



Planning Director Staff Report – Hearing on August 27, 2015

County of Ventura • Resource Management Agency • Planning Division

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • ventura.org/rma/planning

A. PROJECT INFORMATION

1. **Request:** The applicant requests that a Minor Modification of Conditional Use Permit (CUP) 5316 be granted to authorize the continued use of an existing wireless communication facility (Case No. PL15-0097).
2. **Applicant:** Sprint-Nextel, 6391 Sprint Parkway, Overland Park, KS 66251
3. **Property Owner:** The Boeing Company, 2201 Seal Beach Boulevard, Building 80, Seal Beach, CA 90740
4. **Applicant's Representative:** Richard Tang, Paracon, Inc., 1019 Oakes Blvd., San Leandro, CA 94577
5. **Decision-Making Authority:** Pursuant to the *Ventura County Non-Coastal Zoning Ordinance* (NCZO) (§ 8105-4 and § 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 237.07-acre project site is located at 22 North Hacienda Road, in Bell Canyon, near the City of Simi Valley, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 685-0-060-145 (Exhibit 2).
7. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Open Space
 - b. Zoning Designation: OS-160 ac (Open Space, 160-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-160 ac	Open space
East	OS-160 ac	Open space
South	RE-1 ac (Rural Exclusive, 1 acre minimum lot size)	Residential
West	OS-160 ac	Open space

9. History: The project property is currently developed with an existing WCF. Discretionary development on the property includes the following:

- On September 22, 2005, the Planning Director approved a Conditional Use Permit (CUP 5316) for the installation and operation of a WCF operated by Sprint PCS with an expiration date on October 3, 2012. On April 15, 2015, the Planning Division was corrected the expiration date to reflect the 10-year period after the approval to October 3, 2015.
- On June 18, 2015, the applicant, Sprint-Nextel, submitted the PL15-0097 application for a Minor Modification of CUP 5316 to authorize the continued use of the existing WCF operated by Sprint-Nextel.

10. Project Description: The applicant requests that a Minor Modification of Conditional Use Permit (CUP) 5316 be granted to authorize the continued use of the existing wireless communication facility (WCF). The WCF and equipment is owned and operated by Sprint-Nextel. The site name is VR54XC471-B and the site number is Boeing 1. The WCF is located on a property owned by The Boeing Company.

The WCF is designed as a 48-square foot equipment area connected to equipment mounted on two existing 25-foot tall utility poles designated as Sector A and Sector B. The equipment area contains five cabinets, one junction box, and ancillary equipment. One existing panel antenna is mounted at 19-feet 7-inches above the ground on each of the existing utility poles. Two panel antennas are authorized to be mounted on each utility pole for a total of four panel antennas within this WCF. The WCF will be unmanned and operate 24 hours a day for 365 days per year.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

Pursuant to CEQA (Public Resources Code § 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, § 15000 et seq.), the subject application is a "project" that 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 the potential to cause a significant effect on the environment. These projects are declared to be Categorically Exempt from environmental review. The proposed project involves the continued use and equipment upgrades on an existing WCF. This WCF is eligible for a Categorical Exemption from environmental review pursuant to the California Environmental Quality Act under Section 15301 ("Existing Facility") of the CEQA Guidelines. Staff recommends that the decision-maker find the project exempt from environmental review under this section of the CEQA Guidelines.

C. CONSISTENCY WITH THE GENERAL PLAN

The Ventura County General Plan *Goals, Policies and Programs* (2011, page 4) states:

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

Furthermore, the Ventura County NCZO § 8111-1.2.1.1.a states that in order to be approved, a CUP 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.

- 1. Resources Policy 1.3.2-4:** *Discretionary development shall not significantly impact the quantity or quality of water resources within watersheds, groundwater recharge areas or groundwater basins.*

The proposed project will not involve the use of water. No additional impervious areas will be created as part of this project. Thus, the project would not significantly impact the quantity or quality of water resources within watersheds, groundwater recharge areas or groundwater basins.

Based on the above discussion, the proposed project will be consistent with Policy 1.3.2-4.

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

Biological Resources Policy 1.5.2-4: *Discretionary development shall be sited a minimum of 100 feet from significant wetland habitats to mitigate the potential impacts on said habitats. Buffer areas may be increased or decreased upon evaluation and recommendation by a qualified biologist and approval by the decision-making body. Factors to be used in determining adjustment of the 100 foot buffer include soil type, slope stability, drainage patterns, presence or absence of endangered, threatened or rare plants or animals, and compatibility of the proposed development with the wildlife use of the wetland habitat area. The requirement of a buffer (setback) shall not preclude the use of replacement as a mitigation when there is no other feasible alternative to allowing a permitted use, and if the replacement results in no net loss of wetland habitat. Such replacement shall be "in kind" (i.e. same type and acreage), and provide wetland habitat of comparable biological value. On-site replacement shall be preferred*

wherever possible. The replacement plan shall be developed in consultation with California Department of Fish and Game.

Implementation of the proposed project will not require any construction activities or include the introduction of new uses that could adversely impact the surrounding area. The site has been previously cleared of vegetation to accommodate the existing wireless communication facility.

Based on the above discussion, the proposed project will be consistent with Policy 1.5.2-1 and Policy 1.5.2-4.

- 3. Scenic Resources Policy 1.7.2-1:** *Notwithstanding Policy 1.7.2-2, discretionary development which would significantly degrade visual resources or significantly alter or obscure public views of visual resources shall be prohibited unless no feasible mitigation measures are available and the decision-making body determines there are overriding considerations.*

The proposed project site is not located within a Scenic Resource Protection overlay zone and no scenic resources exist onsite. The site is located over four miles from the nearest Eligible Scenic Highway. The WCF is designed as a 48-square foot equipment area connected to two existing 25-foot tall utility poles. These project components are not prominently visible from public viewpoints and do not degrade visual resources or significantly alter or obscure public views

Based on the above discussion, the proposed project will be consistent with Policy 1.7.2-1.

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

The proposed project does not include any grading or other types of ground disturbance activities (e.g., trenching) that could have an impact on subsurface resources that might exist on-site. Paleontological or cultural resources were not encountered during the construction of this existing WCF.

Based on the above discussion, the proposed project will be consistent with Policy 1.8.2-1.

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

The existing WCF does not require the provision of any water service for fire protection. Access to the site is provided from Hacienda Road. Access to the WCF is provided by an emergency fire road, Bell Canyon Emergency Access Road. The Ventura County Fire Protection District (VCFPD) reviewed the proposed project and determined that there is adequate access to the site. The project will be subject to conditions of approval (Exhibit 4, Condition No. 22 to 24) that require adequate access to be maintained and other fire preventative measures.

Based on the above discussion, the proposed project will be consistent with Policy 2.13.2-1.

- 6. Noise Policy 2.16.2-1:** *All discretionary development shall be reviewed for noise compatibility with surrounding uses. Noise compatibility shall be determined from a consistent set of criteria based on the standards listed below. An acoustical analysis by a qualified acoustical engineer shall be required of discretionary developments involving noise exposure or noise generation in excess of the established standards. The analysis shall provide documentation of existing and projected noise levels at on-site and off-site receptors, and shall recommend noise control measures for mitigating adverse impacts...*

(4) Noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:

- a. Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.*
- b. Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.*
- c. Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.*

Section 2.16.2(4) is not applicable to increased traffic noise along any of the roads identified within the 2020 Regional Roadway Network (Figure 4.2.3) Public Facilities Appendix of the Ventura County General Plan (see 2.16.2-1(1)). In addition, State and Federal highways, all railroad line operations, aircraft in flight, and public utility facilities are noise generators having Federal and State regulations that preempt local regulations...

Under normal operation, the proposed facility will not generate any noise that would be perceptible from offsite locations. Some noise will be temporarily generated from the infrequent operation of the emergency generator. This temporary noise would not exceed the above standards. In any case, no new noise would be created as the requested permit would authorize the continuation of an existing use.

Based on the above discussion, the proposed project will be consistent with Policy 2.16.2-1.

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

The proposed project involves an existing WCF that already has adequate public services.

Based on the above discussion, the proposed project will be consistent with Policy 4.1.2-2.

- 8. Public Facilities and Services Policy 4.8.2-1:** *Discretionary development shall be permitted only if adequate water supply, access and response time for fire protection can be made available.*

The proposed project does not require the provision of any water service for fire protection. Adequate access to the site is provided from Hacienda Road. Access to the WCF is provided by an emergency fire road, Bell Canyon Emergency Access Road. The Ventura County Fire Protection District (VCFPD) reviewed the proposed project and determined that there is adequate access to the site.

Based on the above discussion, the proposed project will be consistent with Policy 4.8.2-1.

D. ZONING ORDINANCE COMPLIANCE

It has been determined that the proposed project is in compliance with the requirements of the NCZO.

Pursuant to the Ventura County NCZO § 8105-4 the proposed use is allowed in the OS-160 acre zone district with the granting of a CUP. Upon the granting of the CUP, the proposed project will comply with this requirement.

The proposed project includes the use of structures that are subject to the development standards of the Ventura County NCZO § 8106-1.1. Table 1 lists the applicable development standards and a description of whether the proposed project complies with the development standards.

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	160 acre	Yes
Maximum Percentage of Building Coverage	5 percent	Yes

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
Front Setback	20 feet	Yes
Side Setback	10 feet	Yes
Rear Setback	15 feet	Yes
Maximum Building Height	As specified by permit	Yes

E. CUP FINDINGS AND SUPPORTING EVIDENCE

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

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

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

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

The surrounding uses are residential and open space. The continued use of the existing WCF will not create any new visual effects or alter the existing character of the area.

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

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

The continued use of the existing wireless communications facility would not cause any new adverse effects on the surrounding properties or uses. Additionally, the proposed project will be conditioned to include a contact person for the timely resolution of complaints and the reporting of all major incidents so as to prevent a recurrence of such an incident (Exhibit 4, Conditions Nos. 14 to 16).

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

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

The proposed project involves the continued use of an existing wireless communication facility. The proposed communications facility will be unmanned, will not generate significant noise, and will not create any unusual risks or hazards. No grading is required to prepare the site. No adverse effect on the public interest, health, safety or welfare has been identified.

Based on the above discussion, 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 [§ 8111-1.2.1.1.e].

The proposed project involves the continued use of an existing WCF. Thus, there will be no substantial change in land use in the area. The open space and residential designations of the surrounding land are 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 above discussion, this finding can be made.

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

Assessor's Parcel Number (APN) 685-0-060-145 is a portion of a legal lot that includes APNs 685-0-060-135, -155, -295, -305 and 685-0-130-145. This lot was legally created by conveyance (deed recorded September 30, 1968 in Book 3373, Page 508 of Official Records). This lot creation was exempt under the Subdivision Map Act (40-acre exemption) and occurred prior to regulation by the local subdivision ordinance. (Reference: LLD 0496)

Based on the above discussion, 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 § 65091 and Ventura County NCZO § 8111-3.1. 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. As of the date of this document, no comments have been received by the Planning Division.

The project site is located within the City of Simi Valley's Area of Interest. Therefore, on July 7, 2015, the Planning Division notified the City of Simi Valley of the proposed project and requested the City of Simi Valley to submit any comments that the City might have on the proposed project. The City of Simi Valley has not provided any comment.

G. RECOMMENDED ACTIONS

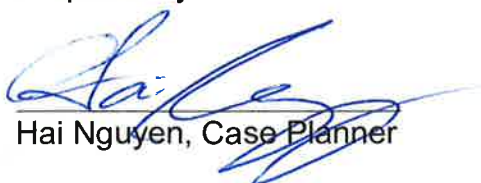
Based upon the preceding analysis and information provided, Planning Division Staff recommends that the Planning Director take the following actions:

1. **CERTIFY** that the 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 for the granting of a Minor Modification of a Conditional Use Permit 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** modified Conditional Use Permit No. PL15-0097, subject to the conditions of approval (Exhibit 4).
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 Hai Nguyen at (805) 654-5193 or via e-mail at Hai.Nguyen@ventura.org,

Prepared by:



Hai Nguyen, Case Planner

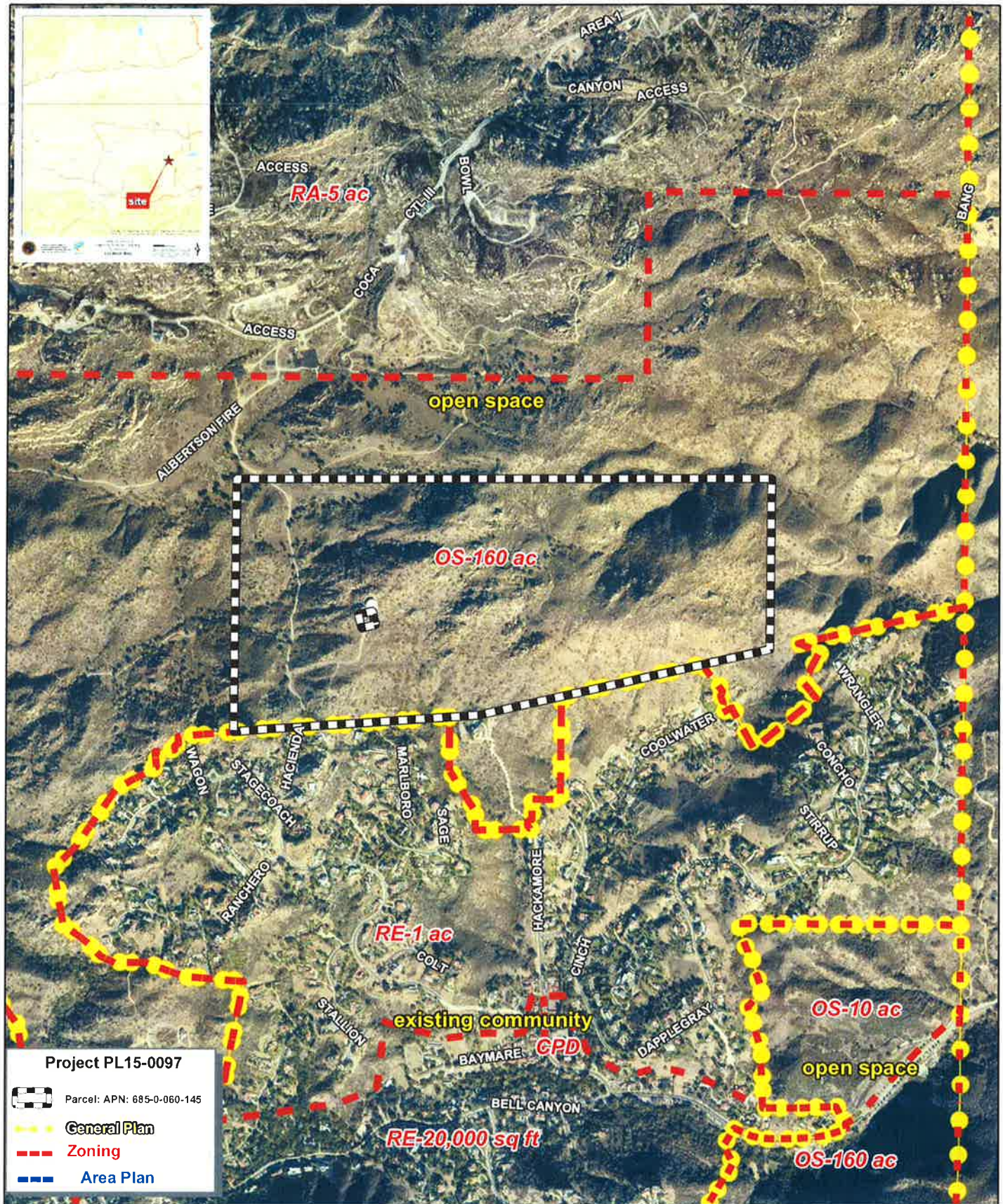
Reviewed by:



Brian R. Baca, Manager
Commercial and Industrial Permits Section

EXHIBITS

- Exhibit 2 - Aerial Location, General Plan and Zoning Designations Maps
- Exhibit 3 - Plans
- Exhibit 4 - Draft Conditions of Approval

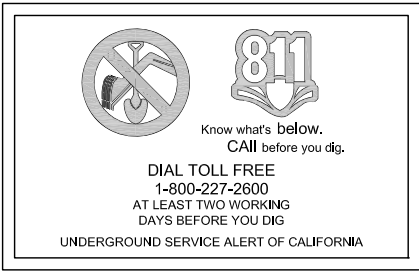


Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 07-02-2015
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County of Ventura
Planning Director Hearing
PL15-0097
General Plan & Zoning Map

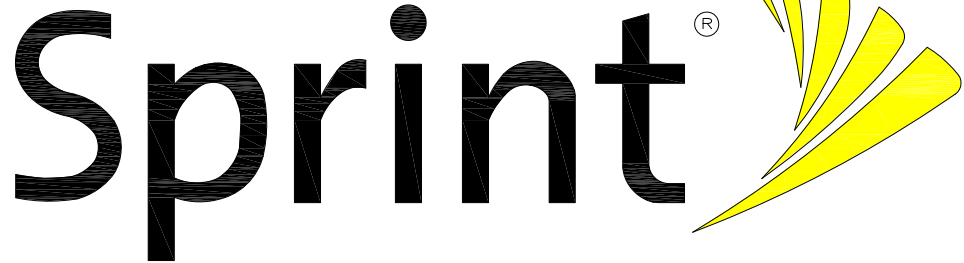




BOEING 1 VR54XC471-B

22 HACIENDA RD.
BELL CANYON, CA 91302
VENTURA COUNTY

LATITUDE: 34° 12' 55.764" N
34.21549000
LONGITUDE: 118° 41' 18.204" W
-118.68839000
NORTH LA MARKET



SHEET DESCRIPTION

T-1	TITLE SHEET
T-2	GENERAL NOTES
T-3	SIGNAGE, NOTES & ABBREVIATIONS
A-1	EXISTING OVERALL SITE PLAN
A-2	EXISTING ENLARGED SITE PLAN
A-3	EXISTING ENLARGED EQUIPMENT PLANS
A-4	EXISTING SOUTH ELEVATION

SHEET INDEX



PROJECT INFORMATION:

NETWORK VISION MMBTS LAUNCH

BOEING 1 VR54XC471-B

22 HACIENDA RD.
BELL CANYON, CA 91302
VENTURA COUNTY

ISSUE DATE:

03/27/15

ISSUED FOR:

100% ZD'S

REVISIONS

REV.	DATE	DESCRIPTION	INITIALS
A	03/27/15	90% ZONING DRAWINGS	JL
B	04/21/15	100% ZONING DRAWINGS	CA

NOT FOR CONSTRUCTION UNLESS
LABELED AS CONSTRUCTION SET

LICENSURE:

SHEET TITLE:

TITLE SHEET

SHEET NUMBER:

T-1

REVISION:

B

CALIFORNIA STATE CODE COMPLIANCE:

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES.

- CALIFORNIA ADMINISTRATIVE CODE (INCL TITLE 24 & 25)
- 2013 CALIFORNIA BUILDING CODE
- CITY/COUNTY ORDINANCES
- BUILDING OFFICIALS & CODE ADMINISTRATORS (BOCA)
- 2013 MECHANICAL CALIFORNIA CODE
- ANSI/EIA-222-F LIFE SAFETY CODE NFPA-101
- 2013 CALIFORNIA PLUMBING CODE
- 2013 CALIFORNIA ELECTRICAL CODE
- 2013 LOCAL BUILDING CODE

ACCESSIBILITY REQUIREMENTS:

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS REQUIREMENTS ARE NOT REQUIRED IN ACCORDANCE WITH THE 2013 CALIFORNIA BUILDING CODE.

CODE BLOCK

APPROVAL	SIGNATURE	DATE
PROJECT MANAGER		
CONSTRUCTION MANAGER		
RF ENGINEER		
SITE ACQUISITION		
PLANNING CONSULTANT		
PROPERTY OWNER		
SPRINT REP		

SIGNATURE BLOCK



VICINITY MAP

- FROM SPRINT OFFICE IN IRVINE, CA:
- HEAD NORTHWEST ON COMMERCE
 - TURN RIGHT TO STAY ON COMMERCE
 - TURN LEFT ONTO EL CAMINO REAL
 - TURN LEFT ONTO JAMBOREE RD
 - SLIGHT RIGHT TO MERGE ONTO I-5 N
 - TAKE THE EXIT ONTO CA-22 W TOWARD LONG BEACH
 - MERGE ONTO CA-22 W/I-405 N
 - KEEP LEFT AT THE FORK TO STAY ON I-405 N
 - TAKE THE EXIT ONTO US-101 N TOWARD VENTURA
 - TAKE THE VALLEY CIR BLVD EXIT TOWARD MULLHOLLAND DR
 - TURN RIGHT ONTO VALLEY CIR BLVD
 - TURN LEFT ONTO BELL CANYON BLVD
 - TURN RIGHT ONTO HACKAMORE LN
 - TURN LEFT ONTO STAGECOACH RD
 - TURN RIGHT ONTO N HACIENDA RD

DRIVING DIRECTIONS

APPLICATION FOR A MINOR MODIFICATION TO RENEW CONDITIONAL USE PERMIT NO. CUP 5316 THAT WILL EXPIRE ON OCTOBER 3, 2015. NO NEW MODIFICATIONS ARE PROPOSED.

SPRINT EQUIPMENT:

- (1) EXISTING POWER PROTECTION CABINET
- (1) EXISTING TELCO CABINET
- (1) EXISTING TWC FIBER CABINET
- (1) EXISTING JUNCTION BOX
- (1) EXISTING BBU CABINET
- (1) EXISTING 9928 BTS CABINET
- (2) EXISTING SPRINT CDMA ANTENNAS, (1) @ SECTOR A & (1) @ SECTOR B
- (4) EXISTING RRH'S, (2) @ SECTOR A & (2) @ SECTOR B

PROJECT DESCRIPTION

APPLICANT:

SPRINT SPECTRUM LLC
310 COMMERCE
IRVINE, CA 92602

PROPERTY INFORMATION:

PROPERTY OWNER: BOEING
ADDRESS: 2201 SEAL BEACH BLVD., BUILDING 80
SEAL BEACH, CA 90740
CONTACT: FREDDIE RAMIREZ
PHONE: (714)791-5742

BUILDING CODE: 2013 CBC
ZONING CLASIFICATION: -
OCCUPANCY / USE: U-UTILITY
PROPOSED PROJECT USE: TELECOMMUNICATIONS FACILITY
TYPE OF CONSTRUCTION: N/A
LOT AREA: N/A
JURISDICTION: COUNTY OF VENTURA

PARCEL NUMBER(S):
685-0-060-145

LEASE AREA:
48 SQ. FT. FOR GROUND CABINETS

PROJECT SUMMARY

ARCHITECT:

NESTOR POPOWYCH, A.I.A.
SAC WIRELESS, LLC.
5865 AVENIDA ENCINAS, SUITE 142-B
CARLSBAD, CA 92008
CONTACT: DENNIS YOSHII
PH: (760) 795-5210
EMAIL: dennis.yoshii@sacw.com

SITE ACQ PROJECT MANAGER:

ERICSSON
CONTACT: GILBERT TIPTON
ADDRESS: 2190 CABALLEROS ROAD NORCO, CA 92860
PH: (951)712-0236
EMAIL: gilbert.tipton@ericsson.com

PLANNING CONSULTANT:

PARACON INC
CONTACT: RICHARD TANG
ADDRESS: 1019 OAKES BLVD SAN LEANDRO, CA 94577
PH: (510) 632-2608
EMAIL: richardtang@paraconinc.com

ELECTRICAL ENGINEER
TBD

POWER COMPANY:
SCE

TELCO COMPANY:
TBD

PROJECT TEAM

GENERAL NOTES:

1.

THE CONTRACTOR SHALL NOTIFY CARRIER OF ANY ERRORS, OMISSIONS, OR INCONSISTENCIES AS THEY MAY BE DISCOVERED IN PLANS, DOCUMENTS, NOTES, OR SPECIFICATIONS PRIOR TO STARTING CONSTRUCTION INCLUDING, BUT NOT LIMITED BY, DEMOLITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING ANY ERROR, OMISSION, OR INCONSISTENCY AFTER THE START OF CONSTRUCTION WHICH HAS NOT BEEN BROUGHT TO THE ATTENTION OF CARRIER CONSTRUCTION PROJECT MANAGER AND SHALL INCUR ANY EXPENSES TO RECTIFY THE SITUATION. THE MEANS OF CORRECTING ANY ERROR SHALL FIRST BE APPROVED BY CARRIER CONSTRUCTION PROJECT MANAGER.
2.

PRIOR TO THE SUBMISSION OF BIDS, CONTRACTORS INVOLVED SHALL VISIT THE JOB SITE TO FAMILIARIZE THEMSELVES WITH ALL CONDITIONS AFFECTING THE (N) PROJECT. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR HAVING BEEN AWARDED THIS PROJECT SHALL VISIT THE CONSTRUCTION SITE WITH THE CONSTRUCTION/CONTRACT DOCUMENTS TO VERIFY FIELD CONDITIONS AND CONFIRM THAT THE PROJECT WILL BE ACCOMPLISHED AS SHOWN. PRIOR TO PROCEEDING WITH CONSTRUCTION, ANY ERRORS, OMISSIONS, OR DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT VERBALLY AND IN WRITING.
3.

THE ARCHITECT HAS MADE EVERY EFFORT TO SET FORTH IN THE CONSTRUCTION AND CONTRACT DOCUMENTS THE COMPLETE SCOPE OF WORK. CONTRACTORS BIDDING THE JOB ARE NEVERTHELESS CAUTIONED THAT MINOR OMISSIONS OR ERRORS IN THE DRAWINGS AND OR SPECIFICATIONS SHALL NOT EXCUSE SAID CONTRACTOR FROM COMPLETING THE PROJECT AND IMPROVEMENTS IN ACCORDANCE WITH THE INTENT OF THESE DOCUMENTS. THE BIDDER SHALL BEAR THE RESPONSIBILITY OF NOTIFYING (IN WRITING) THE ARCHITECT/ENGINEER OF ANY CONFLICTS, ERRORS, OR OMISSIONS PRIOR TO SUBMISSION OF CONTRACTOR'S PROPOSAL. IN THE EVENT OF DISCREPANCIES THE CONTRACTOR SHALL PRICE THE MORE COSTLY OR EXTENSIVE WORK, UNLESS DIRECTED OTHERWISE.
4.

OWNER, CONTRACTOR, AND CARRIER CONSTRUCTION PROJECT MANAGER SHALL MEET JOINTLY TO VERIFY ALL DRAWINGS AND SPECIFICATIONS PRIOR TO THE START OF CONSTRUCTION.
5.

THE GENERAL CONTRACTOR SHALL RECEIVE WRITTEN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED BY THE CONSTRUCTION DRAWINGS/CONTRACT DOCUMENTS.
6.

THE CONTRACTOR SHALL PERFORM WORK DURING PROPERTY OWNER'S PREFERRED HOURS TO AVOID DISTURBING NORMAL BUSINESS.
7.

THE CONTRACTOR SHALL PROVIDE CARRIER PROPER INSURANCE CERTIFICATES NAMING CARRIER AS ADDITIONAL INSURED, AND CARRIER PROOF OF LICENSE(S) AND PE & PD INSURANCE.
8.

THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO MANUFACTURER'S/VENDOR'S SPECIFICATIONS UNLESS NOTED OTHERWISE OR WHERE LOCAL CODES OR ORDINANCES TAKE PRECEDENCE.
9.

ALL WORK PERFORMED ON THE PROJECT AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES BEARING ON THE PERFORMANCE OF THE WORK.
10.

THE CONTRACTOR SHALL STUDY THE STRUCTURAL, ELECTRICAL, AND MECHANICAL PLANS AND CROSS CHECK THEIR DETAILS, NOTES, DIMENSIONS, AND ALL REQUIREMENTS PRIOR TO THE START OF ANY WORK.
11.

THE REFERENCES ON THE DRAWINGS ARE FOR CONVENIENCE ONLY AND SHALL NOT LIMIT THE APPLICATION OF ANY DRAWING OR DETAIL.
12.

ALL (E) CONSTRUCTION, EQUIPMENT, AND FINISHES NOTED TO BE REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND WILL BE REMOVED FROM THE SITE WITH THE FOLLOWING EXCEPTIONS:

A.

PROPERTY NOTED IN WRITING TO BE RETURNED TO THE OWNER.

B.

PROPERTY NOTED IN WRITING TO BE REMOVED BY THE OWNER.
13.

SEAL ALL PENETRATIONS THROUGH FIRE-RATED AREAS WITH U.L. LISTED OR FIRE MARSHALL APPROVED MATERIALS IF APPLICABLE TO THIS PROJECT SITE.
14.

BUILDING INSPECTORS AND/OR OTHER BUILDING OFFICIALS ARE TO BE NOTIFIED PRIOR TO ANY GRADING, CONSTRUCTION, AND ANY OTHER PROJECT EFFORT AS MANDATED BY THE GOVERNING AGENCY.
15.

THE COMPLETED PROJECT SHALL COMPLY WITH LOCAL SECURITY CODES AND TITLE--24 ENERGY CONSERVATION REQUIREMENTS. (TITLE--24 WHEN APPLICABLE)
16.

CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT (E) SITE IMPROVEMENTS, HARDSCAPING, EASEMENTS, PAVING, CURBING, ETC. DURING CONSTRUCTION. UPON COMPLETION OF WORK, CONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION ON OR ABOUT THE PROPERTY.
17.

CONTRACTOR SHALL KEEP GENERAL WORK AREA CLEAN AND HAZARD FREE DURING CONSTRUCTION. CONTRACTOR SHALL REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY OR PREMISES. SITE SHALL BE LEFT IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE.
18.

THE CONTRACTOR IS TO PROVIDE PROTECTION FOR ADJOINING PROPERTIES FROM PHYSICAL HARM, NOISE, DUST, DIRT, FIRE, AND FALLING OBJECTS AS REQUIRED BY THE GOVERNING AGENCIES.
19.

THE CONTRACTOR IS RESPONSIBLE FOR THE STORAGE OF ALL BUILDING MATERIALS AND SHALL NOT DO SO ON PUBLIC PROPERTY WITHOUT A PERMIT FROM THE GOVERNING AGENCIES.
20.

GENERAL NOTES AND STANDARD DETAILS ARE THE MINIMUM REQUIREMENTS TO BE USED IN CONDITIONS WHICH ARE NOT SPECIFICALLY SHOWN OTHERWISE.
21.

TRADES INVOLVED IN THE PROJECT SHALL BE RESPONSIBLE FOR THEIR OWN CUTTING, FITTING, PATCHING, ETC., SO AS TO BE COORDINATED TO THE WORK OF OTHER TRADES.
22.

CARRIER DOES NOT GUARANTEE ANY PRODUCTS, FIXTURES, AND/OR ANY EQUIPMENT NAMED BY A TRADE OR MANUFACTURER. GUARANTEE OR WARRANTY THAT MAY BE IN EFFECT IS DONE SO THROUGH THE COMPANY OR MANUFACTURER PROVIDING THE PRODUCT, FIXTURE, AND/OR EQUIPMENT ONLY. UNLESS SPECIFIC RESPONSIBILITY IS ALSO PROVIDED BY THE CONTRACTOR/SUBCONTRACTOR IN WRITTEN FORM.
23.

WHEN APPLICABLE, CONTRACTOR IS RESPONSIBLE TO CALL, COORDINATE AND/OR MAKE ARRANGEMENTS FOR RIGHT-OF-WAY AND/OR PRIVATE PROPERTY ACCESS BASED ON SPECIFIC SITE REQUIREMENTS.
24.

CONTRACTORS TO DOCUMENT ALL WORK PERFORMED WITH PHOTOGRAPHS AND SUBMIT TO CARRIER ALONG WITH REDLINED CONSTRUCTION SET.
25.

CONTRACTOR SHALL DOCUMENT ALL CHANGES MADE IN THE FIELD BY MARKING UP (REDLINING) THE APPROVED CONSTRUCTION SET AND SUBMITTING THE REDLINED ALONG WITH PHOTOGRAPHS PER CARRIER REQUIREMENTS.
26.

GENERAL CONTRACTOR IS TO COORDINATE ALL POWER INSTALLATION WITH POWER COMPANY AS REQUIRED. CONTRACTOR TO REPORT POWER INSTALLATION COORDINATION SOLUTION(S) TO NETWORK CARRIER REPRESENTATIVE, PROJECT CONSTRUCTION MANAGER AND ARCHITECT.
27.

ANY SUBSTITUTIONS OF MATERIALS AND/OR EQUIPMENT, MUST BE APPROVED BY CARRIER CONSTRUCTION MANAGER.
28.

THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR AND SHALL REMEDY ALL FAULTY, INFERIOR, AND/OR IMPROPER MATERIALS, DAMAGED GOODS, AND/OR FAULTY WORKMANSHIP FOR ONE (1) YEAR AFTER THE PROJECT IS COMPLETE AND ACCEPTED UNDER THIS CONTRACT; UNLESS NOTED OTHERWISE IN THE CONTRACT BETWEEN THE OWNER AND THE CONTRACTOR. (EXCEPTION) THE ROOFING SUBCONTRACTOR SHALL FURNISH A MAINTENANCE AGREEMENT FOR ALL WORK DONE, COSIGNED BY THE GENERAL CONTRACTOR, TO MAINTAIN THE ROOFING IN A WATERTIGHT CONDITION FOR A PERIOD OF TWO (2) YEARS STARTING AFTER THE DATE OF SUBSTANTIAL COMPLETION OF THE PROJECT, UNLESS OTHERWISE WRITTEN IN THE CONTRACT BETWEEN THE OWNER AND THE CONTRACTOR.
29.

THE CONTRACTOR SHALL PROVIDE ADEQUATE PROTECTION FOR THE SAFETY OF THE OWNER'S EMPLOYEES AT ALL TIMES DURING THE CONSTRUCTION OF THE PROJECT.
30.

CARRIER WILL REVIEW AND APPROVE SHOP DRAWINGS AND SAMPLES FOR CONFORMANCE WITH DESIGN CONCEPT. CARRIER PROJECT APPROVAL OF A SEPARATE ITEM SHALL NOT INCLUDE APPROVAL OF AN ASSEMBLY IN WHICH THE ITEM FUNCTIONS.
31.

CONTRACTOR TO REPAIR ALL GROUND SURFACES WITHIN THE CONSTRUCTION AREA AS NECESSARY TO PROVIDE A UNIFORM SURFACE AND MAINTAIN (E) SURFACE DRAINAGE SLOPES.
32.

CONTRACTOR TO REPLACE LANDSCAPE VEGETATION THAT WAS DAMAGED DUE TO CONSTRUCTION, AND TO MODIFY REMAINING IRRIGATION LINES TO OPERATING CONDITION, PROVIDING FULL COVERAGE TO IMPACTED AREAS.
33.

IN THE CASE OF ROOFTOP SOLUTIONS FOR EQUIPMENT AND/OR ANTENNA FRAMES WHERE PENETRATION OF (E) ROOFING MATERIALS OCCUR, THE GENERAL CONTRACTOR SHALL COORDINATE WITH BUILDING OWNER AND BUILDING ROOFING CONTRACTOR OF RECORD FOR INSTALLATION, PATCH, REPAIR OR ANY AUGMENTATION TO THE ROOF, AND HAVE THE WORK GUARANTEED UNDER THE ROOFING CONTRACTOR'S WARRANTY FOR MOISTURE PENETRATION OR AND OTHER FUTURE BREACH OF ROOFING INTEGRITY.
34.

THIS FACILITY IS AN UNMANNED CELLULAR TELEPHONE EQUIPMENT FACILITY. THE OCCUPANCY CLASSIFICATION IS B [2010 CBC, TITLE 24, PART 2, VOLUME 1, SECTION 304.1, AND SECTION 307.1 EXCEPTION #9].
35.

THIS FACILITY IS EXEMPT FROM DISABLED ACCESSIBILITY REQUIREMENTS PER 2010 CBC SECTION 1105B.3.4 EXCEPTION #1 THIS FACILITY IS NON-OCCUPIABLE SPACE AND ENTERED ONLY BY SERVICE PERSONNEL. THIS SPACE IS NOT FOR HUMAN OCCUPANCY.
36.

THE CONTRACTOR SHALL VERIFY ALL (E) CONDITIONS AND DIMENSIONS PRIOR TO SUBMITTING THEIR BID. ANY DISCREPANCIES, CONFLICTS OR OMISSIONS SHALL BE REPORTED TO THE ARCHITECT PRIOR TO SUBMITTING BIDS, AND PROCEEDING WITH ANY WORK.
37.

PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR HAS THE RESPONSIBILITY TO LOCATE ALL (E) UTILITIES, WHETHER OR NOT SHOWN ON THE PLANS, AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR OR SUBCONTRACTOR SHALL BEAR THE EXPENSE OF REPAIRING OR REPLACING ANY DAMAGE TO THE UTILITIES CAUSED DURING THE EXECUTION OF THE WORK. CONTACT USA DIG ALERT @ 800--227-2600
38.

PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL PROTECT ALL AREAS FROM DAMAGE WHICH MAY OCCUR DURING CONSTRUCTION. ANY DAMAGE TO NEW OR (E) SURFACES, STRUCTURES OR EQUIPMENT SHALL BE IMMEDIATELY REPAIRED OR REPLACED TO THE SATISFACTION OF THE PROPERTY OWNER. THE CONTRACTOR SHALL BEAR THE EXPENSE OF REPAIRING OR REPLACING ANY DAMAGED AREAS.
39.

A COPY OF THE APPROVED PLANS SHALL BE KEPT IN A PLACE SPECIFIED BY THE GOVERNING AGENCY, AND BY LAW SHALL BE AVAILABLE FOR INSPECTION AT ALL TIMES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE ALL CONSTRUCTION SETS REFLECT THE SAME INFORMATION AS THE APPROVED PLANS. THE CONTRACTOR SHALL ALSO MAINTAIN ONE SET OF PLANS AT THE SITE FOR THE PURPOSE OF DOCUMENTING ALL AS-BUILT CHANGES, REVISIONS, ADDENDA, OR CHANGE ORDERS. THE CONTRACTOR SHALL FORWARD THE AS-BUILT/HIRED DRAWINGS TO THE ARCHITECT OR THE ENGINEER RESPONSIBLE OF THE PROJECT AT THE CONCLUSION OF THE PROJECT.
40.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETE SECURITY OF THE SITE WHILE THE WORK IS IN PROGRESS UNTIL THE JOB IS COMPLETE.
41.

THE CONTRACTOR IS RESPONSIBLE TO PROVIDE TEMPORARY POWER, WATER, AND TOILET FACILITIES AS REQUIRED BY THE PROPERTY OWNER OR GOVERNING AGENCY.
42.

ALL CONSTRUCTION THROUGH THE PROJECT SHALL CONFORM TO THE LATEST C.B.C. AND ALL OTHER GOVERNING CODES, INCLUDING THE CALIFORNIA ADMINISTRATIVE CODES TITLE 8, 19, AND 24. THE MOST RESTRICTIVE CODE SHALL GOVERN.
43.

THE CONTRACTOR AND SUBCONTRACTOR SHALL COMPLY WITH ALL LOCAL AND STATE REGULATIONS INCLUDING ALL OSHA REQUIREMENTS.
44.

WHEN REQUIRED STORAGE OF MATERIALS OCCURS, THEY SHALL BE EVENLY DISTRIBUTED OVER THE FLOOR OR ROOF SO AS NOT TO EXCEED THE DESIGNED LIVE LOADS FOR THE STRUCTURE. TEMPORARY SHORING OR BRACING SHALL BE PROVIDED WHERE THE STRUCTURE OR SOIL HAS NOT ATTAINED THE DESIGN STRENGTH FOR THE CONDITIONS PRESENT.
45.

THE CONTRACTOR SHALL SUPERVISE AND COORDINATE ALL WORK, USING HIS PROFESSIONAL KNOWLEDGE AND SKILLS. HE IS SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, PROCEDURES AND SEQUENCING AND COORDINATING ALL PORTIONS OF THE WORK UNDER THE PROJECT.
46.

THE CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN AND PAY FOR ALL PERMITS, LICENSES, FEES AND INSPECTIONS WITH RESPECT TO THE WORK TO COMPLETE THE PROJECT. HE/SHE MUST PROVIDE E911 ADDRESS TO SPRINT WIRELESS. BUILDING PERMIT APPLICATIONS SHALL BE FILED BY THE OWNER OR AUTHORIZED AGENT. CONTRACTOR SHALL OBTAIN THE PERMIT AND MAKE FINAL PAYMENT OF SAID DOCUMENT.
47.

ALL DIMENSIONS TAKE PRECEDENCE OVER SCALE. DRAWINGS ARE NOT TO BE SCALED UNDER ANY CIRCUMSTANCES.
48.

THE CONTRACTOR SHALL PROVIDE ALL NECESSARY BLOCKING, BACKING, FRAMING, HANGERS OR SUPPORTS FOR INSTALLATION OF ITEMS INDICATED ON THE DRAWINGS.
49.

THE CONTRACTOR SHALL PROVIDE THE FIRE MARSHALL OR U.L. APPROVED MATERIALS TO FILL/SEAL PENETRATIONS THROUGH FIRE RATED ASSEMBLIES.
50.

NEW CONSTRUCTION ADDED TO (E) CONSTRUCTION SHALL BE MATCHED IN FORM, TEXTURE, MATERIAL AND PAINT COLOR EXCEPT AS NOTED IN THE PLANS.
51.

MATERIALS TESTING SHALL BE TO THE LATEST STANDARDS AVAILABLE AS REQUIRED BY THE LOCAL GOVERNING AGENCY RESPONSIBLE FOR APPROVING THE RESULTS.
52.

ALL DEBRIS AND REFUSE IS TO BE REMOVED FROM THE PROJECT CONTINUOUSLY AND PREMISES SHALL BE LEFT IN A CLEAN BROOM FINISHED CONDITION AT ALL TIMES.
53.

ALL SYMBOLS AND ABBREVIATIONS ARE CONSIDERED CONSTRUCTION INDUSTRY STANDARDS. IF CONTRACTOR HAS A QUESTION REGARDING THEIR EXACT MEANING THE ARCHITECT RESPONSIBLE FOR THE PROJECT SHALL BE NOTIFIED FOR CLARIFICATIONS.
54.

IT IS THE INTENTION OF THESE DRAWINGS TO SHOW THE COMPLETED INSTALLATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY BRACING, SHORING, 115, FORM WORK, ETC. IN ACCORDANCE WITH ALL NATIONAL, STATE AND LOCAL ORDINANCES TO SAFELY EXECUTE ALL WORK AND SHALL BE RESPONSIBLE FOR SAME. ALL WORK SHALL BE IN ACCORDANCE WITH LOCAL CODES.
55.

THE CONTRACTOR SHALL USE ADEQUATE NUMBER OF SKILLED WORKMEN WHO ARE THOROUGHLY TRAINED AND EXPERIENCED IN THE NECESSARY CRAFTS AND WHO ARE COMPLETELY FAMILIAR WITH THE SPECIFIED REQUIREMENTS AND METHODS NEEDED FOR PROPER PERFORMANCE OF THE WORK.
56.

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT. INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY. THAT REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO INDEMNIFY AND HOLD DESIGN ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH PERFORMANCE OF WORK ON THIS PROJECT.
57.

GROUNDING SHALL COMPLY WITH SPRINT/NEXTEL GROUNDING STANDARDS, LATEST EDITION AND COMPLY WITH SPRINT/NEXTEL GROUNDING CHECKLIST, LATEST VERSION. WHEN NATIONAL AND LOCAL GROUNDING CODES ARE MORE STRINGENT, THEY SHALL GOVERN.
58.

ALL WORK SHALL COMPLY WITH OSHA AND STATE SAFETY REQUIREMENTS. PROCEDURES FOR THE PROTECTION OF EXCAVATIONS, EXISTING CONSTRUCTION AND UTILITIES SHALL BE ESTABLISHED PRIOR TO FOUNDATION INSTALLATION. IF TEMPORARY LIGHTING AND MARKING ARE REQUIRED BY THE FEDERAL AVIATION ADMINISTRATION (FAA), IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN THE NECESSARY LIGHTS AND NOTIFY THE PROPER AUTHORITIES IN THE EVENT OF A PROBLEM.
59.

ALL WORK SHALL BE ACCOMPLISHED IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL CODES OR ORDINANCES. THE MOST STRINGENT CODE WILL APPLY IN THE CASE OF DISCREPANCIES OR DIFFERENCES IN THE CODE REQUIREMENTS.
60.

ANY DAMAGE TO ADJACENT PROPERTIES WILL BE CORRECTED AT THE CONTRACTOR'S EXPENSE
61.

THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING AMPLE NOTICE TO THE BUILDING INSPECTION DEPARTMENT TO SCHEDULE THE REQUIRED INSPECTIONS. A MINIMUM OF 24 HOURS OF NOTICE SHOULD BE GIVEN AND THE BUILDING INSPECTION DEPARTMENTS HAVE REQUESTED THAT GROUPS OF TWO OR THREE SITES BE SCHEDULED AT ONE TIME IF POSSIBLE.
62.

THE COMPLETE BID PACKAGE INCLUDES THESE CONSTRUCTION DRAWINGS ALONG WITH THE SPECIFICATIONS AND TOWER DRAWINGS/ANALYSIS. CONTRACTOR IS RESPONSIBLE FOR REVIEW OF THE TOTAL BID PACKAGE PRIOR TO BID SUBMITTAL.
63.

CLEARING OF TREES AND VEGETATION ON THE SITE SHOULD BE KEPT TO A MINIMUM. ONLY THE TREES NECESSARY FOR CONSTRUCTION OF THE FACILITIES SHALL BE REMOVED. ANY DAMAGE TO TREES AND VEGETATION OUTSIDE THE LEASED PROPERTY SHALL BE REPAIRED BY THE CONTRACTOR.
64.

RECORD DRAWINGS: MAINTAIN A RECORD OF ALL CHANGES, SUBSTITUTIONS, ETC., BETWEEN THE WORK AS SPECIFIED AND INSTALLED. RECORD CHANGES ON A CLEAN SET OF CONTRACT DRAWINGS WHICH SHALL BE TURNED OVER TO THE CONSTRUCTION MANAGER UPON COMPLETION OF THE PROJECT.
65.

THE CONSTRUCTION SHALL NOT RESTRICT A FIVE-FOOT CLEAR AND UNOBSERVED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES (POWER POLES, PULL BOXES, TRANSFORMERS, VAULTS, PUMP, VALVES, METERS, APPURTENANCES, ETC.) OR TO THE LOCATION OF THE LOOK-UP. THE CONSTRUCTION SHALL NOT BE WITHIN TEN FEET OF ANY POWER LINES- WHETHER OR NOT THE LINES ARE LOCATED ON THE PROPERTY. FAILURE TO COMPLY MAY CAUSE CONSTRUCTION DELAYS AND/OR ADDITIONAL EXPENSES.

COMPLY WITH THESE STANDARDS UNLESS OTHERWISE REQUIRED BY APPLICABLE CODES

*GENERAL CONTRACTOR SHALL COMPLY WITH OSHA AND SPRINT STANDARD SAFETY AND CONSTRUCTION PROCEDURES.

- 1.0

CONSTRUCTION TO CONFORM TO SPRINT NEXTEL INTEGRATED CONSTRUCTION STANDARDS
- 1.1

PURPOSE AND INTENT

A.

THE DRAWINGS AND SPECIFICATIONS ARE INTENDED TO BE FULLY EXPLANATORY AND SUPPLEMENTARY. HOWEVER, SHOULD ANYTHING BE SHOWN, INDICATED OR SPECIFIED ON ONE AND NOT THE OTHER, IT SHALL BE DONE THE SAME AS IF SHOWN, INDICATED OR SPECIFIED IN BOTH. SHOULD THERE BE ANY DISCREPANCIES BETWEEN REQUIREMENTS SHOWN IN BOTH, THE MORE STRINGENT REQUIREMENTS SHALL APPLY.

B.

THE INTENTION OR THE DOCUMENTS IS TO INCLUDE ALL LABOR AND MATERIALS REASONABLY NECESSARY FOR THE PROPER EXECUTION AND COMPLETION OF THE WORK AS STIPULATED IN THE CONTRACT.

C.

THE PURPOSE OF THE SPRINT WIRELESS CONSTRUCTION SPECIFICATIONS IS TO I NTERPRET THE INTENT OF THE DRAWINGS AND TO DESIGNATE THE METHOD OF THE PROCEDURE, TYPE AND QUALITY OF MATERIALS REQUIRED TO COMPLETE THE WORK.

D.

THE SCOPE OF WORK AS NOTED ON SHEET T-1 OF THIS SET OF DRAWINGS INDICATES A MODIFICATION OR UPGRADE TO THE EXISTING TELECOMMUNICATIONS SITE. WHILE THIS DRAWING SHEET ADDRESSES CONSTRUCTION ISSUES RELATIVE TO THE ORIGINALLY CONSTRUCTED SITE, THE CURRENT RELEASE OF THESE DRAWINGS WILL REQUIRE THE CONTRACTOR TO UTILIZE ONLY THE PARTICULAR NOTES ON THIS SHEET AS ARE APPLICABLE FOR THE MODIFICATION OR UPGRADE.
- 1.2

CONFLICTS

A.

VERIFY ALL MEASUREMENTS AT THE SITE BEFORE ORDERING MATERIAL OR DOING ANY WORK. NO EXTRA CHARGE OR COMPENSATION WILL BE ALLOWED DUE TO DIFFERENCES BETWEEN ACTUAL DIMENSIONS OR DIMENSIONS SHOWN ON PLANS. SUBMIT NOTICE OF ANY DISCREPANCY IN DIMENSIONS OR OTHERWISE TO SPRINT WIRELESS FOR RESOLUTION BEFORE PROCEEDING WITH THE WORK.

B.

NO PLEA OF IGNORANCE OF CONDITIONS THAT EXIST OR OF DIFFICULTIES OF CONDITIONS THAT MAY BE ENCOUNTERED, OR OF ANY OTHER RELEVANT MATTER CONCERNING THE EXECUTION OF THE WORK WILL BE ACCEPTED AS AN EXCUSE FOR ANY FAILURE OR OMISSION ON THE PART OF THE CONTRACTOR TO FULFILL EVERY DETAIL OF ALL THE REQUIREMENTS OF THE CONSTRUCTION DOCUMENTS GOVERNING THE WORK.
- 1.3

CLEANING

A.

KEEP THE SITE FREE FROM ACCUMULATION OF WASTE AND RUBBISH CAUSED BY EMPLOYEES AT THE COMPLETION OF THE WORK. REMOVE ALL WASTE AND ON-CONSTRUCTION MATERIAL INCLUDING ALL CONTRACTOR TOOLS, SCAFFOLDING AND SURPLUS MATERIAL AND LEAVE SITE CLEAN AND READY FOR USE.
- 1.4

CODES

A.

CONTRACTOR SHALL. BE RESPONSIBLE FOR FOLLOWING ALL LAWS, REGULATIONS AND RULES PROMULGATED BY FEDERAL STATE AND LOCAL AUTHORITIES WITH JURISDICTION OVER THE SITE. THIS RESPONSIBILITY IS IN EFFECT REGARDLESS OF WHETHER THE LAW, ORDINANCE, REGULATION OR RULE IS MENTIONED IN THESE SPECIFICATIONS.

- 1.5

LICENSING

A.

HAVE AND MAINTAIN A VALID CONTRACTORS LICENSE FOR THE LOCATION IN WHICH THE WORK IS TO BE PERFORMED. FOR THAT LICENSE INDIVIDUAL TRADES, THE TRADESMAN OR SUBCONTRACTORS PERFORMING THOSE TRADES SHALL BE LICENSED. RESEARCH AND COMPLY WITH LICENSING LAWS, PAY LICENSE FEES, AND SELECT AND INFORM SUBCONTRACTORS REGARDING THESE LAWS.
- 1.6

OSHA

A.

FOLLOW ALL APPLICABLE RULES AND REGULATIONS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATIONS, AND STATE LAWS BASED IN THE FEDERAL OCCUPATIONAL SAFETY AND HEALTH ACT. THESE REGULATIONS INCLUDE BUT ARE NOT LIMITED TO REGULATIONS DEALING WITH TOWER CONSTRUCTION AND SAFETY, EXCAVATIONS AND TRENCHING, AND WORK IN CONFINED SPACES. ENSURE THAT EMPLOYEES AND SUBCONTRACTORS WEAR HARD HATS AT ALL TIMES DURING CONSTRUCTION.
- 1.7

PHOTOS

A.

PROVIDE PHOTOGRAPHIC EVIDENCE OF ALL FOUNDATION INSTALLATION, GROUNDING AND TRENCHING AFTER PLACEMENT OF UTILITIES PRIOR TO BACKFILL.
- 1.8

BUILDING PERMITS

A.

SPRINT WIRELESS WILL SUBMIT CONSTRUCTION DOCUMENTS TO THE JURISDICTIONAL AUTHORITY FOR PLAN CHECK AND REVIEW. CONTRACTOR WILL SUBMIT LICENSING AND WORKMAN'S COMPENSATION INFORMATION TO THE JURISDICTION AS REQUIRED TO OBTAIN THE BUILDING PERMIT. CONTRACTOR SHALL COORDINATE AND SCHEDULE REQUIRED INSPECTIONS AND POST REQUIRED PERMITS AT THE JOB SITE. COMPLY WITH SPECIFIC PROJECT-RELATED REQUESTS AND SUGGESTIONS MADE BY BUILDING INSPECTOR AND INFORM CONSTRUCTION MANAGER OF ANY SUCH WORK THAT MAY BE BEYOND THE SCOPE OF THE CONTRACT OR DEVIATE FROM THE CONSTRUCTION DOCUMENTS. SPRINT WIRELESS WILL REIMBURSE THE CONTRACTOR FOR FEES FOR PLAN REVIEW, BUILDING PERMIT, CONNECTIONS AND INSPECTION.
- 1.9

ZONING

A.

ZONING REGULATIONS AND CONDITIONAL USE PERMITS SPRINT WIRELESS WILL SUBMIT FOR AND OBTAIN ALL ZONING AND CONDITIONAL USE PERMITS. SOME USE PERMITS MAY HAVE SPECIFIC REQUIREMENTS RELATED TO THE CONSTRUCTION SUCH AS NOISE REGULATIONS, HOURS OF WORK, ACCESS LIMITATIONS, ETC. THE CONSTRUCTION MANAGER WILL INFORM THE CONTRACTOR OF THESE REQUIREMENTS AT THE PRE-BID MEETING OR AS SHOWN IN CONSTRUCTION DOCUMENTS.
- 1.10

FAA PERMIT AND TOWER LIGHTING

A.

REFER TO CONSTRUCTION DOCUMENTS AND CONSTRUCTION MANAGER FOR FAA AND STATE LIGHTING REQUIREMENTS. CONTRACTOR SHALL PROVIDE TEMPORARY FAA APPROVED LIGHTING UNTIL PERMANENT LIGHTING IS OPERATIONAL
- 1.11

TOWER SECURITY

A.

TOWER MUST BE FENCED, TEMPORARILY OR PERMANENTLY WITHIN 24 HOURS OF ERECTION. DO NOT ALLOW THE GATE ACCESSING THE TOWER AREA TO REMAIN OPEN OR UNATTENDED AT ANY TIME FOR ANY REASON. KEEP THE GATE CLOSED AND LOCKED WHEN NOT IN USE.
- 1.12

SITE CONTROL

A.

THE CONTRACTOR IS COMPLETELY RESPONSIBLE FOR CONTAINMENT OF SEDIMENT AND CONTROL OF EROSION AT THE SITE. ANY DAMAGE TO ADJACENT OR DOWNSTREAM PROPERTIES WILL BE CORRECTED BY THE CONTRACTOR AT NO EXPENSE TO SPRINT WIRELESS.

B.

THE CONTRACTOR IS TO MAINTAIN ADEQUATE SITE DRAINAGE AT ALL TIMES. DO NOT ALLOW WATER TO STAND OR POND ON ANY PORTION OF ROOF. ANY DAMAGE TO STRUCTURES OR WORK ON THE SITE CAUSED BY INADEQUATE MAINTENANCE OF ROOF DRAINAGE PROVISIONS WILL BE THE RESPONSIBILITY OF THE CONTRACTOR AND ANY COST ASSOCIATED WITH REPAIRS FOR SUCH DAMAGE WILL BE AT THE CONTRACTOR'S EXPENSE.

C.

ALL WASTE MATERIAL SHALL BE PROPERLY DISPOSED OF OFF-SITE OR AS DIRECTED BY THE CONSTRUCTION MANAGER AND IN ACCORDANCE WITH JURISDICTIONAL AUTHORITIES.

2.0

SITE PREPARATION

2.1

SCOPE OF WORK INCLUDES:

A.

PROTECTION OF EXISTING TREES, VEGETATION AND LANDSCAPING MATERIALS WHICH MIGHT BE DAMAGED BY CONSTRUCTION ACTIVITIES.

B.

TRIMMING OF EXISTING TREES AND VEGETATION AS REQUIRED FOR PROTECTION DURING CONSTRUCTION ACTIVITIES.

C.

CLEARING AND GRUBBING OF STUMPS, VEGETATION, DEBRIS, RUBBISH, DESIGNATED TREES, AND SITE IMPROVEMENTS.

D.

TOPSOIL STRIPPING AND STOCKPILING.

E.

TEMPORARY EROSION CONTROL, SILTATION CONTROL AND DUST CONTROL CONFORMING TO LOCAL REQUIREMENTS AS APPLICABLE.

F.

TEMPORARY PROTECTION OF ADJACENT PROPERTY, STRUCTURES, BENCHMARKS AND MONUMENTS.

G.

PROTECTION AND TEMPORARY RELOCATION, STORAGE AND RE-INSTALLATION OF DUSTING FENCING AND OTHER SITE IMPROVEMENTS SCHEDULED FOR REUSE.

H.

REMOVAL AND LEGAL DISPOSAL OF CLEARED MATERIALS.

2.2

PRODUCTS AND MATERIALS (AS APPROVED BY CONSTRUCTION MANAGER OR AS NOTED III CONSTRUCTION DOCUMENTS.)

A.

MATERIALS USED FOR TREE PROTECTION, EROSION CONTROL, SILTATION CONTROL AND DUST CONTROL AS SUITABLE FOR SPECIFIC SITE CONDITIONS.

3.0

STRUCTURAL STEEL

MEET OR EXCEED MANUFACTURER'S RECOMMENDATIONS.

A.

UNLESS OTHERWISE NOTED, ALL DETAILING, FABRICATION AND PLACING OF REINFORCING STEEL SHALL CONFORM TO THE MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE STRUCTURES (ACI 315).

B.

ALL REINFORCING STEEL SHALL BE NEW BILLET STEEL, CONFORMING TO ASTM A-615, GRADE 60, DEFORMED.

C.

HEATING AND WELDING OF BARS IS PROHIBITED WITH THE EXCEPTION OF WRITTEN APPROVAL BY THE STRUCTURAL ENGINEER.

D.

ALL REINFORCEMENT BARS TO BE FREE FROM LOOSE RUST AND SCALE.

E.

UNLESS OTHERWISE NOTED, ALL REINFORCEMENT SHALL HAVE A MINIMUM CONCRETE COVERAGE OF 3 INCHES. THIS MAY REQUIRE SPACERS AND CHAIRS AS REQUIRED BY TESTING AGENCY OR CONSTRUCTIONMANAGER.

F.

SPLICES IN REINFORCEMENT STEEL ARE PROHIBITED, UNLESS APPROVED BY CONSTRUCTION MANAGER. ALL SPLICES MUST THEN MEET ALL APPLICABLE ASTM STANDARDS FOR SPLICING.

4.0

GROUNDING

A.

MEET ALL APPLICABLE CODES, REQUIREMENTS OF THE CONSTRUCTION DOCUMENTS AND SPRINT WIRELESS CONSTRUCTION SPECIFICATIONS.

PROJECT INFORMATION:

NETWORK VISION MMBTS LAUNCH

BOEING 1
VR54XC471-B

22 HACIENDA RD.
BELL CANYON, CA 91302
VENTURA COUNTY

ISSUE DATE:

03/27/15

ISSUED FOR:

100% ZD'S

REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
A	03/27/15	90% ZONING DRAWINGS	JL
B	04/21/15	100% ZONING DRAWINGS	CA
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET			

LICENSURE:

SHEET TITLE:

GENERAL NOTES

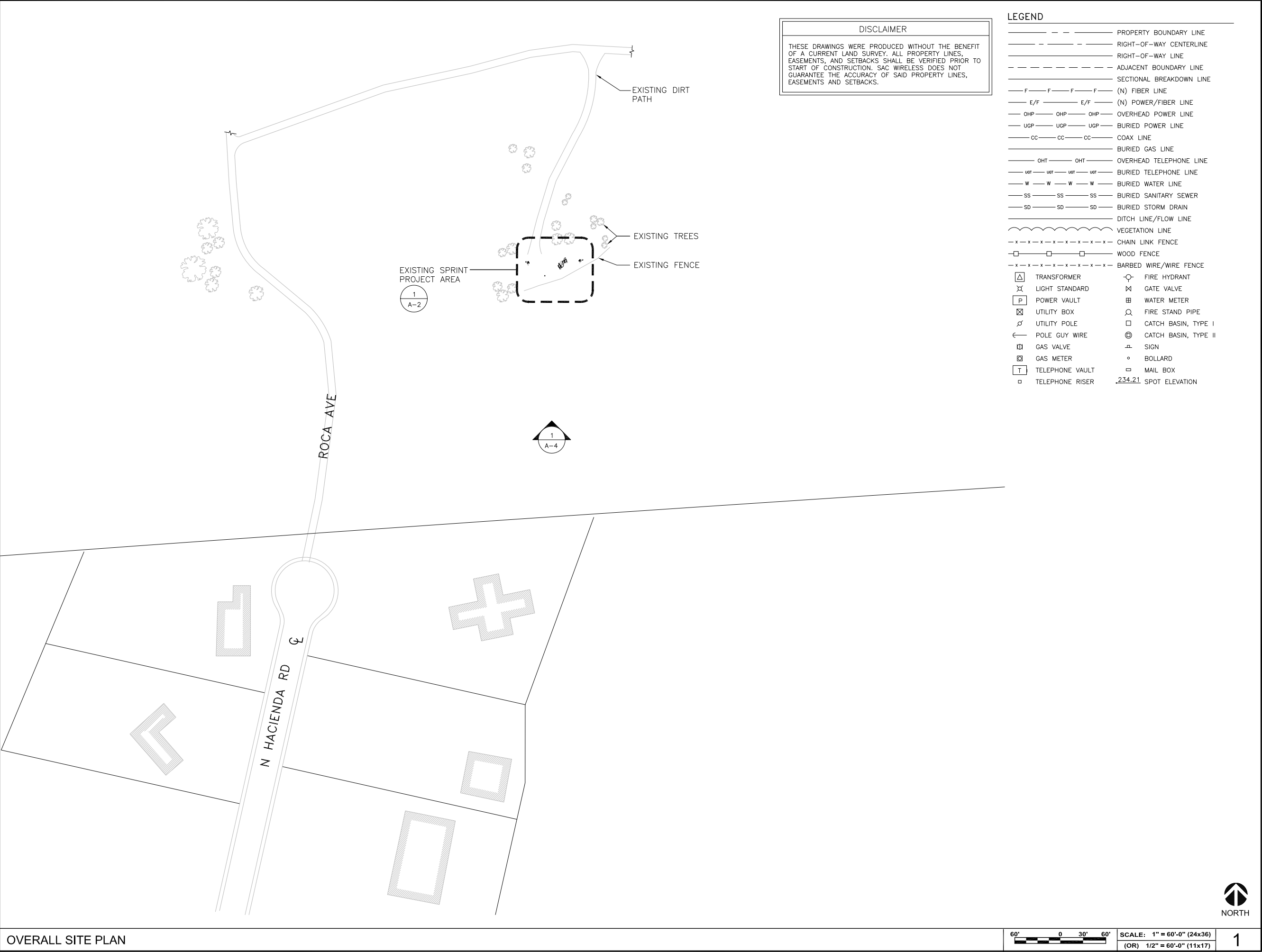
SHEET NUMBER:

T-2

REVISION:

B

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.



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NETWORK VISION MMBTS LAUNCH

BOEING 1

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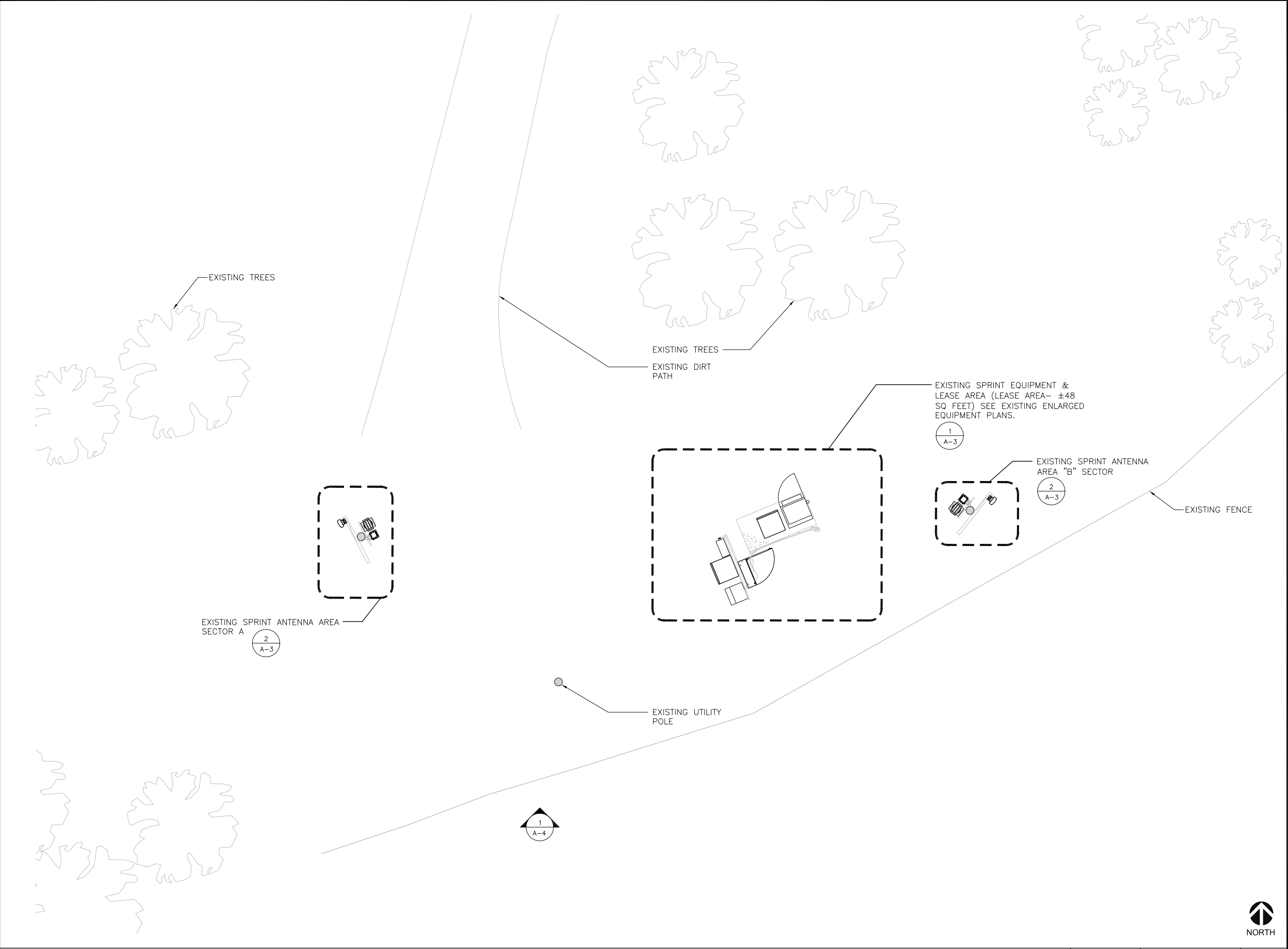
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NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET			

LICENSURE:

SHEET TITLE:

EXISTING OVERALL SITE PLAN

SHEET NUMBER: **A-1** REVISION: **B**



PROJECT INFORMATION:

NETWORK VISION MMBTS LAUNCH

BOEING 1
VR54XC471-B

22 HACIENDA RD.
BELL CANYON, CA 91302
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ISSUE DATE:

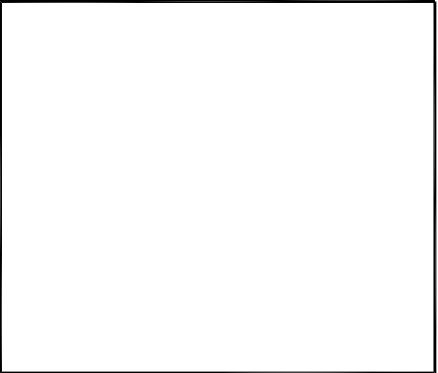
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REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
A	03/27/15	90% ZONING DRAWINGS	JL
B	04/21/15	100% ZONING DRAWINGS	CA
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET			

LICENSURE:



SHEET TITLE:

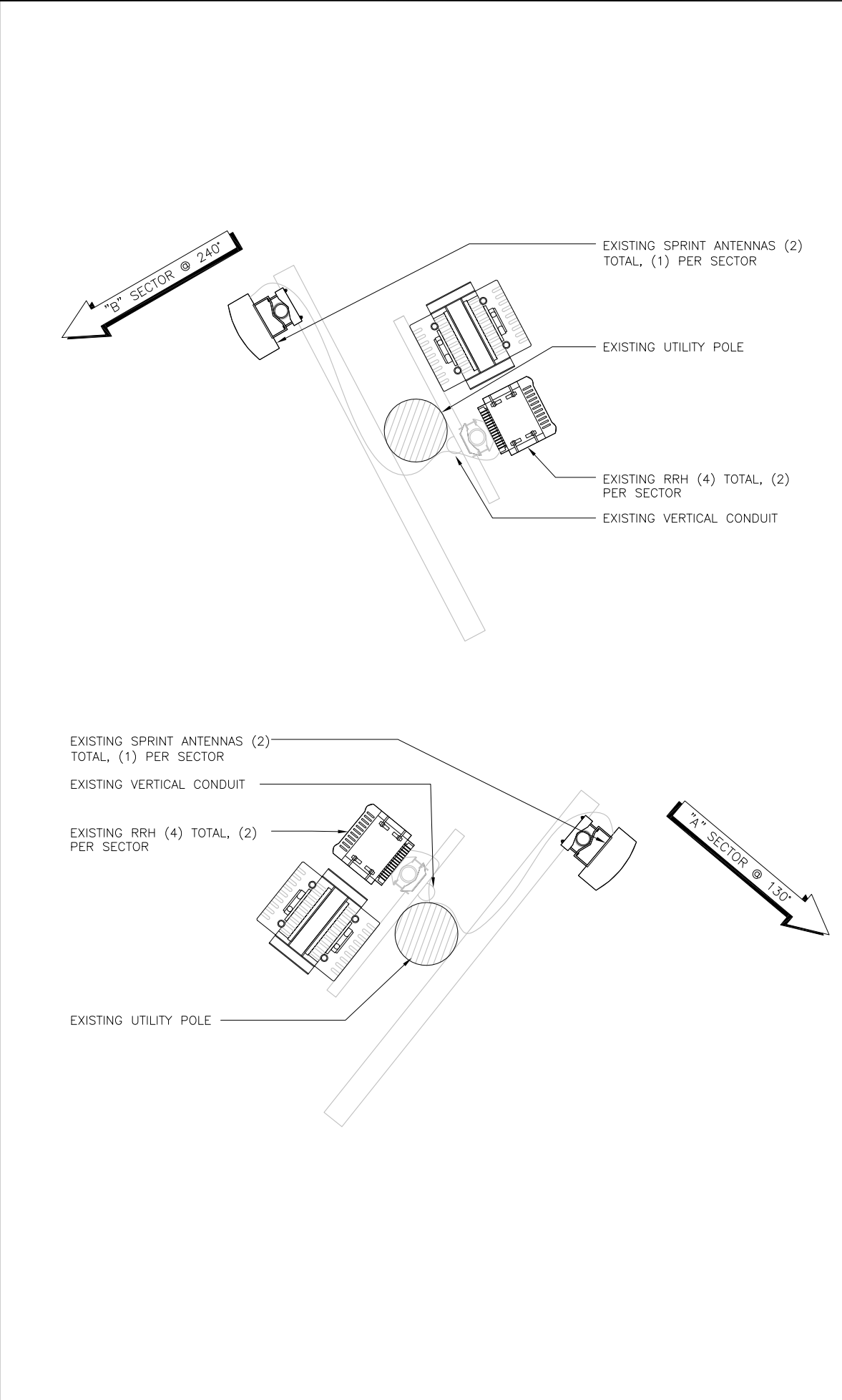
EXISTING ENLARGED SITE PLAN

SHEET NUMBER:

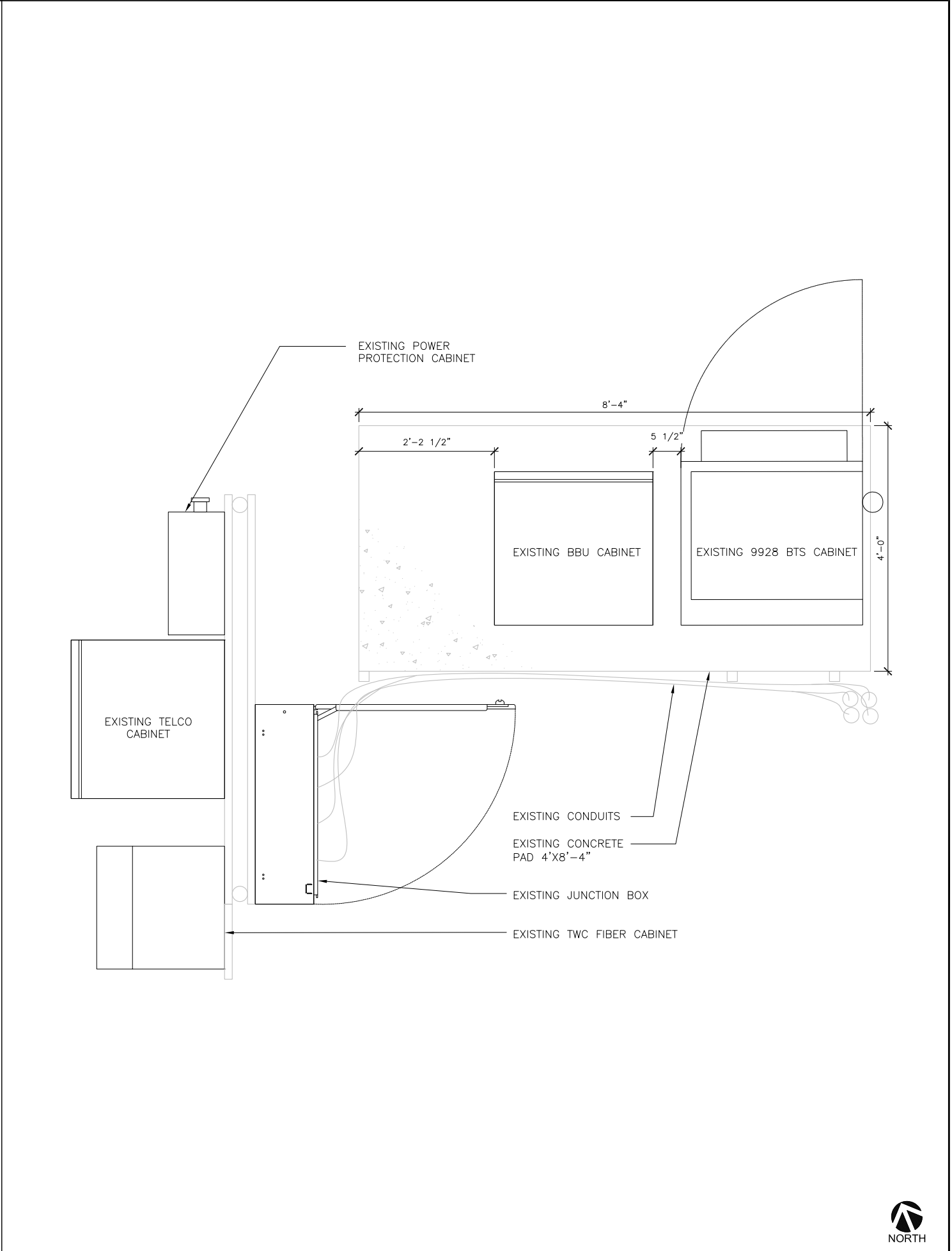
A-2

REVISION:

B



EXISTING ANTENNA PLAN 2



EXISTING ENLARGED EQUIPMENT PLAN 1



PROJECT INFORMATION:

NETWORK VISION MMBTS LAUNCH

BOEING 1

VR54XC471-B

22 HACIENDA RD.
BELL CANYON, CA 91302
VENTURA COUNTY

ISSUE DATE:

03/27/15

ISSUED FOR:

100% ZD'S

REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
A	03/27/15	90% ZONING DRAWINGS	JL
B	04/21/15	100% ZONING DRAWINGS	CA
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET			

LICENSURE:

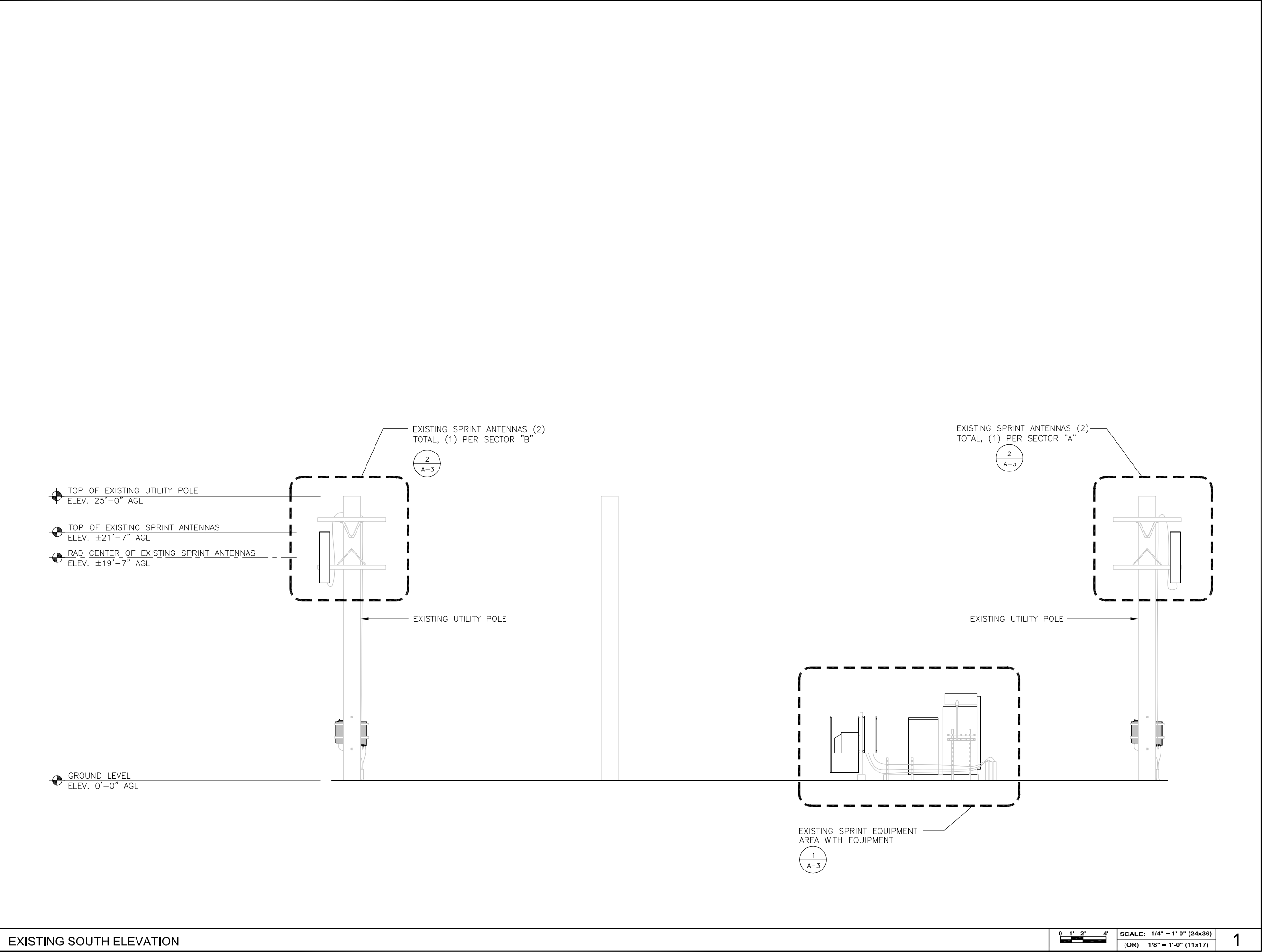


SHEET TITLE:

EXISTING ENLARGED EQUIPMENT PLANS

SHEET NUMBER: REVISION:

A-3 B



PROJECT INFORMATION:

NETWORK VISION MMBTS LAUNCH

BOEING 1

VR54XC471-B

22 HACIENDA RD.
BELL CANYON, CA 91302
VENTURA COUNTY

ISSUE DATE:

03/27/15

ISSUED FOR:

100% ZD'S

REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
A	03/27/15	90% ZONING DRAWINGS	JL
B	04/21/15	100% ZONING DRAWINGS	CA
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET			

LICENSURE:

SHEET TITLE:

EXISTING SOUTH ELEVATION

SHEET NUMBER: A-4

REVISION: B

EXHIBIT 4 – DRAFT CONDITIONS OF APPROVAL

Sprint Wireless Communications Facility CUP No. PL15-0097

RESOURCE MANAGEMENT AGENCY CONDITIONS

Planning Division

1. Project Description

This conditional use permit authorizes the continued use of the existing wireless communication facility (WCF) for an additional 10-year period. The WCF will continue to be designed as a 48-square foot equipment area connected to equipment mounted on two existing 25-foot tall utility poles designated as Sector A and Sector B. The equipment area contains five cabinets, one junction box, and ancillary equipment. One existing panel antenna is mounted at 19-feet 7-inches above the ground on each of the existing utility poles. Two panel antennas are authorized to be mounted on each utility pole for a total of four panel antennas within this WCF. The WCF will be unmanned and operate 24 hours a day for 365 days per year.

2. CUP Modification

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

- a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and,
- b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, § 21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, § 15000-15387), as amended from time to time.

3. Construction Activities

Prior to any construction, the Permittee shall obtain a Zoning Clearance for construction from the Planning Division, and a Building Permit from the Building and Safety Division. Prior to

any grading except as it relates to ground clearance requirements, the Permittee shall obtain a Grading Permit from the Public Works Agency.

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 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* (2010, 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 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 the rules and regulations of all jurisdictions having authority over the uses described herein.

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 provided in Condition No. 1 (Project Description).
- (2) This CUP shall expire and become null and void if the Use Inauguration Zone Clearance has not been issued within one year of the date this CUP is granted [*Ventura County Non-Coastal Zoning Ordinance* (2010, 8111-4.7)]. The Planning Director may grant a one-year extension of time to obtain the Use Inauguration Zoning Clearance 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 one-year expiration date.

- (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 this CUP is subject to revocation.

b. Permit Life or Operations Period:

This CUP will expire on [10 years after the approval and appeal 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 *Ventura County Non-Coastal Zoning Ordinance* prior to [10 years after the approval and appeal 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 *Ventura County Non-Coastal Zoning Ordinance*.

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

Purpose: To ensure compliance with and notification of federal, state, 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: 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 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: 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 maintains the documentation provided by the Permittee in the respective project file. In the event that the federal, state, or local government regulatory agency prepares new documentation due to changes in the project or the other agency's requirements, the Permittee shall submit the new documentation within 30 days of receipt of the documentation from the other agency.

7. Notice of CUP Requirements and Retention of CUP Conditions On-Site

Purpose: To ensure full and proper notice of 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 provide a copy of all correspondence or signage that involves notification of permit conditions to parties of interest to the Planning Division.

Timing: The documentation of notification shall be provided prior to issuance of a Zoning Clearance. Evidence of ongoing notification shall be maintained as a public record by the Permittee.

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

8. Recorded Notice of Land Use Entitlement

Purpose: In order to comply with § 8111-8.3 of the *Ventura County Non-Coastal Zoning Ordinance*, a notice shall be recorded on the deed of the subject property that describes the responsibilities of the Property Owner and Permittee for compliance with applicable permit conditions and regulations.

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 tax assessor's parcel that is subject to this CUP.

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

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

Monitoring and Reporting: The Planning Division shall review the Notice for accuracy and maintain a copy in the project file.

9. Condition Compliance, Enforcement, and Other Responsibilities

- a. **Cost Responsibilities:** The Permittee shall bear the full costs of all staff time, material costs, or consultant costs associated with the approval of studies, generation of studies or reports, on-going permit compliance, and monitoring programs as

described below in Condition 9b. Specifically, the Permittee shall bear the full costs of the following:

- (1) Condition compliance costs which include, but are not limited to, staff time, material costs, or consultant costs associated with the approval of studies, generation of studies or reports, ongoing permit condition compliance review, and CEQA Mitigation Monitoring/other monitoring programs; and,
 - (2) Monitoring and enforcement costs required by the *Ventura County Non-Coastal Zoning Ordinance (2010, § 8114-3.4)*. The Permittee, or the Permittee's successors-in-interest, shall bear the full costs incurred by the County or its contractors for inspection and monitoring, and for enforcement activities related to the resolution of confirmed violations. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections, public reports, penalty hearings, forfeiture of securities, and suspension of this CUP. Costs will be billed at the contract rates in effect at the time enforcement actions are required. The Permittee shall be billed for said costs and penalties pursuant to the *Ventura County Non-Coastal Zoning Ordinance (§ 8114-3.4)*.
- b. Establishment of Revolving Compliance Accounts: The condition compliance account (CC06-0097) previously established for the life of this project shall remain in full force and effect.
- c. Monitoring and Enforcement Costs: The condition compliance account deposit and reimbursement agreement are required to ensure that funds are available for legitimate and anticipated costs incurred for Condition Compliance. All permits issued by the Planning Division may be reviewed and the sites inspected no less than once every three years, unless the terms of the permit require more frequent inspections. These funds shall cover costs for any regular compliance inspections or the resolution of confirmed violations of the conditions of this CUP and/or the *Ventura County Non-Coastal Zoning Ordinance* that may occur.
- d. Billing Process: The Permittee shall pay any written invoices from the Planning Division within 30 days of receipt of the request. Failure to pay the invoice shall be grounds for suspension, modification, or revocation of this CUP. The Permittee shall have the right to challenge any charge prior to payment.

10. Defense and Indemnity

As a condition of CUP issuance and use including adjustment, modification, or renewal thereof, the Permittee agrees to:

- a. Defend, at the Permittee's sole expense, any action brought against the County by a third party challenging either the County's decision to issue this CUP or the manner in which the County is interpreting or enforcing the conditions of this CUP; and
- b. Indemnify the County against any settlements, awards, or judgments, including attorney's fees, arising out of, or resulting from, any such legal action. Upon written demand from the County, the Permittee shall reimburse the County for any and all court costs and/or attorney's fees which the County may be required by a court to

pay as a result of any such legal action the Permittee defended or controlled the defense thereof pursuant to Section 13(a) above. The County may, at its sole discretion, participate in the defense of any such legal action, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.

Neither the issuance of this CUP, nor compliance with the conditions thereof, 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 County of Ventura, its officers, or employees for injury or damage to persons or property.

Except with respect to the County's sole negligence or intentional misconduct, the Permittee shall indemnify, defend, and hold harmless the County, its officers, agents, and employees from any and all claims, demands, costs, and expenses, including attorney's fees, judgments, or liabilities arising out of the construction, maintenance, or operations described in Condition No. 1 (Project Description), as it may be subsequently modified pursuant to the conditions of this CUP.

11. Invalidation of Condition(s)

If any of the conditions or limitations of this CUP are held to be invalid, that holding shall not invalidate any of the remaining conditions or limitations set forth. In the event that any condition contained herein is determined to be in conflict with any other condition contained herein, then where principles of law do not provide to the contrary, the conditions most protective of public health and safety and natural environmental resources shall prevail to the extent feasible, as determined by the Planning Director.

In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the project sponsors in an action filed in a court of law, or threatened to be filed therein, which action is brought in the time period provided for by the Code of Civil Procedures (§ 1094.6), or other applicable law, this CUP shall be allowed to continue in force until the expiration of the limitation period applicable to such action, or until final resolution of such action, provided the Permittee has, in the interim, fully complied with the fee, exaction, dedication, or other mitigation measure being challenged.

If any condition is invalidated by a court of law, and said invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, the project may be reviewed, at the discretion of the Planning Director, by the Planning Commission and substitute feasible conditions/mitigation measures may be imposed to adequately address the subject matter of the invalidated condition. The determination of adequacy shall be made by the Planning Commission. If the Planning Commission cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

12. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for this land use 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 manpower 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 costs of such work. Whenever feasible, the lowest bidder will be used. Any decisions made by County staff 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, provided the consultant and the proposed scope-of-work are acceptable to the County. However, the County retains the right to hire its own consultants to evaluate any work undertaken by the operator or consultants under contract with the operator.

13. Relationship of CUP Conditions, Laws and Other Permits

The design, maintenance, and operation of the CUP area and facilities thereon shall comply with all applicable requirements and enactments of Federal, State, and County authorities, as amended (e.g., County Business License Tax Ordinance), and all such requirements and enactments shall by reference become conditions of this CUP. In the event of conflicts between various requirements, the more restrictive requirements shall apply. In the event that any CUP condition contained herein is determined to be in conflict with any other CUP condition contained herein, then where 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, as determined by the Planning Director.

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, or any lawful rules or regulations or orders of an authorized governmental agency. Neither the issuance 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.

A business tax certificate shall be obtained for operation of a communications facility.

14. Contact Person

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

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 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 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 the Planning Division 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 respective project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

15. Resolution of Complaints

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

- a. The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 14 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about an event as it is occurring may directly contact the Contact Person.
- b. If a written complaint about this project is received by the County, Planning staff will contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation.
- c. If, following a complaint investigation by County staff, a violation of Ventura County Code or a condition of this permit is confirmed, County enforcement actions pursuant to § 8114-3 of the *Non-Coastal Zoning Ordinance* may be initiated.

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 inside or outside 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 Owner and/or Permittee

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

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). 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 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) of the permitted uses. In this letter, the new Owner, Lessee or Operator must agree to comply with all conditions of this CUP.

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

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

18. Color/Material/Manufacture Specifications

Purpose: To comply with the *Ventura County General Plan* Scenic Resources Policies 1.7.2-1 through 1.7.2-4 and to ensure that any future construction or alteration of the existing communication facility is constructed as illustrated on the approved plans and photo simulations. The existing WCF is currently in compliance.

Requirement: The Permittee shall:

- a. construct and maintain the exterior surfaces of all buildings and structures of the communication facility using building materials and colors that are compatible with surrounding terrain (e.g., earth tones and non-reflective paints);

- b. provide the manufacturer's specifications and model numbers of all tower, antenna, and ancillary equipment (e.g., batteries, equipment in cabinets, GPS, and antennae) on all development plans;
- c. construct and maintain the site in compliance with the approved plans and photo-simulations; and,
- d. provide photos to the Planning Division to verify that the facility is constructed as approved.

Documentation: The Permittee shall provide plans, photo simulations, and a materials sample/color board to the Planning Division. Prior to final inspection of the communication facility the Permittee shall provide photographs demonstrating that the facility was treated as approved.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall provide the colors and materials of all buildings and structures on building plans for review and approval by the Planning Division. Prior to the issuance of a Zoning Clearance for construction, the Permittee shall provide the materials sample/color board that illustrates the proposed colors for review and approval by the Planning Division. Prior to final inspection, the Permittee shall paint and treat the approved structures according to the approved plans.

Monitoring and Reporting: The Planning Division maintains copies of the approved plans, photo simulations, and materials sample/color board in the project file. The Permittee shall provide photos of the constructed facility to the Planning Division to verify that the facility is constructed as approved prior to final inspection. The Planning Division maintains the photo documentation provided by the Permittee in the project file. The Planning Division has the authority to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

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

Purpose: In compliance with § 8111-2.8 and § 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.

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.

Note: The facility shall be considered to be abandoned if it has not been in use for 12 continuous months.

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

20. 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 make its facility and site available to other telecommunication carriers and, in good faith, accommodate all reasonable requests for collocation in the future subject to the following parameters:

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

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

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

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

Environmental Health Division

21. Hazardous Materials Management

The storage, handling, and disposal of any potentially hazardous material must be in compliance with applicable state regulations.

Other Ventura County Agencies Conditions

Ventura County Fire Protection District

22. Access Road Gates / 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 Standards.

Requirement: The Permittee shall design and install all gates along required fire access roads / driveways consistent with Fire Protection District Standards.

Documentation: A stamped copy of the approved gate plans.

Timing: The Permittee shall submit gate plans to the Fire Prevention Bureau for approval before the installation of any access gates. The submittal shall include a copy of zoning clearance issued by the Planning Department.

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

23. Hazardous Fire Area

Purpose: To inform the Permittee that the project is located within a Hazardous Fire Area and ensure compliance with California Building and Fire Codes.

Requirement: The Permittee shall construct all structures to meet hazardous fire area building code requirements.

Documentation: A stamped copy of the approved building plans to be retained by the Building Department.

Timing: The Permittee shall submit building plans to the Building Department for approval before the issuance of building permits.

Monitoring and Reporting: The Fire Prevention Bureau shall conduct a final inspection to ensure that the structure is constructed according to the approved hazardous fire area

building code requirements. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the approved construction for the life of the structure.

24. Hazard Abatement

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

Requirement: The Permittee shall have all grass or brush adjacent to structure's footprint cleared for a distance of 30 feet or to the property line if less than 30 feet.

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

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

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