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September 26, 2023

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: Recommendation of Supervisor Gorell To Direct The Resource Management Agency - Planning Division To Set for Study, Hearing, and Recommendation, Within a Reasonable Time, An Amendment To The Thousand Oaks Area Plan Policy TO-22.3 (Wireless Communications Facility Height Restriction) To Exempt Existing Wireless Communication Facilities From The Height Restriction That Are Necessary For Public Safety

Dear Board Members,

Recommendation

It is recommended that our Board direct the Resource Management Agency – Planning Division to set for study, hearing, and recommendation, within a reasonable time, an amendment to the Thousand Oaks Area Plan Policy TO-22.3 (Wireless Communications Facility Height Restriction), contained within the General Plan, to exempt existing wireless communication facilities from the height restriction that are necessary for public safety.

Discussion

Rasnow Peak is a critical wireless communications facility for both the County's data and public safety network which covers most of Thousand Oaks and Newbury Park. Currently, Ventura County utilizes the main tower with antennas located at 150 feet in height. The County agencies that utilize the tower include Ventura County Information Technology Services, Ventura County Sheriff and Ventura County Fire Department. Specifically, the existing wireless communications facility provides services for operating radio feed relays between Sheriff stations, surveillance

cameras used on high profile threats, supporting patrol units, and the operations of the Office of Emergency Services. Ventura County Fire Department used the existing towers at the

Rasnow Peak wireless communications facility to monitor the Woolsey, Thomas, and Hill Canyon fires that impacted our communities in 2017 and 2018. Other agencies who utilize the existing wireless communication facility at Rasnow Peak include Simi Valley Police Department, U.S. Coast Guard, and GEO Links who provides internet services for multiple medical facilities and the Conejo Unified School District. In addition, the existing Rasnow Peak towers host several antennas used for a variety of local services. Since 1989, as part of building construction, Rasnow Peak has operated under conditional use permit (CUP) 4577 which has been renewed twice prior to the current pending 2023 renewal. The last renewal of the CUP was in 2012.

On March 24, 2015, a Public Hearing was held regarding the adoption of an update to the Wireless Communications Facilities (WCF) ordinance (PL13-0109) to amend the Ventura County Non-Coastal Zoning Ordinance (NCZO) and associated Thousand Oaks Area Plan contained in the County's General Plan. The ordinance updated the following Thousand Oaks Area Plan policies that regulate the area's critical ridgeline wireless communications facility, Rasnow Peak. More specifically, the update removed "if feasible" from the 40-foot height limitation in Policy TO-22.3. Then and now, the existing Rasnow Peak wireless communications facility ("Rasnow Peak") is utilized by our Public Safety agencies. The City of Thousand Oaks also has expressed support for the site's use by Public Safety.

TO-22.1 Wireless Communications Facilities

The County shall grant discretionary development permits for wireless communication facilities only when necessary for public safety or provide substantial public benefit. Such facilities shall be conditioned to minimize visual impacts to maximum extent feasible.

TO-22.2 Wireless Communications Facilities

The County shall grant discretionary development permits for wireless communication facilities which are necessary for public safety or provide substantial benefit only when facilities are designed and conditioned to minimize visual impacts to the maximum feasible extent.

TO-22.3 Wireless Communications Facility Height Restriction

The County shall require discretionary development permits for wireless communication facilities to limit the height of such facilities, with the exception of monopole whip-type antennas, to 40 feet. Several shorter facilities are preferable to one large facility.

The language in Policy TO-22.3 above would require the existing Rasnow Peak wireless communications facility to be reduced to 40 feet in height, but the existing height is needed for

public safety and data communications. Simply put, given the important public safety purpose of the existing wireless communication facility at Rasnow Peak, Thousand Oaks Area Plan Policy TO-22.3 should be reevaluated to create an exemption for existing wireless communication facilities that are necessary for public safety. Further, the Board adopted the County's Multi-Jurisdictional Hazard Mitigation Plan (HMP) in 2022 which identifies the importance of communication facilities being critical to our emergency responses across the county and our cities¹.

Accordingly, please join me in directing the Planning Division to set for study, hearing, and recommendation, within a reasonable time, an amendment to the Thousand Oaks Area Plan Policy TO-22.3 (Wireless Communications Facility Height Restriction), contained within the General Plan, to include an exemption from the height restriction for existing wireless communication facilities that are necessary for public safety. Today's action is only to initiate the General Plan amendment process so that Planning staff can work on amendments for future consideration by our Board. Today's action does not approve any actual amendment to Policy TO-22.3 which will come to our Board after noticed public hearings at the Planning Commission and evaluation and processing in accordance with applicable state law.

This letter has been reviewed by Ventura County Fire, Ventura County Sheriff, Ventura County Sheriffs' Office of Emergency Services, Ventura County Planning Division, Ventura County Information Technology Services, and County Counsel. Please contact me with any questions (805) 214-2510.

Warm regards,



Jeff Gorell
Supervisor, Second District

¹ One of the objectives of the County's Multi-Jurisdictional Hazard Mitigation Plan (HMP) includes "Improve and expand systems that provide warning and emergency communications to the whole community." HMP Section 4.4.3 Critical Facilities lists "Communications—Infrastructure, alerts, warnings, messages, 911 and dispatch, responder communications and financial services." HMP Chapter 21, Vision Statement, Goals, and Objectives - Section 21.3 Objectives includes objective 7 "Improve and expand systems that provide warning and emergency communications to the whole community."