



## Planning Director Staff Report Hearing on July 24, 2025

### County of Ventura • Resource Management Agency

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

### AT&T AERA WIRELESS COMMUNICATION FACILITY (WCF), MINOR MODIFICATION TO CONDITIONAL USE PERMIT (CUP) PL14-0029, CASE NO. PL24-0089

#### A. PROJECT INFORMATION

1. **Request:** Request: The applicant requests approval of a Minor Modification of Conditional Use Permit (CUP) PL14-0029 to authorize the continued use, operation, and maintenance of an existing Wireless Communication Facility (WCF) for a 10-year period. (Case No. PL24-0089).
2. **Applicant:** Aera Energy, C/O Matt Wyatt, 3608 N. Ventura Avenue, Ventura, CA 93001
3. **Property Owner:** Chevron, C/O Joseph Scott, 5001 Executive Parkway, Suite 200, San Ramon, CA 94583
4. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-4), the Planning Director is the decision-maker for the requested CUP Minor Modification.
5. **Project Site Size, Location, and Parcel Number:** The site consists of a 481.52-acre lot, located North of the city of Ventura, in the unincorporated area of Ventura County. The project site is in an oil field operated by Aera Energy, LLC and accessed by School Canyon Road. The Tax Assessor's parcel number for the parcel that constitutes the project site is 064-0-080-045 (Exhibit 2).
6. **Project Site Land Use and Zoning Designations (Exhibit 2):**
  - a. Countywide General Plan Land Use Map Designation: Open Space
  - b. Zoning Designation: AE-40 ac (Agricultural Exclusive, 40-acre minimum lot size)
7. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	OS-160 ac (Open Space, 160-acre minimum lot size)	Undeveloped, Open Space and Oil and Gas Production
East	AE-40 ac (Agricultural Exclusive, 40-acre minimum lot size)	Undeveloped, Open Space and Oil and Gas Production

Location in Relation to the Project Site	Zoning	Land Uses/Development
South	AE-40 ac	Undeveloped, Open Space and Oil and Gas Production
West	M3-10,000 sq. ft. (General Industrial, 10,000 square feet minimum lot size) and OS-160 ac	Oil and Gas Production

- 9. History:** The project site is within the boundary of an existing oil field operated by Aera Energy, LLC under the authority of Conditional Use Permit No. 35.

On July 10, 1990, the Planning Director approved Conditional Use Permit No. 4595, authorizing the subject Wireless Communication Facility. This permit expired on July 10, 2000.

The Planning Director approved a Modification to CUP No. 4595 on March 13, 2003, to authorize continued operation and maintenance of the existing WCF for an additional 10-year period. This permit expired on April 1, 2013.

On September 11, 2014, the Planning Director approved Conditional Use Permit Case No. PL14-0029 to authorize the continued use, operation, and maintenance of the existing WCF for a 10-year period.

On August 6, 2024, an application was submitted to the Ventura County Planning Division requesting that a Minor Modification of CUP Case No. PL14-0029 be granted to authorize the continued use, operation, and maintenance of this existing WCF for another 10-year period.

- 10. Project Description:** The applicant requests that a Minor Modification of Conditional Use Permit (CUP) PL14-0029 be granted to authorize the continued use, operation, and maintenance of an existing Wireless Communication Facility (WCF) for a 10-year period. The facility is owned and operated by AT&T and used solely for internal communication by Aera Energy LLC. The facility includes a 40-foot-tall lattice tower with an AT&T industrial repeater panel antenna mounted at the top of the tower and a Wi-Fi data modem antenna mounted at the 22-foot level of the tower. The associated equipment for the facility is located within a 108 Square-foot concrete block building adjacent to the tower. The WCF receives electricity from above-ground power lines adjacent to the facility.

No physical changes are proposed. The WCF is solely utilized by Aera Energy, that operates in the area and transmits data from oil field operations to a central office located at 1800 School Canyon Road. The WCF does not require water to operate. The site is accessed by a private drive off Shell Road to School Canyon Road. (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 and, therefore, no further environmental review is required.

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

## **C. CONSISTENCY WITH THE GENERAL PLAN**

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

## **D. ZONING ORDINANCE COMPLIANCE**

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

Pursuant to the 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 will comply with this requirement.

The proposed WCF is subject to the special use standards set forth in Section 8106-1.1 of the NCZO. The conformance of the CUP with the applicable standards is evaluated in a consistency analysis which evaluates the project's consistency with the standards of the Non-Coastal Zoning Ordinance is included as Exhibit 5 of this staff report.

## **E. CUP PERMIT FINDINGS AND SUPPORTING EVIDENCE**

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

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

Based on the information and analysis presented in Sections C and D as reflected in Exhibit's 4 and 5 of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code can be made.

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

The WCF is surrounded by open space and industrial lands that are zoned AE-40 ac (Agricultural Exclusive, 40-acre minimum lot size), OS-160 ac (Open Space, 160-acre minimum lot size), and M3-10,000 sq. ft. (General Industrial, 10,000 square feet minimum lot size). The WCF is not prominently visible from public offsite viewpoints. The nearby development includes the Ventura Avenue Oil Field and various oil field industrial support activities. The continued use of the WCF serves to support the adjacent uses and would not have any new adverse effect on lands in the vicinity. The WCF is designed to blend in with the character of the surrounding lands. Given this setting, and the fact that the facility is existing, the project would 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 8111-1.2.1.1a.c].**

No adverse effect on surrounding properties has been identified for the continued use, operations, and maintenance of the existing WCF. Additionally, the proposed project would be conditioned to identify a contact person for the timely resolution of complaints (Exhibit 6, Condition No.14)

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

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

The proposed project involves the continued use, operation, and maintenance of an existing WCF. The facility will continue to be unmanned, will not generate significant noise, and will not create any unusual risks or hazards. No grading is proposed. No adverse effects on the public interest, health, safety, or welfare have been identified.

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

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

The proposed project involves the continued use of an existing WCF. There will be no substantial change in land use in the area. Given the steep topography and remote location, the Agricultural and Open Space designations of the surrounding land is not anticipated to change in the foreseeable future. Thus, the project will be compatible with the existing and potential land uses in the vicinity.

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

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

The subject lot is a legal lot as recorded under Parcel Map Waiver No. 814 on February 12, 1998, and recorded at the County of Ventura Recorder's Office. The subject lot is known as Parcel B of Parcel Map Waiver No. 814 and under document no. 98-019858.

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

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

As discussed in Section B above, the proposed project involves the continued use and operation of an existing, private, WCF which provides wireless service to the AERA energy employees on site. 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.

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

**The 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 use will be sited to remove as little land from agricultural production (or potential agricultural production) as possible [Section 8111-1.2.1.2.c].**

The proposed project involves the continued use, operation, and maintenance of an existing WCF with no modifications requested. The continued use of the facility will not adversely affect agricultural resources of the viability of agricultural operations in the area.

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 July 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 (existing facilities) of the CEQA Guidelines.
3. **MAKE** the required findings to approve a Minor Modification of CUP application Case No. PL24-0089 pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record.
4. **APPROVE** Minor Modification of CUP application case No. PL24-0089, subject to the conditions of approval (Exhibit 6).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 10<sup>th</sup> 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](mailto:Thomas.Chaffee@ventura.org).

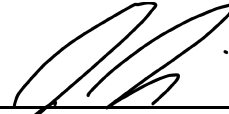
Prepared by:

*Thomas Chaffee*

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

Reviewed by:



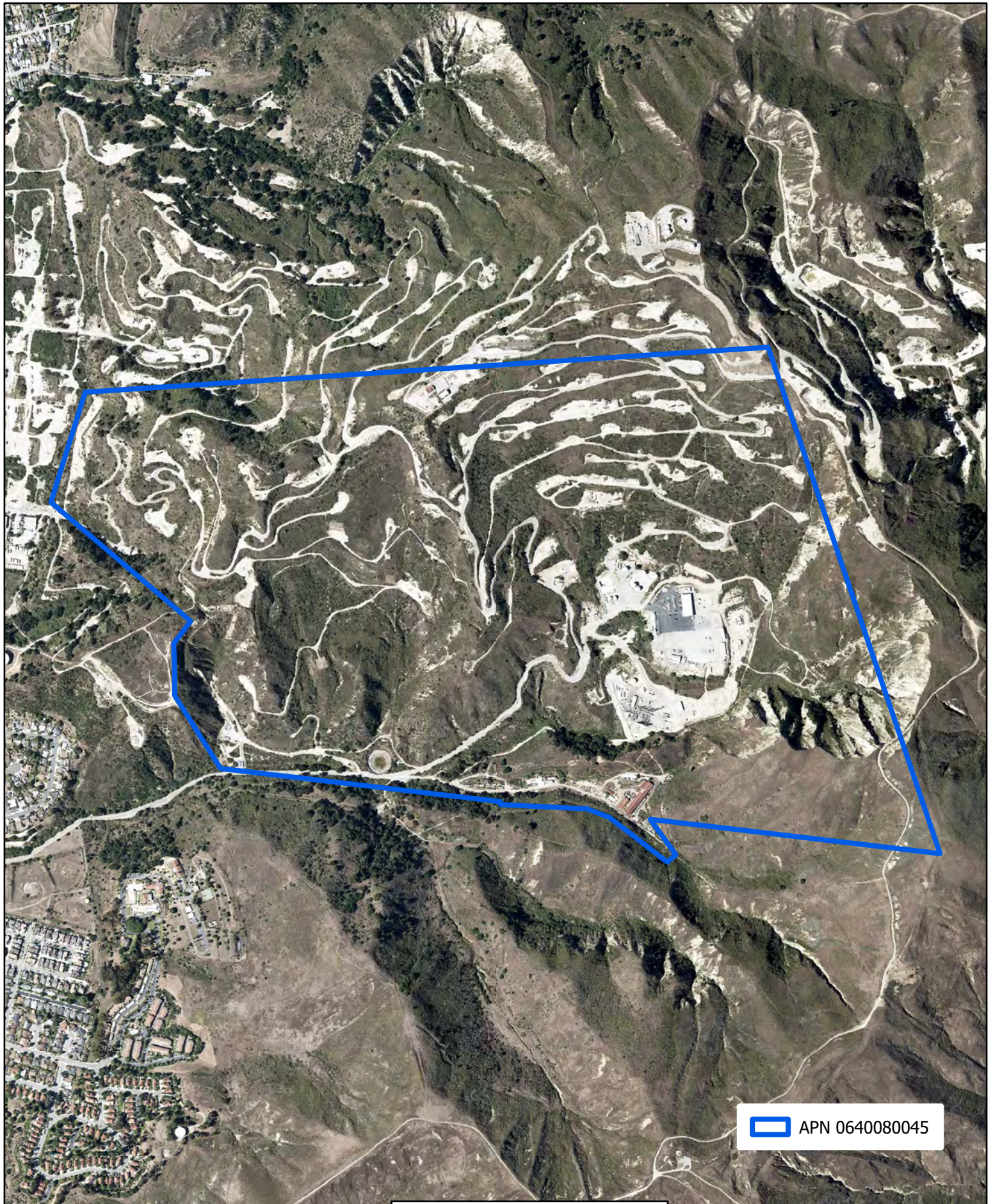
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John Novi, Manager  
Commercial and Industrial Permits  
Ventura County Planning Division

**EXHIBITS**

- |           |                                   |
|-----------|-----------------------------------|
| Exhibit 2 | Maps                              |
| Exhibit 3 | Site Plans                        |
| Exhibit 4 | General Plan Consistency Analysis |
| Exhibit 5 | NCZO Special Use Standards        |
| Exhibit 6 | Conditions of Approval            |





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Ventura County  
Resource Management Agency  
Information Systems GIS Services  
Map created on 8/7/2024  
Source: Vexcel©, October 2023



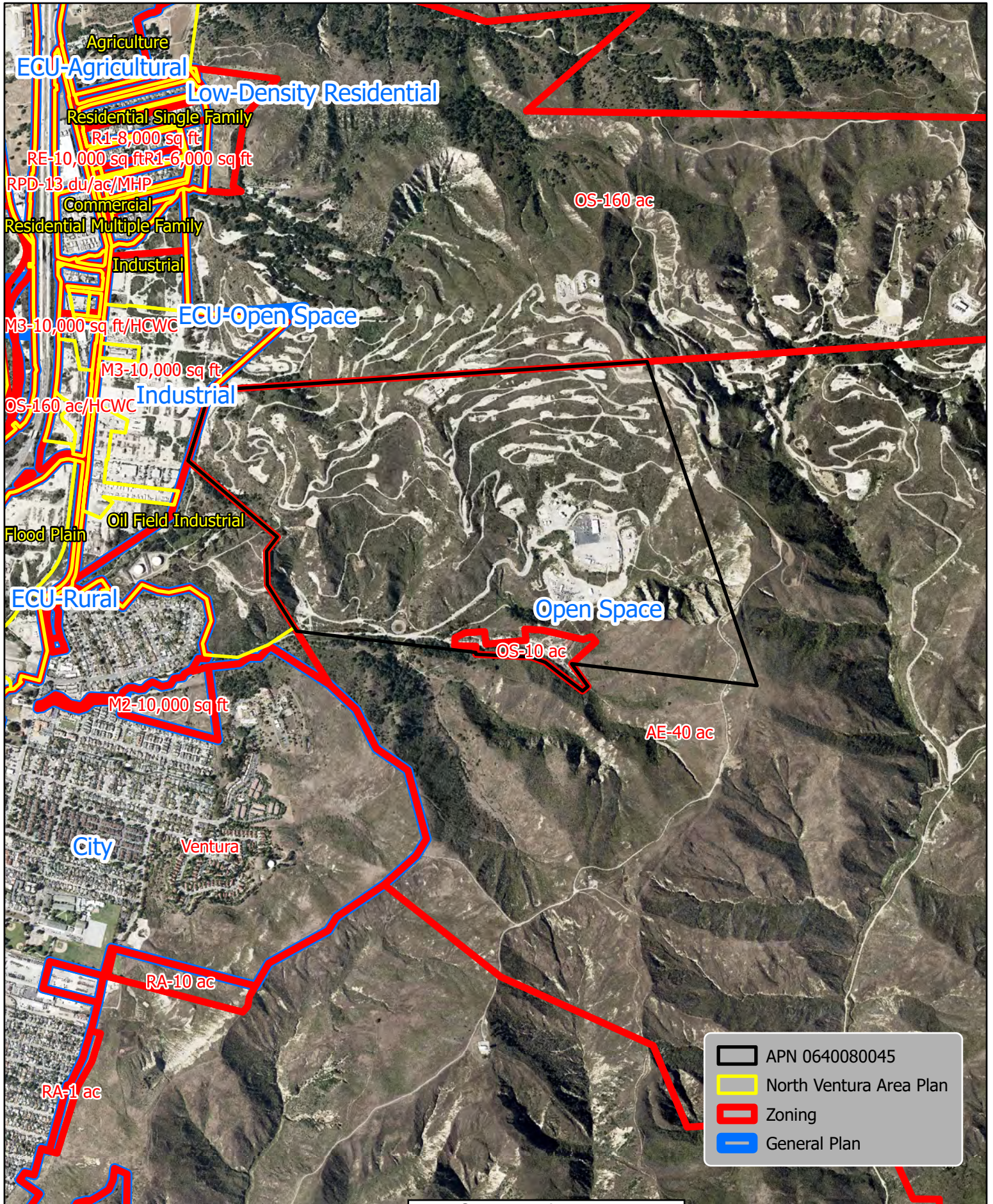
**County of Ventura  
Planning Director Hearing  
Case No. PL24-0089  
Exhibit 2 - Maps  
Aerial Photography**

0 250 500 1,000 Feet

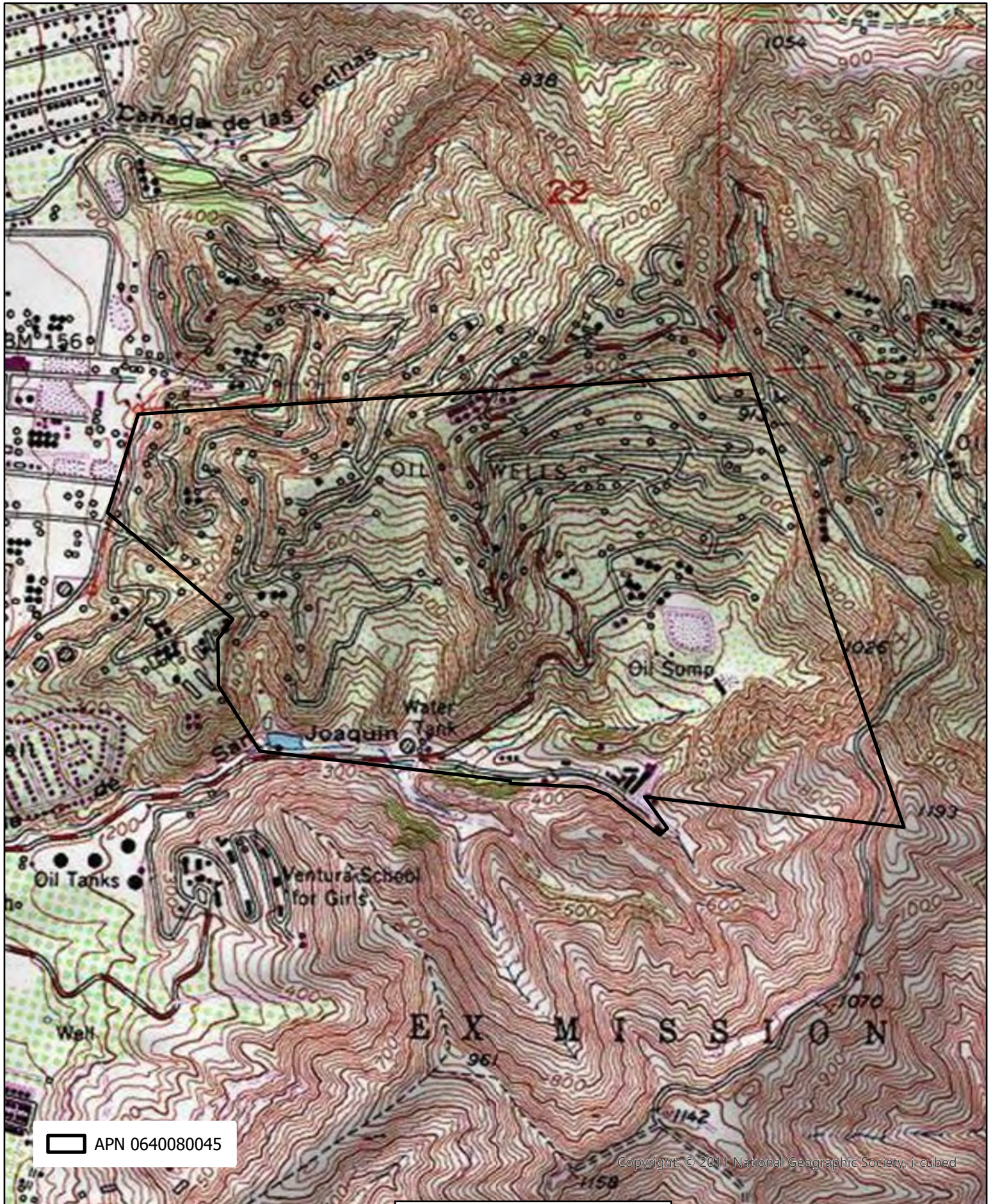
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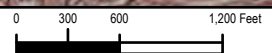
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Ventura County  
Resource Management Agency  
Information Systems GIS Services  
Map created on 8/7/2024



**County of Ventura  
Planning Director Hearing  
Case No. PL24-0089  
Exhibit 2 - Maps  
USGS**



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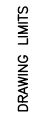








## DRAWING LIMITS

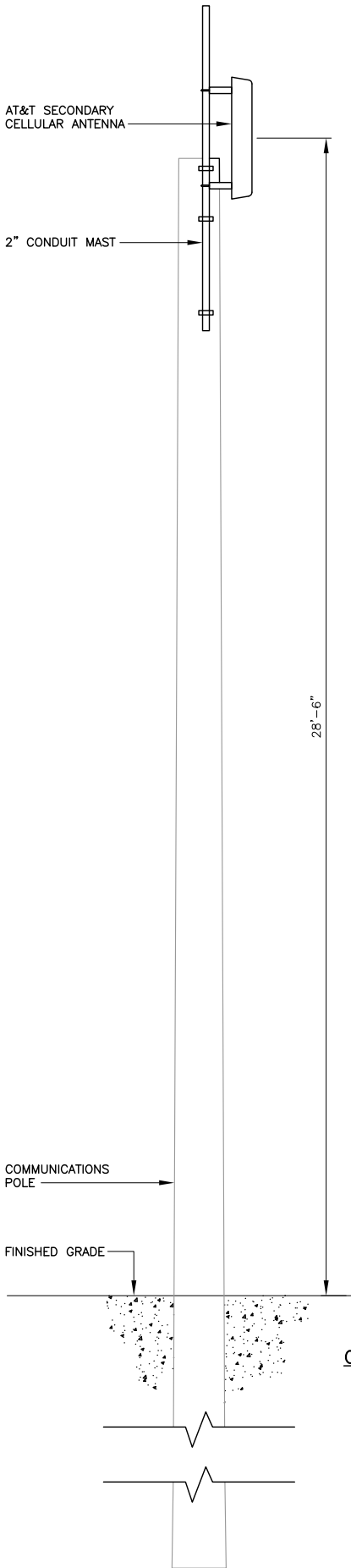


037-13-153	TITLE SHEET - VICINITY MAP - DRAWING INDEX
DWG NUMBER	TITLE
REFERENCE DRAWINGS	

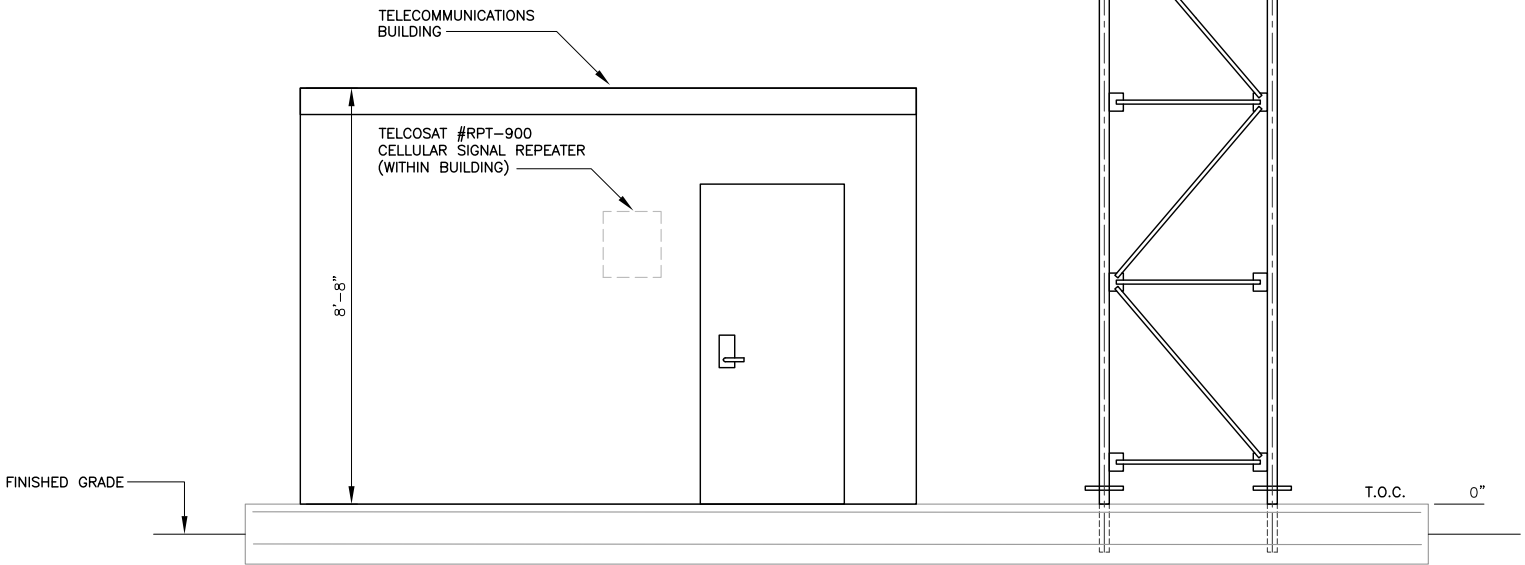
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							AERA ENGINEER: ALLEN ABAD      DATE: 2/19/14      SCALE: 1" = 400'-0"
							CO. ENGINEER: RAMSGATE ENGINEERING INC. AERA PROJ. NO.
							PROJ. MGR: KEN RAWLINS      ORIGINAL DWG. NO.
							DESIGNED BY: MICHELLE ABAD      NO. 037-13-154
							DRAFTED BY: MICHELLE ABAD      CAD FILE NO. 037-13-154
							ECCN NO. EAR99      REV. 1
DATE	REV	DESCRIPTION	BY	APPR	AERA ENG		
04/23/25	1	ISSUED FOR PERMIT	ATL	RJS	AC		
02/19/14	0	ISSUED FOR PERMIT	MKA	KR	AFA		







COMMUNICATIONS POLE  
ELEVATION  
SCALE: 1/2" = 1'-0"

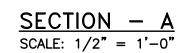


COMMUNICATION TOWER  
ELEVATION  
SCALE: 1/2" = 1'-0"

037-13-153	TITLE SHEET - VICINITY MAP - DRAWING INDEX
DWG NUMBER	TITLE
REFERENCE DRAWINGS	

04/23/25	1	ISSUED FOR PERMIT	ATL	RJS	AC				
02/19/14	0	ISSUED FOR PERMIT	MKA	KR	AFA				
DATE	REV	DESCRIPTION	BY	APPR	AERA ENG				

<b>AERA</b>			
ELEVATIONS			
CUP-4595 EXTENSION - COMMUNICATION TOWER			
SECTION 22 T3N R23W - LLOYD LEASE			
EAST VENTURA FIELD - VENTURA COUNTY - CALIFORNIA			
AERA ENGINEER:	ALLEN ABAD	DATE:	2/19/14
CO. ENGINEER:	RAMSGATE ENGINEERING INC.	SCALE:	1/2" = 1'-0"
PROJ. MGR:	KEN RAWLINS	AERA PROJ. NO.	
DESIGNED BY:	MICHELLE ABAD	ORIGINAL DWG NO.	
DRAFTED BY:	MICHELLE ABAD	NO.	037-13-156
ECCN NO.	EAR99	CAD FILE NO.	037-13-156
			REV. 1



037-13-153	TITLE SHEET - VICINITY MAP - DRAWING INDEX
DWG NUMBER	TITLE
	REFERENCE DRAWINGS

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## EXHIBIT 4

### CONSISTENCY WITH THE GENERAL PLAN FOR CONDITIONAL USE PERMIT (CUP) CASE NO. PL14-0029, AS MODIFIED BY MINOR MODIFICATION CASE NO. PL24-0089

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.

The proposed project would authorize the continued use, operation, and maintenance of an existing Wireless Communications Facility (WCF) for a 10-year period.

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

- 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 existing WCF is on land zoned AE-40 ac (Agricultural Exclusive, 40-acre minimum lot size) and blends in with the character of the surrounding environment, which mainly consist of oil operations, to limit visual interference with the surrounding area. The facility provides essential wireless telecommunication coverage to the Aera Energy facility. No new conflicts or impacts are introduced with the continued use of this WCF. The site is accessed by a private, dirt road. No water is required.

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

- 2. AG-1.1 Agricultural Land Protection and Preservation:** *The County shall continue to protect and preserve agricultural land by directing growth away from productive agricultural lands into cities, unincorporated urban areas, or existing communities and by supporting the acquisition or voluntary dedication of agriculture conservation easements.*

**AG-2.1 Discretionary Development Adjacent to Agriculturally Designated Lands:** *The County shall ensure that discretionary development adjacent to Agriculturally designated lands does not conflict with agricultural use of those lands.*

The proposed project would authorize the continued use, operation, and maintenance of an existing WCF. The existing WCF is not expanding or removing any additional land and does not conflict with the adjacent agricultural designated lands or agricultural uses of those lands. In addition, grading is not proposed at the project site. No new conflicts would be introduced with this CUP.

Based on the discussion above, the proposed project is consistent with General Plan Policies AG-1.1 and AG-2.1.

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 project site accessed via School Canyon Road (a private road) from Shell Road, and is in the hills east of Ventura Avenue within an area of high fire risk. The Ventura County Fire Protection District reviewed the proposed project and conditioned approval based on grass and brush clearance along access roads to abate the fire hazard (Exhibit 6, Condition No. 21).

Based on the discussion above, the project is consistent with General Plan Policies 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 6, Condition No. 18).

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

- 5. WR-1.2 Watershed Planning:** *The County shall consider the location of a discretionary project within a watershed to determine whether or not it could negatively impact a water source. As part of discretionary project review, the County shall also consider local watershed management plans when considering land use development.*

The proposed project does not involve development or uses that could affect the hydrological conditions of the watershed in which the project site is located.

Based on the discussion above, the project is consistent with General Plan Policy WR-1.2.

## EXHIBIT 5

### CONSISTENCY WITH THE VENTURA COUNTY NON-COASTAL ZONING ORDINANCE SPECIAL USE STANDARDS FOR AERA ENERGY WCF, CASE NO. PL24-0089

Pursuant to the requirements of Section 8105-4 of the Ventura County Non-Coastal Zoning Ordinance (NCZO), the proposed project is allowed in the AE-40 ac zone district with the issuance of a CUP. The proposed project is also subject to the Special Use Standards for Wireless Communication Facilities pursuant to Section 8107-45.4 of the NCZO.

The conformance of the proposed project with the applicable guidelines and standards is evaluated in the table below.

**Table 1 – Section 8107-45.4 – Development Standards Consistency Analysis**

Special Use Standard	Complies?
<p><b>Section 8107-45.4 (a), Partial and Full-Concealment Requirements:</b></p> <p>To minimize visual impacts, a wireless communication facility shall be designed as a stealth facility or building concealed facility. A wireless communication facility may be designed as a non-stealth facility only if it meets standards provided in Sec. 8107-45.4(b) below.</p>	Yes, the facility is designed as a non-stealth facility but meets the standards provided in Sec. 8107-45.4(b).
<p><b>Section 8107-45.4 (b), Exceptions to Stealth and Building-Concealed Facilities:</b></p> <p>A non-stealth facility may be permitted when the applicant demonstrates that the project location and design meet one or more of the following criteria:</p> <p>(1) The facility is not prominently visible from a public viewpoint and could not be prominently visible from a public viewpoint following a Section 6409(a) Modification. This standard may be achieved by blending the facility into its surroundings as defined in Sec. 8107-45.4(c); or</p> <p>(2) The non-stealth facility is prominently visible from a public viewpoint but meets one or more of the following criteria:</p> <p>(a) It is located on a ridgeline and meets the requirements in Sec. 8107- 45.4(l); or</p> <p>(b) The minimum height required for adequate service, coverage, or capacity area cannot be achieved with</p>	Yes, the facility is located within the private, fenced area of the Aera Energy site. The facility is not prominently visible from public viewpoints.



**Table 1 – Section 8107-45.4 – Development Standards Consistency Analysis**

Special Use Standard	Complies?
<p>one or more stealth facilities (see Sec. 8107-45.4(f)(4)); or</p> <p>(c) (c) It is used solely for the provision of public safety and the decision-making authority waives this development standard pursuant to Sec. 8107-45.2.4.</p>	
<p><b>Section 8107-45.4 (c), Making Wireless Communication Facilities Compatible with the Existing Setting:</b></p> <p>To the extent feasible, all wireless communication facilities shall be located and designed to be compatible with the existing setting as follows:</p> <p>(1) Location: Facilities shall be located in areas where existing topography, vegetation, buildings, or structures effectively screen and/or camouflage the proposed facility; and</p> <p>(2) Facility Design: The facility shall be designed (i.e. size, shape, color, and materials) to blend in with the existing topography, vegetation, buildings, and structures on the project site as well as its existing setting.</p>	<p>Yes, the existing facility is located within an existing oil field and its location and design is compatible with the existing setting in the surrounding area.</p>
<p><b>Section 8107-45.4 (d), Preferred Wireless Communication Facility Locations:</b></p> <p>To the extent feasible, and in the following order of priority, new wireless communication facilities shall be sited in the following locations:</p> <p>(1) On an existing wireless communication facility with adequate height and structure to accommodate additional wireless communication facilities (see Sec. 8107-45.6).</p> <p>(2) Flush-mounted on an existing structure, pole, or building in the AE and OS zones.</p> <p>(3) Where the wireless communication facility is not prominently visible from a public viewpoint.</p> <p>(4) Within an area zoned Industrial.</p> <p>(5) Near existing public or private access roads.</p> <p>(6) On or near the same site as an existing wireless communication facility when visual or other environmental impacts can be mitigated to a level of less than significant under CEQA and when such “clustering” of facilities is consistent with the applicable Area Plan.</p>	<p>Yes, the facility is existing and is not prominently visible from public viewpoints. The location is within an existing oil field with oil and gas operations occurring on site. No new roads are proposed with the continued operation of the facility.</p>

**Table 1 – Section 8107-45.4 – Development Standards Consistency Analysis**

Special Use Standard	Complies?
<p><b>Section 8107-45.4 (f)(5) Height:</b></p> <p><b>(5) Non-Stealth Facilities:</b></p> <p>(a) Notwithstanding subparts (b) and (c) below, in no event shall a nonstealth facility exceed the maximum height stated in the applicable Area Plan.</p> <p>(b) Unless a greater height limit is approved in accordance with subsection (c) below, non-stealth facilities shall not exceed 50 feet in height.</p> <p>(c) When the Planning Commission (or the Board of Supervisors, upon appeal) is the assigned decision-making authority for a proposed wireless communication facility entitlement pursuant to Sec. 8105-4 or Sec. 8105- 5, a non-stealth facility may be approved if one or more of the following findings are made:</p> <ul style="list-style-type: none"> <li>i. The greater height results in the same or reduced visual and environmental impacts when compared to the standard applicable height limits: or</li> <li>ii. The applicant demonstrates that the minimum height required for adequate service, coverage, or capacity area cannot be achieved with one or more shorter facilities; or</li> <li>iii. The greater height is necessary for the provision of public safety (see Sec. 8107-45.2.4).</li> </ul>	<p>Yes, the existing facility does not exceed the height stated in any area plan and is not greater than 50-feet in height.</p>
<p><b>Section 8107-45.4 (g), Setbacks:</b></p> <p>(1) All wireless communication facilities shall comply with the required minimum front, side, and rear yard setbacks for the zone in which the site is located. No portion of an antenna array shall extend beyond the property lines.</p> <p>(2) Ground-mounted wireless communication facilities shall be set back a distance equal to the total facility height or 50 feet, whichever is greater, from any offsite dwelling unit.</p> <p>(3) Whenever feasible, a new ground-mounted wireless</p>	<p>Yes, the facility meets all required setbacks for the AE-40 ac zone district in which it is located. There are no nearby offsite dwelling units to the existing WCF.</p>

**Table 1 – Section 8107-45.4 – Development Standards Consistency Analysis**

Special Use Standard	Complies?
communication facility shall be set back from the property line to avoid creating the need for fuel clearance on adjacent properties.	
<b>Section 8107-45.4 (n), Accessory Equipment:</b> 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.	Yes, all associated ground mounted equipment is located on a portion of the lot not visible from public viewpoints.
<b>Section 8107-45.4 (o), Colors and Materials:</b> All wireless communication facilities shall use materials and colors that blend in with the natural or man-made surroundings. Highly reflective materials are prohibited.	Yes, the facility is constructed of materials that blend in with the surrounding oil field operations and equipment.
<b>Section 8107-45.4 (p), Noise:</b> 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.	Yes, the facility will be operated and maintained to comply with the noise standards.
<b>Section 8107-45.4 (r), Security:</b> (1) Each facility shall be designed to prevent unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous situations or visual blight. The approving authority may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism. (2) All fences shall be constructed of materials and colors that blend in with the existing setting. The use of a chain link fence is prohibited within areas designated as Urban and Existing Community in the General Plan, and areas that are prominently visible from a public viewpoint, unless the chain link fence is fully screened.	Yes, the facility is located within the existing fenced portion of the Aera Energy oil field and public access is prohibited to the oil field.
<b>Section 8107-45.4 (s), Lighting:</b> (1) No facility may be illuminated unless specifically required by the FAA or other government agency. (2) Any necessary security lighting shall be down-shielded and controlled to minimize glare or light levels directed at adjacent properties and to minimize impacts to wildlife.	Yes, the facility is not illuminated, and all required security lighting is down-shielded. No impacts to adjacent properties are anticipated with the continued use of the facility.

**Table 1 – Section 8107-45.4 – Development Standards Consistency Analysis**

Special Use Standard	Complies?
<p><b>Section 8107-45.4 (t), Signage:</b></p> <p>A permanent, weather-proof identification sign, subject to Planning Director approval, shall be displayed in a prominent location such as on the gate or fence surrounding the wireless communication facility or directly on the facility. The sign must identify the facility operator(s) and type of use, provide the operator's address, FCC-adopted standards, and specify a 24-hour telephone number at which the operator can be reached during an emergency.</p>	<p>Yes, the existing facility has the required FCC signage for the WCF.</p>
<p><b>Section 8107-45.4 (u), Access Roads:</b></p> <p>(1) Where feasible, wireless communication facility sites shall be accessed by existing public or private access roads and easements.</p> <p>(2) Wireless communication facility sites shall minimize the construction of new access roads, particularly when such roads are located in areas with steep slopes, agricultural resources, or biological resources as determined by the County's Initial Study Assessment Guidelines. When required, new access roads shall be designed to meet standards established by the Ventura County Public Works Agency and Ventura County Fire Protection District.</p>	<p>Yes, the facility is accessed by existing public and private access roads. No new roads or access is required with the proposed time extension.</p>
<p>Note: the following development standards were analyzed and determined to not be applicable to the subject facility: <b>Section 8107-45.4 (e) - Non-Preferred Wireless Communication Facility Locations, Section 8107-45.4 (h) - Retention of Concealment Elements, Section 8107-45.4 (i) - Standards for Specific Types of Stealth Facilities, Section 8107-45.4 (j) - Historical Landmarks/Sites of Merit, Section 8107-45.4 (k) - Environmentally Sensitive Areas, Section 8107-45.4 (l) - Ridgelines, Section 8107-45.4 (m) - Scenic Resource Protection Overlay Zone, Section 8107-45.4 (q) - Landscaping and Screening</b></p>	



## EXHIBIT 6

### DRAFT CONDITIONS OF APPROVAL FOR AERA ENERGY PRIVATE AT&T WIRELESS COMMUNICATION FACILITY (WCF), CONDITIONAL USE PERMIT PL24- 0089

Please note the following abbreviations are used throughout this document:

Ventura County Non-Coastal Zoning Ordinance – NCZO

Conditional Use Permit – CUP

California Environmental Quality Act – CEQA

#### **RESOURCE MANAGEMENT AGENCY (RMA) 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 2-6 of the Planning Director hearing on July 24, 2025, 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:

Conditional Use Permit for the continued use, operation, and maintenance of an existing Wireless Communication Facility (WCF) for a 10-year period. The facility is owned and operated by AT&T and used solely for internal communication by Aera Energy LLC. The facility includes a 40-foot-tall lattice tower with an AT&T industrial repeater panel antenna mounted at the top of the tower and a Wi-Fi data modem antenna mounted at the 22-foot level of the tower. The associated equipment for the facility is located within a 108 Square-foot concrete block building adjacent to the tower. The WCF receives electricity from above-ground power lines adjacent to the facility.

No physical changes are proposed. The WCF is solely utilized by Aera Energy, that operates in the area and transmits data from oil field operations to a central office located at 1800 School Canyon Road. The WCF does not require water to operate. The site is accessed by a private drive off Shell Road to School Canyon Road.

The development, use, and maintenance of the project site 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.

County of Ventura  
Planning Director Hearing  
Case No. PL24-0089  
Exhibit 6: Conditions of  
Approval

## 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 have 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 NCZO.

## 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, 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.

## 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 NCZO (Article 14), which shall include, but is not limited to, the following:

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

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

5. Time Limits

a. Use inauguration:

- (1) The approval decision for this CUP becomes effective upon the expiration of the 10-day appeal period following the approval decision, 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 **[ten years after approval 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 Section 8111-6 of the NCZO prior to **[ten years after approval 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 Section 8111-2.10 of the NCZO.

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.

**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 Section 8114-3 of the NCZO.

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 in the chain of title for the subject property to describe the responsibilities of the permittee and property owner for compliance with permit conditions and to notify the current and future Property Owner(s), Permittee(s), lessees, and other users and occupants of the subject land of the conditions of this CUP and to comply with NCZO Section 8111-8.3.

**Requirement:** The Permittee shall sign, have notarized, and record with the Office of the Ventura County Recorder, in the chain of title for the subject property a "Notice of Land Use Entitlement" form furnished by the Planning Division along with a copy of all conditions of this CUP.

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

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

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

9. Financial Responsibility for Compliance Monitoring and Enforcement

- a. **Cost Responsibilities:** The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the NCZO (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 Account:** Pursuant to the requirements of CUP Case No. PL14-0029, the Resource Management Agency created Condition Compliance Case No. CC15-0001 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding CUP Case No. PL14-0029. The Planning Division will continue to use Condition Compliance Case No. CC15-0001 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. CC15-0001, 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. Consultant Review of Information and Consultant Work

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

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

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 9 above, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

#### 11. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of

the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this CUP. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.

- b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.
- c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this CUP, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.
- d. Neither the issuance of this CUP, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

#### **12. Invalidation of Condition(s)**

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

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, at the discretion of the Planning Director, the Planning Director may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Director

shall make the determination of adequacy. If the Planning Director cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

### 13. 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 Section 8114-3 of the NCZO.

15. Change of Permittee

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

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

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

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

**Monitoring and Reporting:** The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of Section 8114-3 of the NCZO.

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

**Purpose:** In compliance with Section 8111-2.8 and Section 8111-8.1 of the NCZO 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 Section 8114-3 of the NCZO.

17. Future Collocation of Wireless Telecommunication Facilities and Equipment

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

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

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

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

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

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

## **Environmental Health Division (EHD) Conditions**

### **18. Hazardous Materials/Waste Management (General Notice)**

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

**Requirement:** If hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid) are stored onsite, or any hazardous wastes are generated, additional permitting, monitoring, and reporting requirements would apply. Used batteries must be properly disposed of or recycled in accordance with state and local regulations. Additional information on the storage and handling requirements for hazardous materials and wastes may be found on the Ventura County Environmental Health Division/Certified Unified Program Agency website: <https://vcrma.org/cupa>

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

## **OTHER VENTURA COUNTY AGENCIES**

### **Ventura County Air Pollution Control District (APCD) Conditions**

#### **19. Complaint-Driven for Discharge of Air Pollutants**

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

**Requirement:** 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.



**Ventura County Fire Protection District (VCFPD) Conditions**

**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 prior to the issuance of the Zoning Clearance for Use Inauguration.

**Monitoring and Reporting:** The Fire District has the authority to inspect all on-site access road(s) and driveway(s) as is 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.