Hearing Officer Transmittal Checklist

Hearing Date
05/15/2012
Agenda Item No.
3.

Project Number: 00-140-(5)
Case(s): Conditional Use Permit Case No. 201100117
Planner: Michele Bush

- ☒ Factual
- ☒ Property Location Map
- ☒ Staff Report
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☐ Correspondence
- ☒ Photographs
- ☒ Aerial Image(s)
- ☒ Land Use Radius Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans
- ☒ Findings and Conditions – Previous Case No. 00-140

Reviewed By: Nana B Masis

Los Angeles County Department of Regional Planning 320 West Temple Street Los Angeles, California 90012 Telephone (213) 974-6435 **PROJECT NUMBER 00-140-(5)** **CUP 201100117**		PUBLIC HEARING DATE May 15, 2012	AGENDA ITEM 3
		RPC CONSENT DATE	CONTINUE TO

APPLICANT	OWNER	REPRESENTATIVE
TowerCo	Daniel S. Maydeck (Leroy Haynes Center for Children)	Michelle Felten - Core Development Services

PROJECT DESCRIPTION

The applicant is requesting a Conditional Use Permit (CUP) for the continued operation of a previously approved unmanned wireless telecommunication facility consisting of a 75 foot high monopalm and appurtenant equipment. The previous CUP (CUP 00-140-(5)) was approved on April 17, 2001. No alterations or modifications are proposed as a part of this request.

REQUIRED ENTITLEMENTS

The applicant is requesting a Conditional Use Permit (CUP) for the continued operation a previously approved unmanned wireless telecommunication facility consisting of a 75 foot high monopalm and appurtenant equipment. The previous CUP (CUP 00-140-(5)) was approved on April 17, 2001, and a Revised Exhibit "A" was also approved on August 3, 2010. The previous CUP expired April 17, 2011. No alterations or modifications are proposed as a part of this request.

LOCATION/ADDRESS

233 Baseline Road, West Claremont

SITE DESCRIPTION

The site plan depicts an existing Center for Children & Family Services and existing unmanned wireless telecommunication facility consisting of a 75 foot high monopalm with top mounted antennas and appurtenant equipment cabinet enclosed within a 35 foot by 18 foot (630sf) wrought iron fenced lease area.

ACCESS	ZONED DISTRICT
Baseline Road	North Claremont
ASSESSORS PARCEL NUMBER	**COMMUNITY**
8666-008-010	West Claremont
SIZE	**COMMUNITY STANDARDS DISTRICT**
30.19 Acres	N/A

	EXISTING LAND USE	EXISTING ZONING
Project Site	Children & Family Services Center	A-1-15000 (Light Agricultural)
North	Vacant	A-1-10000 (Light Agricultural)
East	Vacant/Single-Family Residence	City of Claremont
South	Single-Family Residence	City of La Verne
West	Vacant/Single-Family Residence	A-1-15000 (Light Agricultural)

GENERAL PLAN/COMMUNITY PLAN	LAND USE DESIGNATION	MAXIMUM DENSITY
Countywide Land Use Policy	R (Non-Urban)	N/A

ENVIRONMENTAL DETERMINATION

Class 1 Categorical Exemption-Existing Facilities

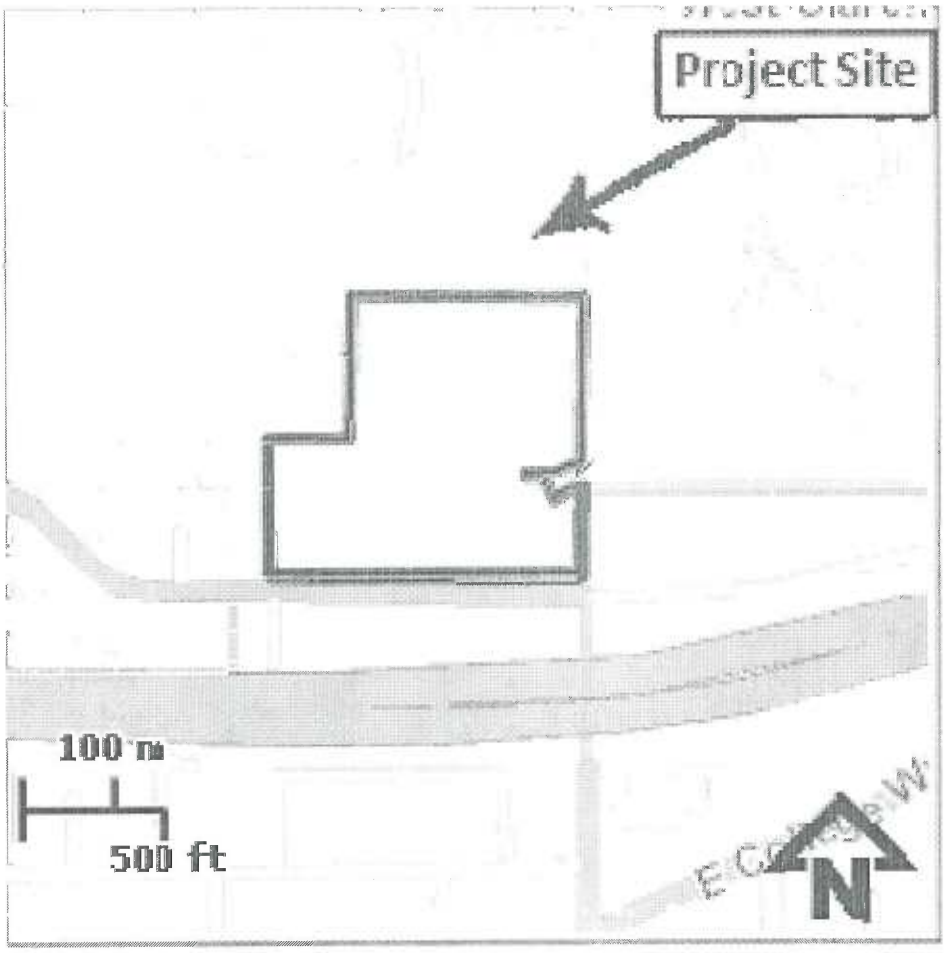
RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON: Michele Bush		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) 0 (F) 0	PETITIONS (O) 0 (F) 0	LETTERS (O) 0 (F) 0

*(O) = Opponents (F) = In Favor



PROJECT NO. 00-140-(5)
CONDITIONAL USE PERMIT NO. 201100117

STAFF REPORT
PROJECT NUMBER 00-140-(5)
CONDITIONAL USE PERMIT 201100117

REQUEST
The applicant, TowerCo, is requesting a Conditional Use Permit 00-140-(5) for an existing wireless telecommunication facility (WTF) with no proposed expansions or modifications.

REPRESENTATIVE: Michelle Felten **OWNER:** Daniel S. Maydeck
(Leroy Haynes Center for Children)

PROJECT DESCRIPTION
The proposed project consists of a request for a Conditional Use Permit (CUP) for the continued operation of a previously approved unmanned wireless telecommunications facility consisting of a 75 foot high monopalm with top mounted antennas and appurtenant equipment cabinet enclosed within a 35 foot by 18 foot (630sf) wrought iron fenced lease area. The previous CUP (CUP 00-140-(5)) was approved on April 17, 2001, and a Revised Exhibit "A", for the installation of an equipment rack within the existing equipment enclosure, removal and replacement of three (3) existing panel antennas with three (3) new panel antennas and three (3) parabolic antennas mounted on the existing monopalm, was approved on August 3, 2010. The previous CUP expired April 17, 2011. There is one (1) additional WTF on the subject property, with antennas located within a flagpole (Verizon). No alterations or modifications are proposed as a part of this request.

LOCATION
The subject property is located at 233 Baseline Road, in the unincorporated community of West Claremont in the North Claremont Zoned District.

Assessor's Parcel Number(s): 8666-008-010
Countywide Land Use Policy Designation: R (Non-Urban)
Zoning: A-1-15000 (Light Agricultural Zone)
Community Standards District: N/A

SITE DESCRIPTION
The project site is currently developed as the Leroy Haynes Center for Children & Family Services. The existing unmanned wireless telecommunications facility and appurtenant equipment are located along the eastern boundary of the property. The 30.19 acre parcel is accessed by Baseline Road. One parking space is provided to serve the wireless facility.

ENVIRONMENTAL DOCUMENTATION
This project was determined to be categorically exempted (Class 1, Existing Facilities) under the environmental reporting procedures and guidelines of the California Environmental Quality Act (CEQA).

PREVIOUS CASE/ZONING HISTORY
The original Conditional Use Permit (00-140-(5)) to authorize the construction, operation and maintenance of an unmanned wireless telecommunication facility consisting of a 75 foot high monopalm with top mounted antennas and appurtenant equipment was approved on April 17, 2001. The grant authorized by this approval terminated on April 17, 2011. Revised Exhibit "A" 201000110 was approved on August 3, 2010. The applicant, TowerCo, filed a request for

renewal with no changes or expansions to the original approved conditions. This is the first request for renewal.

There are no zoning violations on the subject property.

PUBLIC COMMENTS
To date, no comments from the public have been received.

ANALYSIS
A wireless telecommunications facility is a use not specified in the Zoning Ordinance. The closest described uses are radio and television towers. Pursuant to Section 22.24.100 of Title 22 of the Los Angeles County Code, these are permissible uses in the A-1 zone, provided a Conditional Use Permit has first been obtained.

Pursuant to the Zoning Ordinance, Section 22.52.1220 (Parking - uses not specified) One parking space should be provided. The parking space is required for site visits done on a monthly basis by maintenance personnel.

Height
The height of the existing monopalm is 75 feet. Pursuant to Subdivision & Zoning Ordinance Policy No. 01-2010, a ground-mounted wireless facility, not located on a public right-of-way, shall not exceed the maximum height allowed in the applicable zone. The maximum height permitted is 75 feet. The height of structures in the A-1 zone is restricted to 35 feet. The subject monopalm exceeds the limit, as approved by the Hearing Officer as a part of the original Conditional Use Permit approval, prior to the requirement of Policy No. 01-2010.

Parking
One parking space is provided for site visits done on a monthly basis by maintenance personnel.

Circulation
The site is served by Baseline Road. The facility will generate approximately one maintenance vehicle trip a month which the aforementioned street should be able to accommodate. The subject property is adequately served by streets of sufficient width and improved as necessary to carry the kind and quantity of traffic associated with this project.

Land Use
The subject property is surrounded by the following land uses:
North: Vacant
East: Vacant/Single-Family Residential
South: Single-Family Residential
West: Vacant/Single-Family Residential

LEGAL NOTIFICATION / COMMUNITY OUTREACH
Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

Fees/deposits
If approved, the following fees will apply, unless modified by the Hearing Officer:

Zoning Enforcement

1. Inspection fees of $1,600.00 to cover the costs of 8 recommended biennial zoning enforcement inspections.

RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Conditional Use Permit 201100117/Project 00-140-(5) with a grant term of 15 years and eight (8) biennial inspections because:

- There are no zoning violations on the property.
- To date, there is no opposition to the project.
- With a Conditional Use Permit, the proposed facility will comply with Zoning Ordinance height restrictions.
- The proposed facility is appropriate for the site because it is designed and conditioned to be visually non-obstructive.

Prepared by Michele Bush, Principal Planner Zoning Permits East
Reviewed by Maria Masis, Supervising Planner, Zoning Permits East

Attachments:
Draft Conditions and Findings of Approval
Applicant's Burden of Proof Statement
Site Photographs
Site Plan
Land Use Map
Findings & Conditions –Previous Case No. 00-140-(5)

DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES

PROJECT NUMBER 00-140-(5)
CONDITIONAL USE PERMIT 201100117

REQUEST
The applicant, TowerCo, is requesting a Renewal of Conditional Use Permit 00-140-(5) for an existing wireless telecommunication facility (WTF) with no proposed expansions or modifications.

HEARING DATE: 05/15/2012

FINDINGS

1. The proposed project consists of a request for a Conditional Use Permit (CUP) for the continued operation of a previously approved unmanned wireless telecommunications facility consisting of a 75 foot high monopalm with top mounted antennas and appurtenant equipment cabinet enclosed within a 35 foot by 18 foot (630sf) wrought iron fenced lease area. The previous CUP (CUP 00-140-(5)) was approved on April 17, 2001, and a Revised Exhibit "A" was also approved on August 3, 2010. The previous CUP expired April 17, 2011. There is one (1) additional WTF on the subject property, with antennas located within a flagpole (Verizon). No alterations or modifications are proposed as a part of this request.
2. The subject property is located at 233 Baseline Road, in the unincorporated community of West Claremont in the North Claremont Zoned District.
3. The project site is currently developed as the Leroy Haynes Center for Children & Family Services. The existing unmanned wireless telecommunications facility and appurtenant equipment are located along the eastern boundary of the property. The 30.19 acre parcel is accessed by Baseline Road. One parking space is provided to serve the wireless facility.
4. The proposed project is consistent with the Countywide Land Use Policy. The land use designation of the subject property is R (Non-Urban). There are no policies in the Plan that specifically prohibit, discourage or limit the use of WTFs.
5. Title 22 of the Los Angeles County Code (Zoning Ordinance) does not specify WTF as a use. Similar uses, such as radio/television stations/towers, are subject to permit.
6. The height of the monopalm is 75 feet. The height of structures in the A-1-15000 zone is restricted to 35 feet. The subject monopalm exceeds the limit, as approved by the Hearing Officer as a part of the original Conditional Use Permit approval.
7. The 30.19 acre subject property is adequate in size and shape to accommodate the existing monopalm. One parking space is provided for site visits done on a monthly basis by maintenance personnel.
8. The subject property is adequately served by public and private service facilities as necessary. A WTF does not require sewer or water service.
9. The subject property is adequately served by highways and streets of sufficient width and improved as necessary to carry the kind and quantity of traffic associated with this project. The facility will generate approximately one maintenance vehicle trip a month.
10. The subject property is surrounded by commercial and multi-family residential uses to the north, south and east; and single and multi-family residential uses to the west.
11. The proposed design is appropriate for the site and area because it is designed and conditioned to be visually non-obstructive.

12. There was no opposition to the project.
13. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
14. This project was determined to be categorically exempted (Class 1, Existing Facilities) under the environmental reporting procedures and guidelines of the California Environmental Quality Act (CEQA).
15. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to 15 years and require eight inspections.
16. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

A. That the proposed use is consistent with the adopted general plan for the area; and

B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare; and

C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

Therefore, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a conditional use permit as set forth in Section 22.56.040 of the Los Angeles County Code.

HEARING OFFICER ACTION

1. I have considered the Class 1 Categorical Exemption for this project and certify that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit 201100117 is **APPROVED,** subject to the attached conditions.

c: Hearing Officer, Building and Safety

MM:mb

DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. 00-140-(5)
CONDITIONAL USE PERMIT NO. 201100117

GENERAL CONDITIONS

This grant authorizes the continued operation and maintenance of a wireless telecommunications facility (WTF), subject to all of the following conditions:

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.

3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.

4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to $5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

   If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of $5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

   At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.

7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

8. **This grant shall terminate on 05/15/2027**. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.

9. This grant shall expire unless used within two years from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the 75 foot high monopalm wireless telecommunication facility (WTF) and satisfaction of Condition No. 2 shall be considered use of this grant.

10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for 8 biennial inspections. Inspections shall be unannounced.

    If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be $200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission

("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.

13. All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director.

14. All development pursuant to this grant shall conform to the requirements of the County Department of Public Works.

15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

    In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three copies of** a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

CASE SPECIFIC CONDITIONS

17. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.

18. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.

19. Any proposed WTF that will be co-locating on the proposed facility will be required to submit the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of the Department of Regional Planning.

20. All structures shall conform to the requirements of the Division of Building and Safety of the Department of Public Works or other appropriate agency and obtain an encroachment permit if deemed necessary.

21. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Pole mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.

22. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.

23. Within 30 days of change in service provider ownership, the permittee shall provide the Zoning Enforcement Section of the Department of Regional Planning the name and contact information of the new property owner.

24. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.

25. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced within 30 days of notice. Any and all graffiti shall be removed by the operator or property owner within 48 hours. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.

26. Upon request, the permittee/operator shall submit annual reports to the Zoning Enforcement Section of the Department of Regional Planning to show compliance with the maintenance and removal conditions.

27. The Department of Regional Planning project number, conditional use permit number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.

28. The facility shall be secured by fencing, gates and/or locks. All fencing or walls used for screening or securing the facility shall be composed of wood, vinyl, stone, concrete, stucco or wrought iron. Chain links, chain link with slats, barbed and other types of wire fencing are prohibited. If the facility's fences or walls are visible from the public right-of-way, landscaping, in a minimum planter width of five feet, shall be provided to screen the fence or wall from the street.

29. The facilities shall be removed if in disuse for more than six months.

30. New equipment added to the facility shall not compromise the stealth design of the facility.

31. Antennas shall be painted or covered to match their background (branches or trunk). Artificial palm leaves are allowed to exceed the height of the basic pole by not more than six feet. The monopalm should not have more than three sectors of antennas mounted on the pole.

32. The area occupied by the monopalm and appurtenant equipment shall be enclosed by a perimeter fence or a block wall.

05/15/12

CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The existing use does not adversely impact persons residing or working in the area, nor is it materially detrimental to persons or properties surrounding the site. the facility does not create any hazardous materials, fumes, odors, light, glare, traffic, or significant noise. the existing monopalm design matches those surrounding it and fits in with the surrounding properties of the community. the use is fully secured inside a fenced enclosure. the existing facility provides needed voice, data, and e911 services to the community of whittier.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The existing site is adequate in size and shape to accommodate all of the development features prescribed in title 22. the existing use does not impact any required yards/setbacks, parking or loading facilities, fencing or landscaping. the use is enclosed and secured inside fencing. The facility has been appropriately designed and approved to integrate the use with the surrounding community.

C. That the proposed site is adequately served:
1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

the existing use is an unmanned wireless communications facility. no additional traffic has been generated by this site other than a monthly maintenance visit. the project site is adequately served by baseline road and the 210 freeway. the existing use does not require other public or private services.

233 Baseline Rd, La Verne, CA 91750-2353
CUP Renewal

Overall View of Location

Zoomed in View of Location

West on Baseline Road

Close Up Shot