</p>
<p>Section 8107-45.4(t), Signage:</p> <p><i>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.</i></p>	<p>Yes, the proposed WCF will be surrounded by a fence with signage indicating all necessary information related to the operation of the facility.</p>
<p>Section 8107-45.4(u), Access Roads:</p>	<p>Yes, the proposed WCF would be accessed by an existing public road to a private driveway, maintained by the</p>

Table 1 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<ol style="list-style-type: none"> <i>Where feasible, wireless communication facility sites shall be accessed by existing public or private access roads and easements.</i> <i>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.</i> 	property owner, to the WCF location. No new roads are proposed with this project.
The project was also evaluated for consistency with the WCF Special Use Standards in Sections 8107-45.4(a) through 8107-45.4(e), 8107-45.4(g) through 8107-45.4(m), and 8107-45.4(q). It was determined that these sections were not applicable to the project.	

E. CUP PERMIT 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 Section D and Exhibit 4 of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code can be made.

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

The existing communications facility is surrounded by undeveloped land. The facility is located adjacent to two other communications facilities. The WCF is designed as a faux elm tree and is surrounded by existing mature trees to screen the facility from offsite viewpoints. With the stealth design of the facility and the existing landscaping, the development is compatible with the character of the surrounding 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].**

The WCF does not generate substantial noise or pose a health threat. No adverse effect on neighboring property or uses has been identified. Additionally, the project is conditioned to require the Permittee to identify a contact person for the timely resolution of complaints (Exhibit 5, Condition Nos. 14, 15).

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

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

No adverse effect on the use of the surrounding properties has been identified. In any case, the Permittee will be required to identify a contact person for the timely resolution of complaints (Exhibit 5, Condition Nos. 14, 15). Additionally, the proposed project will include conditions of approval to ensure that the proposed use, storage, and handling of hazardous materials will be in conformance with all applicable County and state regulations (Exhibit 5, Condition No. 21).

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

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

The proposed project involves the continued operation of an existing WCF. Thus, there will be no change in land use in the area. Furthermore, the surrounding open space land use designations are not anticipated to change in the foreseeable future. Thus, the proposed project is compatible with the existing and future land uses in the area.

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 APN comprises a legal lot created by conveyance (deed recorded November 9, 1966, in Book 3066, Page 97 of Official Records). The lot was created by conveyance to a public utility prior to regulation by the Ventura County Subdivision Ordinance.

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

7. The proposed development is approved in accordance with the California Environmental Quality Act and all other applicable laws [Section 8111-1.2.1.1.g].

As discussed in Section B above, the proposed project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

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

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

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091), Ventura County NCZO (Section 8111-3.1). On April 11, 2025, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located and placed a legal ad in the *Ventura County Star*.

H. RECOMMENDED ACTIONS

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

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **FIND** that this project is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines.
3. **MAKE** the required findings to grant a CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** CUP Case No. PL24-0122, subject to the conditions of approval (Exhibit 5).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

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

If you have any questions concerning the information presented above, please contact Thomas Chaffee at (805) 654-2406 or Thomas.Chaffee@ventura.org.

Prepared by:

Thomas Chaffee

Thomas Chaffee, Case Planner
Commercial/Industrial Permits Section
Ventura County Planning Division

Reviewed by:



John Novi, Manager
Commercial/Industrial Permits Section
Ventura County Planning Division

EXHIBITS

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



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map created on 03-05-2025



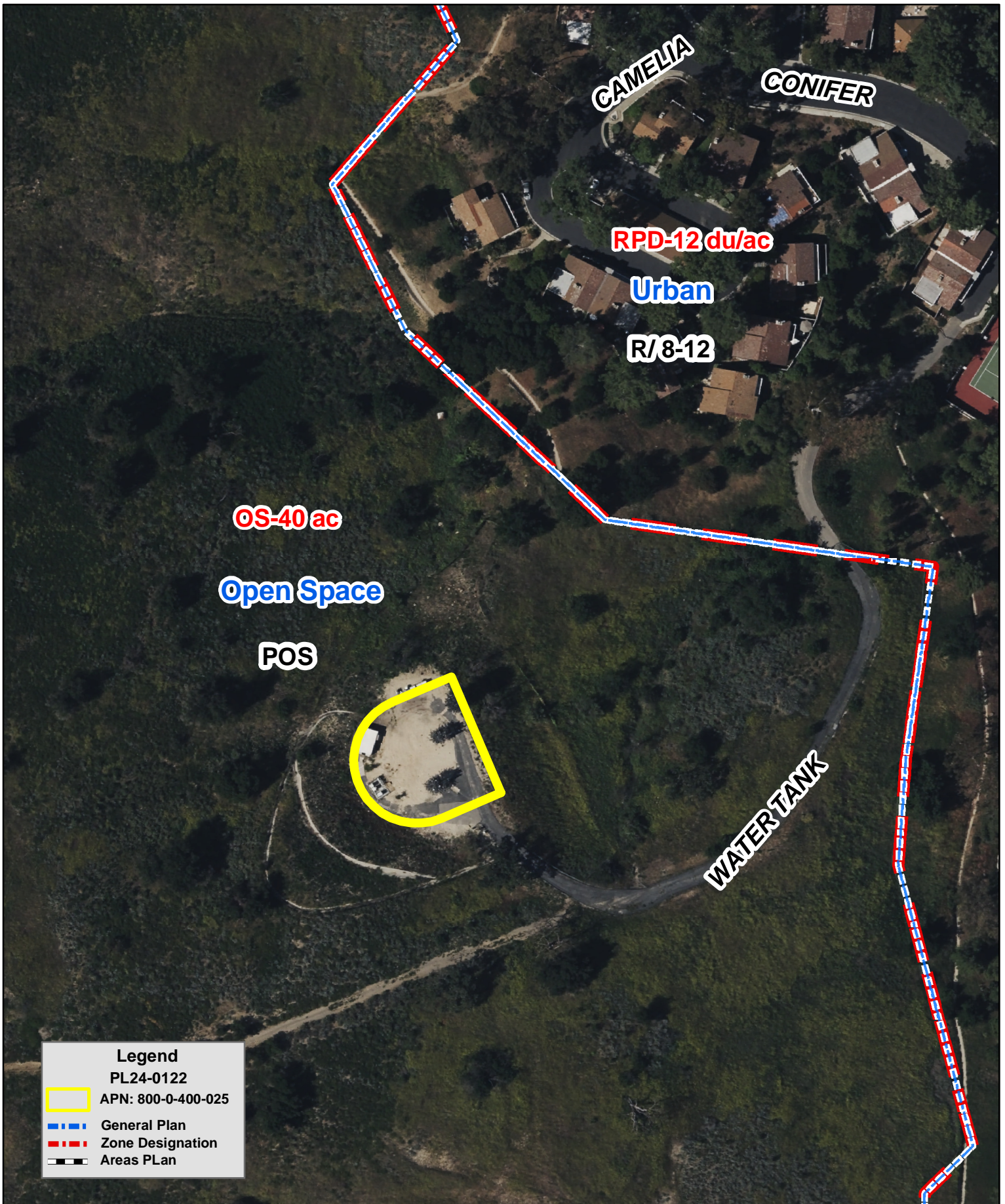
County of Ventura
Planning Director Hearing
April 24, 2025
Case No. PL24-0122
Exhibit 2: Maps

0 10,000 20,000 Feet

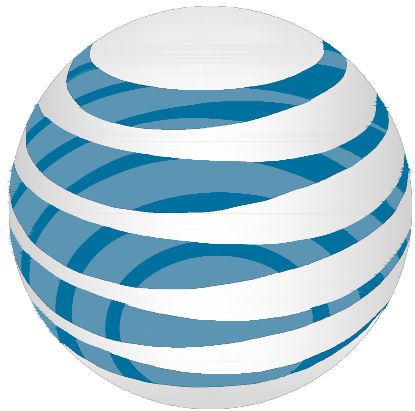
Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic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

E





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at&t

LA0404-01 CONIFER

CLU1699/CSL01699
ENTITLEMENT RENEWAL
FA: 12877129
100 CONIFER CIRCLE
OAK PARK, CA 91377



MD7, LLC
10590 West Ocean Air Dr. Suite 300
San Diego, CA 92130
858-964-7439

REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
0	10/10/2024	100% ZDs	VB

"I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME AND UNDER MY DIRECT SUPERVISION AND THAT I AM DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF CALIFORNIA"

PROJECT TEAM

APPLICANT AGENT:
AT&T WIRELESS
5738 PACIFIC CENTER BLVD.
SAN DIEGO, CA 92121
CONTACT: ROBERTO POLITO
PHONE: (858) 291-115
EMAIL: rpolito@md7.com

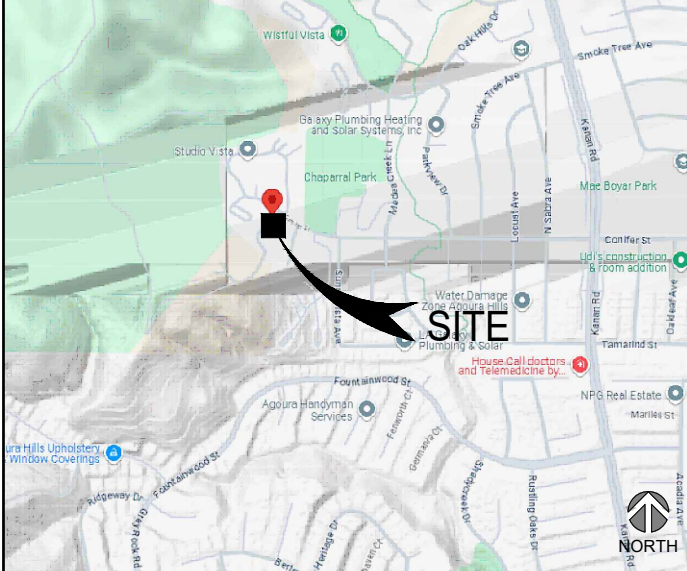
SITE ACQUISITION AGENT:
MD7, LLC.
10590 WEST OCEAN AIR DRIVE
SUITE 250
SAN DIEGO, CA 92130
CONTACT: ROBERTO POLITO
PHONE: (858) 291-1915
EMAIL: rpolito@md7.com

RF ENGINEER:
AT&T
5738 PACIFIC CENTER BLVD.
SAN DIEGO, CA 92121
CONTACT: JORGE MELCHOR
EMAIL: jm934p@att.com

ARCHITECT:
NAME: MD7, LLC
ADDRESS: 10590 WEST OCEAN AIR DR.
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SAN DIEGO, CA 92130
CONTACT: NICHOLAS BRITT
PHONE: (619) 322-6425
EMAIL: nickbritt@md7.com

ZONING
MD7, LLC.
10590 WEST OCEAN AIR DRIVE
SUITE 250
SAN DIEGO, CA 92130
CONTACT: ROBERTO POLITO
PHONE: (858) 291-1915
EMAIL: rpolito@md7.com

VICINITY MAP



PROJECT SUMMARY

NO PROPOSED WORK, ZONING DRAWING MEANT FOR OBTAINING ENTITLEMENTS

DRAWING INDEX

T-1.0 TITLE SHEET
A-1.0 OVERALL SITE PLAN
A-1.1 ENLARGED SITE PLAN AND EQUIPMENT PLAN
A-2.0 ANTENNA PLAN AND ANTENNA/RRU SCHEDULE
A-3.0 SOUTHEAST & SOUTHWEST ELEVATIONS

SITE INFORMATION

PROPERTY OWNER: LIGHTHOUSE BAPTIST TEMPLE
1345 SKYLINE DRIVE
LEMON GROVE, CA 91945

STRUCTURE HEIGHT: 24'-0"

PARCEL NUMBER: 800-0-180-015

LATITUDE (NAD 83): 34°%10' 12.9" N

LONGITUDE (NAD 83): -118° 46' 707988" W

ZONING JURISDICTION: CITY OF COUNTY OF VENTURA

ZONING DISTRICT: OS-40

OCCUPANCY GROUP: ----

CONSTRUCTION TYPE: ----

OTHER WIRELESS FACILITIES: NONE

POWER COMPANY: ----

TELEPHONE COMPANY: ----

GENERAL NOTES

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

DRAWING SYMBOLS



ELEVATION NUMBER
SHEET NUMBER FOR
ELEVATION



REVISION



DETAIL NUMBER
SHEET NUMBER FOR DETAIL



REFER: ELECTRICAL FOR
ADDITIONAL SYMBOLS

CODE COMPLIANCE

2022 CALIFORNIA BUILDING CODE
2022 CALIFORNIA RESIDENTIAL CODE
2022 CALIFORNIA TITLE 24
2022 CALIFORNIA FIRE CODE
2022 CALIFORNIA ENERGY CODE
2022 CALIFORNIA PLUMBING CODE

2022 CALIFORNIA MECHANICAL CODE
2022 CALIFORNIA ELECTRICAL CODE
TIA-222 CODE

IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL



Know what's below.
Call before you dig.

TO OBTAIN LOCATION OF PARTICIPANTS
UNDERGROUND FACILITIES BEFORE YOU DIG
IN NEVADA, CALL USA NORTH 811

TOLL FREE: 1-800-227-2600 OR
www.usanorth811.org

NEVADA STATUTE REQUIRES MIN
OF 2 WORKING DAYS NOTICE
BEFORE YOU EXCAVATE

County of Ventura
Planning Director Hearing
April 24, 2025
Case No. PL24-0122
Exhibit 3: Plans

CONFIDENTIAL AND PROPRIETARY

NOT FOR DISCLOSURE OUTSIDE TELECOMMUNICATION CLIENT WITHOUT WRITTEN PERMISSION.

SITE INFORMATION

LA0404-01 CONIFER
CLU1699/CSL01699
12877129
100 CONIFER CIRCLE
OAK PARK, CA 91377

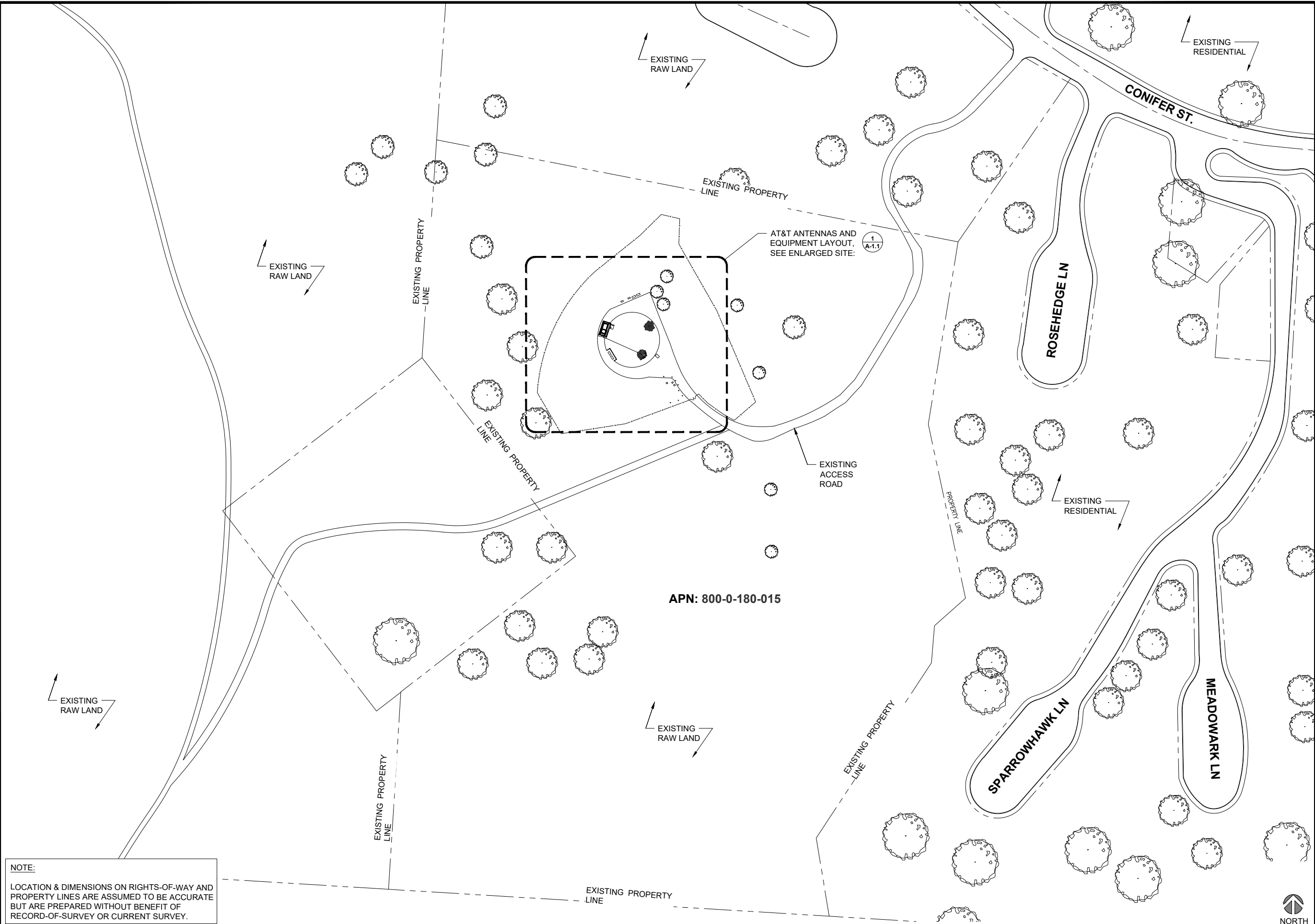
SHEET TITLE

TITLE SHEET

SHEET NUMBER


T-1.0

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NOTE:
LOCATION & DIMENSIONS ON RIGHTS-OF-WAY AND PROPERTY LINES ARE ASSUMED TO BE ACCURATE BUT ARE PREPARED WITHOUT BENEFIT OF RECORD-OF-SURVEY OR CURRENT SURVEY.

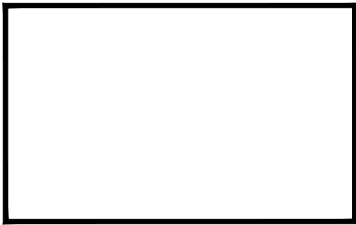
OVERALL SITE PLAN



at&t
5001 EXECUTIVE
PARKWAY, SAN RAMON,
CA 94583



MD7
MD7, LLC
10590 West Ocean Air Dr, Suite 300
San Diego, CA 92130
858-964-7439



REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
0	10/10/2024	100% ZDs	VB

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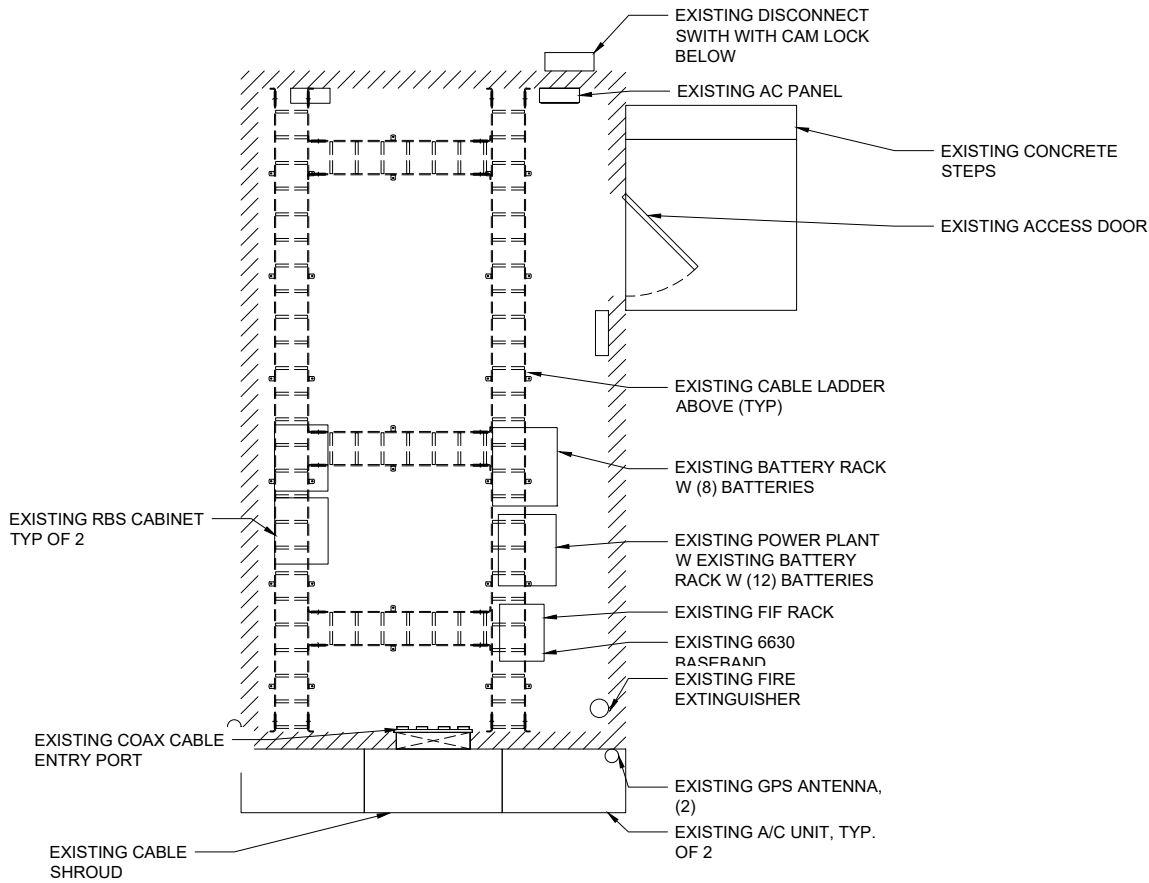
SHEET TITLE

OVERALL SITE PLAN

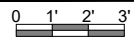
SHEET NUMBER

A-1.0

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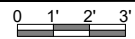
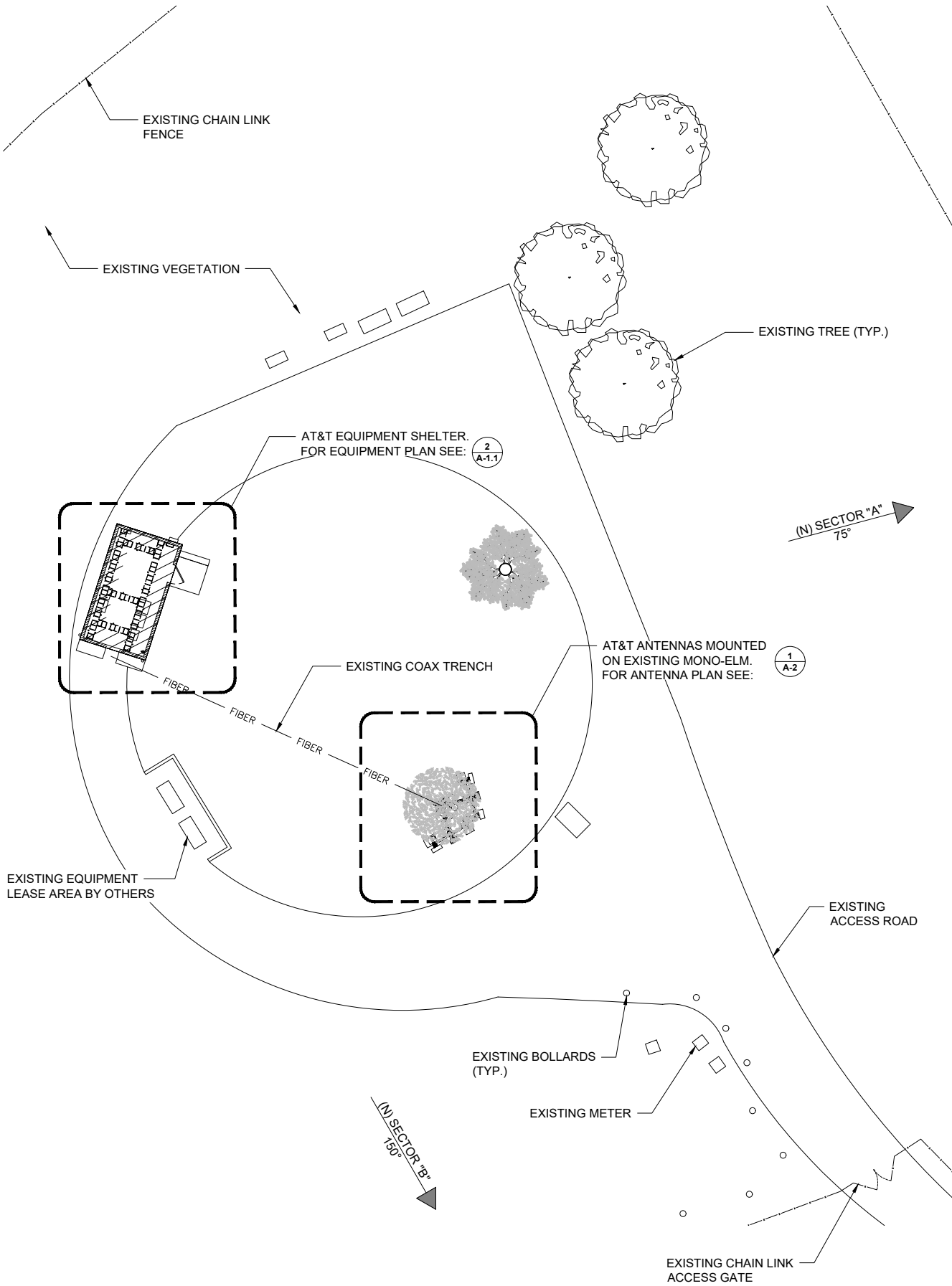
ENLARGED EQUIPMENT PLAN



SCALE: 3/8"=1'-0" (22x34)
(OR) 3/16"=1'-0" (11x17)

2

ENLARGED SITE PLAN



SCALE: 3/8"=1'-0" (22x34)
(OR) 3/16"=1'-0" (11x17)

1



MD7, LLC
10590 West Ocean Air Dr. Suite 300
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858-964-7439

REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
0	10/10/2024	100% ZDs	VB

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SITE INFORMATION

LA0404-01 CONIFER
CLU1699/CSL01699
12877129
100 CONIFER CIRCLE
OAK PARK, CA 91377

SHEET TITLE

ENLARGED SITE PLAN
AND EQUIPMENT PLAN

SHEET NUMBER

A-1.1

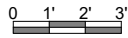
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FINAL REMOTE RADIO UNIT SCHEDULE																		
SECTOR	EXISTING REMOTE RADIO UNITS											NEW REMOTE RADIO UNITS						
	2100 (AWS)			2300 (WCS)			700 (B29)			700 (B14)			700/850 (BC/SC)			1900 (PCS)		
	QTY.	MODEL	LOCATION	QTY.	MODEL	LOCATION	QTY.	MODEL	LOCATION	QTY.	MODEL	LOCATION	QTY.	MODEL	LOCATION	QTY.	MODEL	LOCATION
A	A1			1	RRUS-32 B30	UP	1	RRUS-E2 B29	UP	1	RRUS-4478 B14	UP						
	A2																	
	A3	1	RRUS-32 B66A	UP									1	RRUS-4449 B5/B12 (SHRED)	UP	1	RRUS-4460 B25/B66	UP
B	B1	1	RRUS-32 B66A	UP									1	RRUS-4449 B5/B12 (SHRED)	UP	1	RRUS-4460 B25/B66	UP
	B2																	
	B3																	
LTE REMOTE RADIO UNIT COUNT = 16																		

FINAL PANEL ANTENNA SCHEDULE						
SECTOR	MANUFACTURER	MODEL NO.	SIZE	AZIMUTH	RAD. CENTER	
A	A1	QUINTEL	QD6612-7	6'	75°	18'-0"
	A2	ERICSSON	AIR6419 B77G AIR6449 B77D	2'-4" 2'-7"	75°	18'-0"
	A3	CCI	TPA-65R-BU6DA-K	6'	75°	18'-0"
B	B1	CCI	TPA-65R-BU6DA-K	6'	150°	18'-0"
	B2	ERICSSON	AIR6419 B77G AIR6449 B77D	2'-4" 2'-7"	150°	18'-0"
	B3	QUINTEL	QD6612-7	6'	150°	18'-0"
PANEL ANTENNA COUNT = 8						



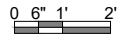
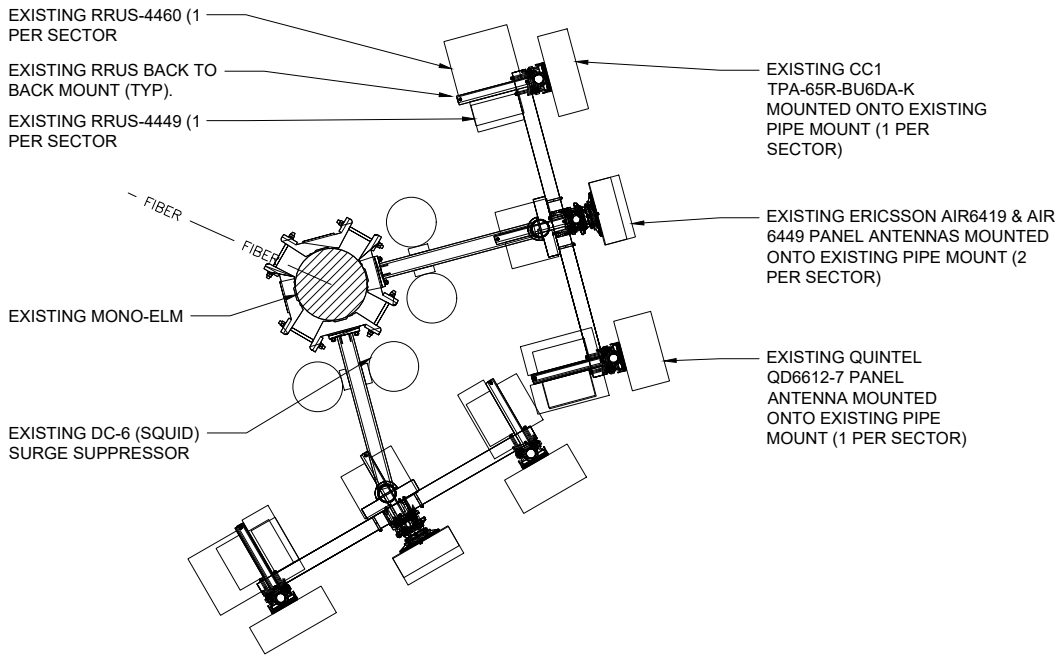
ANTENNA/RRU SCHEDULE



SCALE: 3/8"=1'-0" (22x34)
(OR) 3/16"=1'-0" (11x17)

2

ANTENNA PLAN



SCALE: 1/2"=1'-0" (22x34)
(OR) 1/4"=1'-0" (11x17)

1

ANTENNA PLAN AND ANTENNA/RRU SCHEDULE

SHEET NUMBER

A-2.0

SITE INFORMATION

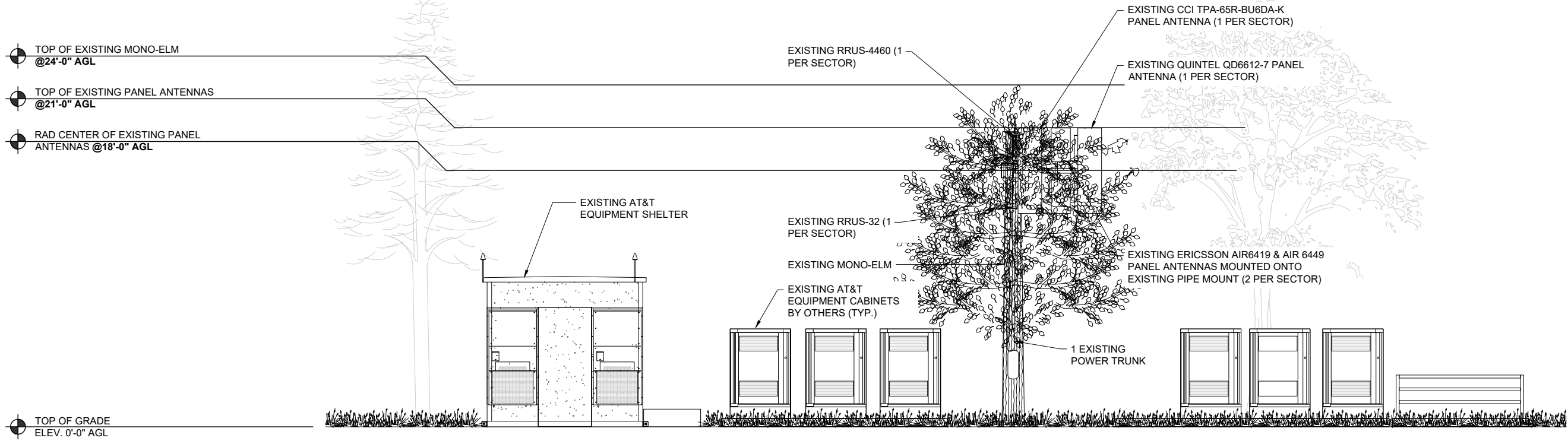
LA0404-01 CONIFER
CLU1699/CSL01699
12877129
100 CONIFER CIRCLE
OAK PARK, CA 91377

SHEET TITLE

REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
0	10/10/2024	100% ZDs	VB

"I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME AND UNDER MY DIRECT SUPERVISION AND THAT I AM DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF CALIFORNIA"

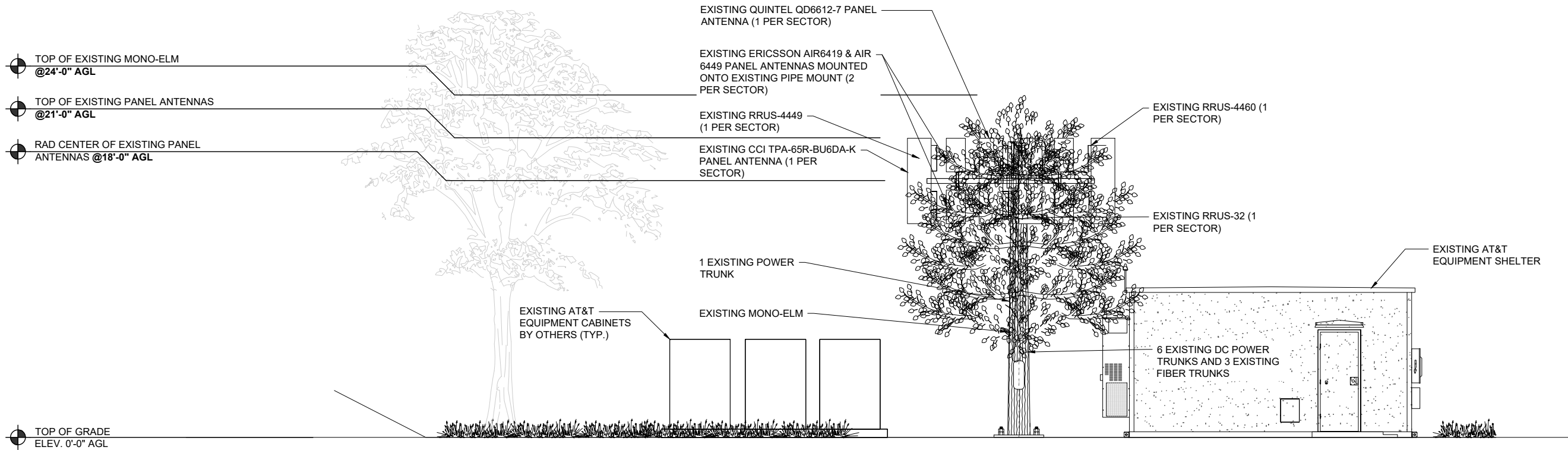
THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.



SOUTHWEST ELEVATION

0 1' 2' 4' SCALE: 1/4"=1'-0" (22x34)
(OR) 1/8"=1'-0" (11x17)

1



SOUTHEAST ELEVATION

0 1' 2' 4' SCALE: 1/4"=1'-0" (22x34)
(OR) 1/8"=1'-0" (11x17)

1



MD7, LLC
10590 West Ocean Air Dr. Suite 300
San Diego, CA 92130
858-964-7439

REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
0	10/10/2024	100% ZDs	VB

"I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME AND UNDER MY DIRECT SUPERVISION AND THAT I AM DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF CALIFORNIA"

SITE INFORMATION

LA0404-01 CONIFER
CLU1699/CSL01699
12877129
100 CONIFER CIRCLE
OAK PARK, CA 91377

SHEET TITLE

NORTH & EAST
ELEVATIONS

SHEET NUMBER

A-3.0

EXHIBIT 4

CONSISTENCY WITH THE GENERAL PLAN AND OAK PARK AREA PLAN FOR CONDITIONAL USE PERMIT (CUP) CASE NO. PL24-0122

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

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

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

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

General Plan

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

The subject site was formerly developed as a water tank site with wireless communications facilities (WCF)'s located on the water tank. The water tank has since been removed and the site is currently developed with multiple WCF's designed as faux trees. The existing WCF, designed as a faux Elm tree, would continue to provide wireless telecommunication services to the surrounding area and remain compatible with the neighboring land uses, and no land use conflicts would occur with the continued use of the existing WCF. Furthermore, the WCF is designed as a stealth facility and camouflaged from public viewpoints by existing vegetation.

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

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

PFS-7.1 Accessible Public Utilities: *The County shall work with utility companies and service providers to ensure that gas, electric, broadband, cellular mobile communications, cable television, and telephone utility transmission lines are*

located appropriately to provide for adequate services throughout the unincorporated area.

PFS-7.5 Broadband Service Access: *The County shall encourage broadband service providers to expand service areas and provide high quality access to broadband (high-speed internet) and cellular mobile communications services to residents and businesses, including unserved and underserved areas.*

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

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

3. **PFS-11.4 Emergency Vehicles Access:** *The County shall require all discretionary development to provide, and existing development to maintain, adequate access for emergency vehicles, including two points of access for subdivisions and multifamily developments.*

HAZ-1.1 Fire Prevention Design and Practices: *The County shall continue to require development to incorporate design measures that enhance fire protection in areas of high fire risk. This shall include but is not limited to incorporation of fire-resistant structural design, use of fire-resistant landscaping, and fuel modification around the perimeter of structures.*

HAZ-1.2 Defensible Space Clear Zones: *The County shall require adherence to defensible space standards, or vegetation "clear zones," for all existing and new structures in areas that are designated as Hazardous Fire Areas by the Ventura County Fire Protection District and High Fire Hazard Severity Zones by the California Department of Forestry and Fire Protection.*

The Ventura County Fire Protection District (VCFPD) reviewed the proposed project and determined that the project has, and will maintain, adequate access for emergency vehicles and located on a parcel with adequate fire resistant landscaping and fuel modification around the perimeter. The project adheres to the defensible space standards and vegetation clear zones.

Based on the discussion above, the project is consistent with General Plan Policies PFS-11.4, HAZ-1.1 and HAZ-1.2.

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

loss of life, or property damage and would not disproportionately impact Designated Disadvantaged Communities.

The Resource Management Agency, Environmental Health Division (EHD) reviewed the proposed project. Based on EHD's recommendations, the CUP for the WCF would be subject to a condition of approval to require that the storage, handling, and disposal of any potentially hazardous material shall be in compliance with applicable state regulations (Exhibit 5, Condition No. 20).

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

Oak Park Area Plan

- 5. OP-7.1 Design Standards for Discretionary Development:** *The County shall condition discretionary development to incorporate good design standards including open areas, landscaping, circulation, off-street parking, energy efficiency, architectural compatibility with surroundings, etc.*

OP-10.1 Design Standards for Discretionary Development: *The County shall require discretionary residential development shall be conditioned to incorporate good design standards and maintain the character of the Oak Park Community. Design standards include open space, landscaping circulation, off-street parking, energy efficiency, architectural compatibility with the surroundings, etc.*

OP-18.1 County General Plan Compliance: *The County shall require all development to be consistent with the goals, policies and programs of the County General Plan.*

The existing WCF is located on a parcel that previously contained a water district water holding tank with the WCF attached to the tank. When the tank was removed by the water district, the WCF was relocated and designed as a faux Elm tree. The site is located where existing landscaping and mature trees help screen the facility from off site public viewpoints. The facility is conditioned to maintain the look and appearance of an Elm tree for the life of the permit (Exhibit 5, Condition Nos 1, 2, 8 and 13) and is compatible with its surroundings.

Based on the discussion above, the proposed project is consistent with Oak Park Area Plan Policy OP-7.1, 10.1 and OP-18.1.

- 6. OP-15.2 Compatibility with Adjacent Land Uses:** *The County shall subject commercial development to the Planned Development or Conditional Use Permit process to assure compatibility with adjacent land uses. Such review shall give careful attention to landscaping, signing, access, site and building design, drainage, on-site parking and circulation, fencing, and mitigation of nuisance factors.*

The proposed project is for the continued use and operation of an existing wireless communication facility and is subject to the approval of a CUP with conditions of approval that ensure compatibility with adjacent land uses. During the review process, the County reviewed the project for landscaping to help screen the facility from offsite public viewpoints, access, signage, and mitigation of nuisance factors.

Based on the discussion above, the proposed project is consistent with Oak Park Area Plan Policy OP-15.2.

- 7. OP-17.1 Oak Park Municipal Advisory Council (OPMAC):** *The Oak Park Municipal Advisory Council (OPMAC) shall continue to be the Board of Supervisors' recognized public review group for the Oak Park Area of Interest. All applications for discretionary permits and all environmental documents for projects located within the Oak Park Area of Interest shall be distributed to the OPMAC.*

OP-17.2 Notification to Oak Park Municipal Advisory Council (OPMAC): *The Oak Park Municipal Advisory Council (OPMAC) shall continue to be the Board of Supervisors' recognized public review group for the Oak Park Area of Interest. All applications for discretionary permits and all environmental documents for projects located within the Oak Park Area of Interest shall be distributed to the OPMAC.*

The proposed project is the reinstatement of a CUP for an existing WCF. The WCF has been in continued use and operation and no changes are proposed with this permit reinstatement. The Planning Division notified the Board of Supervisor's office related to the proposed project for distribution to the OPMAC and the District two Board Office did not determine that the permit required review by the OPMAC.

Based on the discussion above, the proposed project is consistent with Oak Park Area Plan Policies OP-17.1 and OP-17.2.

EXHIBIT 5

CONDITIONS OF APPROVAL FOR CUP CASE NO. PL24-0122

RESOURCE MANAGEMENT AGENCY CONDITIONS

Planning Division

1. Project Description

This Conditional Use Permit (CUP) is based on, and limited to, compliance with the project description stated in this condition, Exhibits 1-5 of the Planning Director hearing, and the remaining conditions of approval set forth below. Together, these conditions and documents describe the "Project."

Any deviations from the Project must first be reviewed by the County to determine if they conform to the conditions of approval of CUP PL24-0122. Project deviations may require a modification of this permit and further environmental review pursuant to the California Environmental Quality Act (CEQA). Any deviation from the Project that is implemented without the required County approval constitutes a violation of this permit and applicable law.

The Project description is as follows:

This CUP authorizes the continued use, operation, and maintenance of an existing Wireless Communication Facility (WCF). The facility consists of:

- One 21-foot-tall Faux Elm Tree (24-feet to top of concealment elements);
- Eight panel antennas;
- Sixteen Remote Radio Units (RRU's);
- approximately 230 square foot equipment shelter.

The WCF is unmanned, except for occasional periodic maintenance visits, and would continue to operate 24 hours per day. The WCF does not require water to operate. No changes are proposed to the existing facility.

The development, use, and maintenance of the property, 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 remaining conditions of approval below.

2. CUP Modification Review

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, Sections 21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Sections 15000-15387), as amended from time to time.

3. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and operations under this CUP shall be deemed to be acceptance by the Permittee of all conditions of this CUP. Failure to abide by and comply with any condition for the granting of this CUP shall constitute grounds for enforcement action provided in the Ventura County Non-Coastal Zoning Ordinance (Article 14), which include, but are not limited to, the following actions:

- Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- Suspension of the permitted land uses (Condition of Approval No. 1);
- Modification of the CUP conditions listed herein;
- Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- The imposition of civil administrative penalties; and/or,
- Revocation of this CUP.

It is the Permittee's or the Permittee's successors-in-interest's responsibility to be aware of, and to comply with, the CUP conditions and all applicable federal, state, and local laws and regulations.

4. Time Limits

- a. Use Inauguration:

- (1) The decision to grant this CUP becomes effective upon the expiration of the 10-day appeal period following the date of decision, or when any

appeals of the decision are finally resolved. Once the decision becomes effective, the Permittee must obtain a Zoning Clearance for use inauguration in order to initiate the land uses set forth in Condition of Approval No. 1.

- (2) This CUP shall expire and become null and void if the Zoning Clearance for Use Inauguration has not been issued within one year from the date the CUP becomes effective (See Ventura County Non-Coastal Zoning Ordinance Section 8111-4.7). The Planning Director may grant a one-year extension of the deadline 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 inaugurate the permitted land use, and the Permittee has requested the extension in writing prior to the expiration of the one-year period.
- (3) Prior to the issuance of the Use Inauguration Zoning Clearance, all fees and charges billed to that date by any County agency, as well as all fines, penalties, and sureties, must be paid or submitted in full. After issuance of the Use Inauguration Zoning Clearance, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.

b. Permit Expiration:

This CUP will expire on XX/XX/2035.

The uses authorized by this CUP may be temporarily extended beyond the CUP expiration date when an application for permit renewal is actively under consideration. In accordance with Section 8111-2.10 of the Ventura County Non-Coastal Zoning Ordinance, permits being processed for renewal shall remain in full force and effect until the renewal request is acted on when:

- (1) An application for a permit modification (renewal) is filed and accepted as "complete" by the Planning Division prior to expiration of the permit (Section 8111-6); and
- (2) The Permittee is in compliance with all terms and conditions of the original permit at the time the application for renewal is filed.

5. Documentation of Compliance with Other Agencies' Requirements

Purpose: To ensure compliance with and notification of federal, state, or local government regulatory agencies that have requirements that pertain to the project that is the subject of this CUP.

Requirement: The Permittee shall provide the Planning Division with documentation (e.g., copies of correspondence, reports, or information related to issues 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 the County Planning Division in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division project file.

Timing: Copies of all correspondence, reports, or information related to issues covered by this permit, which are received by the Permittee from, or sent by the Permittee to, other Federal, State, or local jurisdictions or agencies shall be provided to the Planning Division within 30 days of their receipt/issuance. The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for construction or as dictated by the respective agency.

Monitoring and Reporting: The Planning Division shall maintain 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.

6. Notice of CUP Requirements and Retention of CUP Conditions

Purpose: To ensure full and proper notice of permit requirements and 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 regularly dealing with the daily operation of the proposed activities, of the pertinent conditions of this CUP.

Documentation: The Permittee shall maintain a current set of CUP conditions and exhibits.

Timing: Prior to issuance of a Zoning Clearance, the documentation of notification shall be provided. Evidence of ongoing notification shall be maintained as a public record by the Permittee for the life of the permit.

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 Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

7. Recordation of Notice of Land Use Entitlement

Purpose: To ensure compliance with applicable permit conditions and regulations pursuant to Section 8111-8.3 of the Ventura County Non-Coastal Zoning Ordinance.

Requirement: The Permittee and Property Owner of record 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, for the tax assessor's parcel that is subject to this CUP. The notice shall describe the responsibilities of the Property Owner and Permittee for compliance with all applicable permit conditions and regulations.

Documentation: The Permittee shall provide to the Planning Division a copy of the recorded "Notice of Land Use Entitlement".

Timing: Prior to the issuance of a Zoning Clearance for use inauguration, the "Notice of Land Use Entitlement" shall be recorded.

Monitoring and Reporting: The Permittee shall return a copy of the recorded "Notice of Land Use Entitlement" form to Planning Division staff for inclusion in the project file.

8. Financial Responsibility for Compliance Monitoring and Enforcement

- a. **Cost Responsibilities:** The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Non-Coastal Zoning Ordinance (Section 8114-3) related to this CUP. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.
- b. **Establishment of Revolving Compliance Accounts:** Within 10 calendar days of the effective date of the decision on this CUP, the Permittee, or the Permittee's successors-in-interest, shall submit the following deposit and reimbursement agreement to the Planning Director:
 - (1) A payment of \$500.00 for deposit into a revolving condition compliance and enforcement account to be used by the Planning Division to cover

costs associated with condition compliance review, monitoring, and enforcement activities described in Condition 8a (above), and any duly-imposed civil administrative penalties regarding this. The Permittee shall replenish such account to the above-stated amount within 10 calendar days after receiving notice of the requirement to do so from the Resource Management Agency.

- (2) An executed reimbursement agreement, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.
- c. Billing Process: The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to 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 prior to payment.

9. Defense and Indemnity

- 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.

10. 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 any 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.

11. Consultant Review and Contracting

The County and all other County permitting agencies for the Project have the option of referring any and all special studies that these conditions may 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 such cases, the hiring of the consultant will be at the Permittee's expense.

12. Relationship of CUP Conditions, Laws and Other Permits

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 shall be interpreted as permitting or requiring any violation of law, lawful rules, or regulations, or orders of an authorized governmental agency. Neither the approval of this CUP, nor compliance with the conditions of this CUP, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

The Permittee shall obtain/maintain a business tax certificate for the operation of the wireless communications facility. The certificate shall be prominently displayed at the Permittees' facility's business office for the life of the permit.

13. Site Maintenance

Purpose: To ensure that the Project site is maintained in a neat and orderly manner so as not to create any hazardous 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 of Approval No. 1. Only equipment and/or materials which the Planning Director determines to substantially comply with the Project description and approved site uses shall be stored on the site during the life of this permit.

Documentation: The Permittee shall maintain the Project site in compliance with Condition of Approval 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 of Approval 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 Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

14. Contact Person

Purpose: To facilitate the resolution of any complaints involving the facility or its operations under this CUP.

Requirement: In order to facilitate the resolution of complaints, a contact person that represents the Permittee shall be designated.

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 CUP 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 agent(s) for the project file.

Monitoring and Reporting: The Planning Division shall maintain the contact information provided by the Permittee in the respective project file. If the address or phone number of the Permittee's agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide the Planning Division with the new information in writing within three calendar days of the change. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

15. Resolution of Complaints

The following process shall be used to resolve complaints related to this project:

- a. If County staff receives a written complaint about the Project, Planning Division staff may contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation.
- b. If, following a complaint investigation by County staff, a violation of Ventura County Code or a condition of this permit is confirmed, County may initiate

enforcement actions pursuant to Section 8114-3 of the Non-Coastal Zoning Ordinance.

16. Reporting of Major Incidents

Purpose: To ensure that the Planning Director is notified of major incidents within the CUP area.

Requirement: The Permittee shall immediately notify the Planning Director by telephone, email, FAX, and/or voicemail of any incidents (e.g., fires, explosions, spills, landslides, or slope failures) that could pose a hazard to life or property within the CUP area.

Documentation: Upon request of any County agency, the Permittee shall provide a written report of any incident that shall include, but is not limited to: a description of the facts of the incident; the corrective measures used, if any; and, the steps taken to prevent a recurrence of the incident.

Timing: The Permittee shall provide the written report to the requesting County agency and Planning Division within seven days of the request.

Monitoring and Reporting: The Planning Division maintains any documentation provided by the Permittee related to major incidents in the CUP file.

17. Change of Permittee and/or Property Owner

Purpose: To ensure that the Planning Division is properly and promptly notified of any change of property ownership or change of Permittee affecting the CUP site.

Requirement: The Permittee shall file, as an initial notice with the Planning Director, the name(s), address(es), telephone number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). 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 Property Owner's and/or 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) 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 shall maintain notices submitted by the Permittee in the project file and has the authority to periodically confirm the information consistent with the requirements of Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

18. Removal of Facility for Abandonment of Use and/or Expiration of Permit

Purpose: In compliance with Section 8111-2.8 and Section 8111-6.2 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. The facility shall be considered to be abandoned if it has not been in use for 12 continuous months.

Requirement: Upon the expiration of this permit, or abandonment of the use, the Property Owner 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 permit, to the extent feasible, as determined by the Planning Director.

Documentation: Photos of the site after restoration is completed shall be provided to the County Planning Division.

Timing: The Property Owner shall complete the notification, removal, and restoration activities within 60 days of the expiration of this permit, 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 Section 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

19. Future Co-location of Wireless Communication Facilities and Equipment

Purpose: To minimize the potential environmental impacts associated with the development of wireless communication facilities through co-location of facilities and equipment, in compliance with Section 8107-45.4 of the Ventura County Non-Coastal Zoning Ordinance.

Requirement: The Permittee shall make the facility and site available to other telecommunication carriers and, in good faith, accommodate all reasonable requests for co-location in the future, subject to the following parameters:

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

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

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

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

ENVIRONMENTAL HEALTH DIVISION CONDITIONS

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

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

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

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

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

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

VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT CONDITIONS

21. Nuisance

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

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

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

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

Timing: Throughout the life of the permit.

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