

# Hearing Officer Transmittal Checklist

Hearing Date  
10/4/2016  
-----  
Agenda Item No.  
18

Project Number: 2016-000440-(5)  
Case(s): Conditional Use Permit Case No. RPPL2016002240  
Planner: Thuy Hua

- Project Summary
- Property Location Map
- Staff Analysis
- 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/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



Department of Regional Planning  
 320 West Temple Street  
 Los Angeles, California 90012

**PROJECT NUMBER**  
 2016-000440-(5)

**HEARING DATE**  
 October 4, 2016

**REQUESTED ENTITLEMENTS**

Conditional Use Permit No. RPPL2016002240

# PROJECT SUMMARY

**OWNER / APPLICANT**

Verizon Wireless

**MAP/EXHIBIT DATE**

April 20, 2016

**PROJECT OVERVIEW**

The applicant is requesting a conditional use permit to authorize the construction, operation, and maintenance of a new unmanned wireless telecommunications facility disguised as a 41-foot tall water tower. The project consists of eight (8) panel antennas split within two sectors, eight (8) remote radio units, two (2) surge protection units, one (1) GPS antenna, two (2) equipment cabinets, and one (1) diesel back-up generator within a 18' x 19' lease area.

**LOCATION**

7975 Sierra Highway

**ACCESS**

Sierra Highway

**ASSESSORS PARCEL NUMBER(S)**

3216-007-001, 3216-007-007, 3216-007-042

**SITE AREA**

54.50 Acres

**GENERAL PLAN / LOCAL PLAN**

Santa Clarita Valley Area Plan

**ZONED DISTRICT**

Soledad

**LAND USE DESIGNATION**

RL2 (Rural Land 2)

**ZONE**

A-1-2 (Light Agricultural with a Required Two Acre Minimum Lot Area)

**PROPOSED UNITS**

N/A

**MAX DENSITY/UNITS**

1 du/ac

**COMMUNITY STANDARDS DISTRICT**

Agua Dulce

**ENVIRONMENTAL DETERMINATION (CEQA)**

Categorical Exemption – Class 3: New Construction or Conversion of Small Structures

**KEY ISSUES**

- Consistency with the Santa Clarita Valley Area Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.24.110 (A-1 Zone Development Standards)

**CASE PLANNER:**

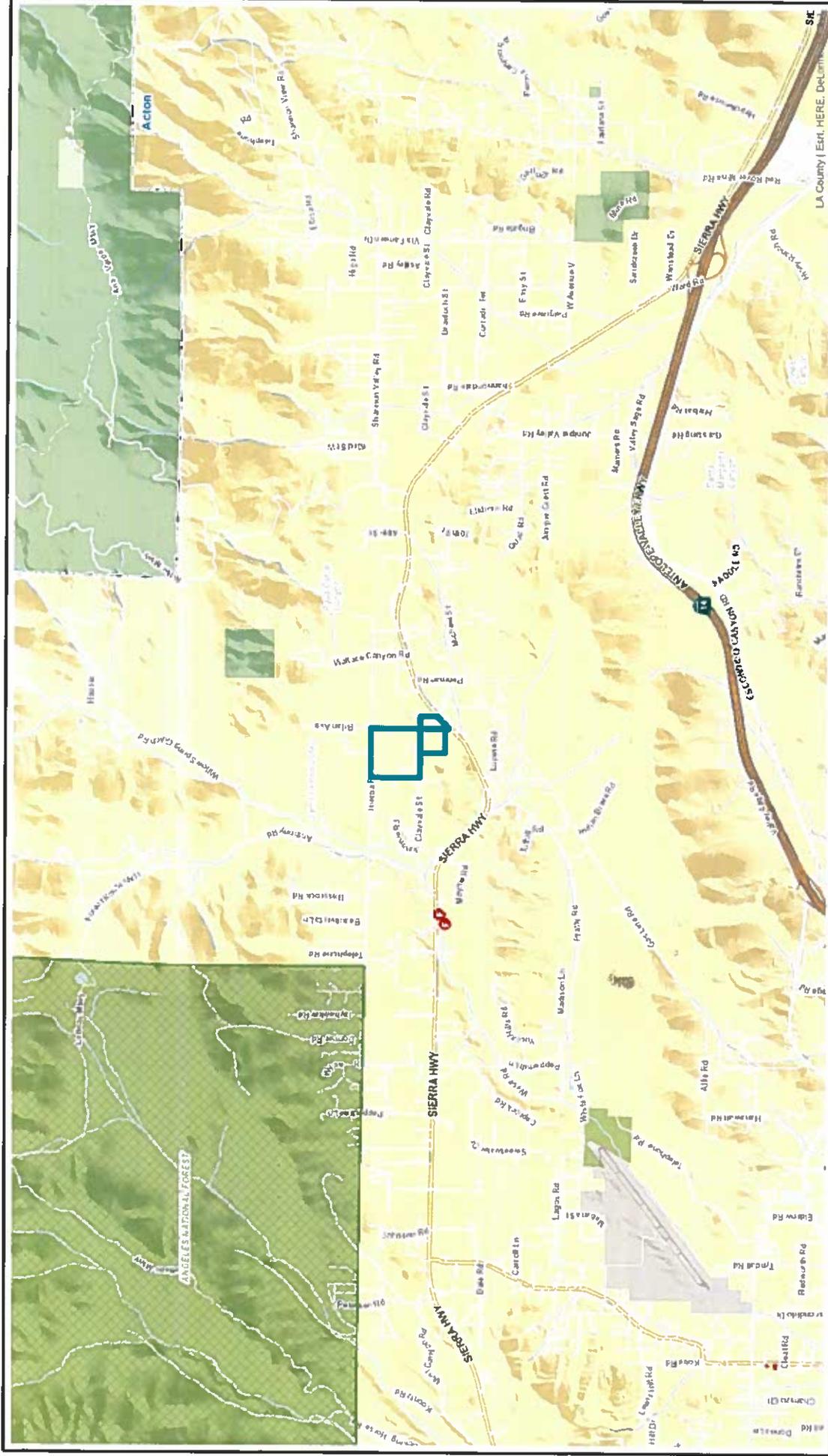
Thuy Hua

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# Project No. 2014-000440 / CUP RPPL2016002240



## Location Map Printed: Aug 02, 2016

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### **ENTITLEMENT REQUESTED**

- Conditional Use Permit ("CUP") for the construction, operation, and maintenance of a new unmanned wireless telecommunications facility disguised as a water tower ("WTF") in the A-1-2 (Light Agricultural with a Two Acre Minimum Required Lot Area) Zone pursuant to Los Angeles County ("County") Code Section 22.24.100.

### **PROJECT DESCRIPTION**

The applicant, Verizon Wireless, is requesting a CUP to authorize the construction, operation, and maintenance of a new unmanned WTF disguised as a water tower in the A-1-2 Zone. The WTF consists of eight (8) panel antennas, eight (8) remote radio units, two (2) surge protection units, one (1) GPS antenna, two (2) equipment cabinets, and one (1) diesel back-up generator. The project will extend to a height of 41' tall and be contained within an 18' x 19' lease area.

### **SITE PLAN DESCRIPTION**

The project consists of three parcels cumulatively totaling 54.5 acres in size located at 7975 Sierra Highway in the unincorporated community of Agua Dulce. APN 3216-007-001 is 40 acres in size and the site plan shows an existing single-family residence located in the southern part of this parcel, with the proposed WTF located along the far eastern boundary. Access to the site is gained through two adjoining parcels, APN 3216-007-007 (4.5 acres) and 3216-007-042 (10 acres), via an existing 12-foot wide non-exclusive paved access road from Sierra Highway to the southeast. A power fiber will run underground from the WTF southward then along the northern and eastern boundary of APN 3216-007-042. A wireless step-up transformer, meter pedestal, and 17" x 30" fiber hand-hole will be located along the southern boundary of APN 3216-007-042. All other WTF equipment will be contained within the 18' x 19' lease area on APN 3216-007-001.

### **EXISTING ZONING**

The subject property is zoned A-1-2.

Surrounding properties are zoned as follows:

North: A-2-2 (Heavy Agricultural with a Two Acre Minimum Required Area)

South: A-1-2

East: A-1-2

West: A-1-2

### **EXISTING LAND USES**

The subject property contains a single-family residence and two other structures.

Surrounding properties are developed as follows:

North: Single-family residences and vacant

South: Vacant

East: Single-family residences  
West: Single-family residences

### PREVIOUS CASES/ZONING HISTORY

Ordinance No. 7091 established the zoning of the subject property as M-3 (Unclassified Industrial) on January 22, 1957. Ordinance No. 7401 changed the zoning of the subject property to A-1-1 (Light Agricultural with a Required Two Acre Minimum Lot Area) on September 30, 1958. Ordinance No. 2012-0055Z changed the zoning of the subject property to A-1-2 on November 27, 2012.

There are no previous cases on the subject property.

### ENVIRONMENTAL DETERMINATION

Staff recommends that this project qualifies for a Categorical Exemption (Class 3 Exemption, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project is exempt and is not an exception to the exemption since it is not located within an environmentally sensitive area. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

### STAFF EVALUATION

#### General Plan/Community Plan Consistency

The project site is located within the Rural Land 2 (RL2) land use category of the Santa Clarita Valley Area Plan (Area Plan). The designation provides for the maintenance and expansion of rural communities that are distinguished by large lot sizes, agricultural and equestrian uses, and an absence of urban services. Allowable uses in this designation include single-family homes at a maximum density of one dwelling unit per two acres, agriculture, equestrian uses, private recreation, and public and institutional facilities serving the local area. Specific allowable uses and development standards are determined by the underlying zoning designation. The proposed WTF is disguised as a water tower located on the eastern edge of the 40-acre lot near existing water tanks and is minimally intrusive to the use of the site and of the area. The project is therefore consistent with the permitted uses of the underlying land use category.

The following policy of the General Plan is applicable to the proposed project:

- *General Plan Public Services and Facilities, Policy PS/F 6.2: "Improve existing wired and wireless telecommunications infrastructure."*
- *General Plan Public Services and Facilities, Policy PS/F 6.3: "Expand access to wireless technology networks, while minimizing visual impacts through co-location and design."*

Cellular service is often used to make emergency calls. The proposed facility will ensure that such service is readily available in the area and useable in the case of an emergency.

The following policy of the Area Plan is applicable to the proposed project:

- *Area Plan, Policy LU-4.4.1: Promote extension of state of the art communication facilities to serve commercial and industrial areas, including fiber optic cable, telecommunication facilities, and other technology as deemed appropriate.*

The WTF increases the telecommunication facilities within the area. This particular WTF will provide cellular service in an area that currently has a significant coverage gap, giving relief to surrounding facilities, and improving overall data and phone service in the area.

#### Zoning Ordinance and Development Standards Compliance

Title 22 of the County Code does not explicitly specify 'WTF' as a use. The use most consistent with a WTF specified in the County Code is 'radio and television stations and towers'. Pursuant to Section 22.24.100 of the County Code, development of radio and television stations and towers is a permitted use of property in Zone A-1, provided that a CUP is first obtained.

The WTF must meet the front, side and rear yard standards as required in Zone R-1. However, the Agua Dulce Community Standards District requires that parcels of land two acres in size or greater in residential and agricultural zones shall have the following minimum yard sizes: 50 feet for the front yard, 25 feet for the rear yard, and 25 feet for the side yard. The project meets these yard requirements as follows: 226 feet for the front yard, 974 feet for the rear yard, and 25 feet for the side yard.

County Code Section 22.52.1220 allows the director to require the number of parking spaces deemed adequate to prevent traffic congestion and excessive on-street parking because the WTF is a use not explicitly specified in the County Code and has no specified parking requirements. Additional parking is not required for the WTF since it requires only periodic maintenance and the maintenance vehicle can park onsite adjacent to the WTF.

#### Wireless Telecommunication Facilities Standards

The WTF is proposed to be integrated into the existing landscape through its design as a water tower adjacent to existing water towers to minimize visual impacts, and as such meets the requirements for ground-mounted WTFs per the Subdivision and Zoning Ordinance Policy No. 01-2010.

#### Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The burden of proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The stealth water tower design of the WTF is intended to mitigate any potential visual impacts and blend with other similar structures in the surrounding rural area. The WTF will be set back from Sierra Highway approximately 850 feet at its closest point, and access to the WTF will be via an existing driveway off Sierra Highway.

The WTF will not be detrimental to the surrounding community. The WTF will provide valuable telecommunications infrastructure to the community and is consistent with the established use and zoning requirements for the subject property. The coverage gap map shows a deficiency in coverage along a large stretch of Sierra Highway. The addition of this WTF would resolve the significant coverage and service gap. Six other alternative sites were analyzed but were too low or too far east to close the coverage and service gap.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

The Fire Department provided two comment letters dated July 6, 2016 and July 15, 2016 recommending clearance of the project to proceed to public hearing with conditions of approval. The Department of Public Works provided a comment letter dated August 1, 2016 recommending conditions if the project is approved.

**LEGAL NOTIFICATION AND PUBLIC 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.

**PUBLIC COMMENTS**

Staff has not received any comments at this time.

**FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

**STAFF 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 Project Number 2016-000440-(5), Conditional Use Permit Number RPPL2016002240, subject to the attached findings and conditions.

**SUGGESTED APPROVAL MOTION**

**I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER RPPL2016002240 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

Prepared by Thuy Hua, Senior Planner, Zoning Permits North Section  
Reviewed by Robert Glaser, Supervising Regional Planner, Zoning Permits North Section

Attachments:

Draft Findings

Draft Conditions of Approval

Applicant's Burden of Proof Statement

Site Photographs, Photo Simulations, Aerial Image

Site Plan, Land Use Map

Los Angeles County Fire Department Letters dated July 6, 2016 and July 15, 2016

Los Angeles County Department of Public Works Letter dated August 1, 2016

RG:TH

09/22/16

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER  
COUNTY OF LOS ANGELES  
PROJECT NO. 2016-000440-(5)  
CONDITIONAL USE PERMIT NO. RPPL2016002240**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. RPPL2016002240 ("CUP") on October 4, 2016.
2. The permittee, Verizon Wireless ("permittee"), requests the CUP to authorize the construction, operation, and maintenance of a new unmanned wireless telecommunications facility ("WTF") disguised as a water tower ("Project") on a property located at 7975 Sierra Highway (APNs 3216-007-001, 3216-007-007, and 3216-007-042) in the unincorporated community of Agua Dulce ("Project Site") in the A-1-2 (Light Agricultural with a Two Acre Minimum Required Lot Area) zone. The WTF consists of eight (8) panel antennas, eight (8) remote radio units, two (2) surge protection units, one (1) GPS antenna, two (2) equipment cabinets, and one (1) diesel back-up generator. The project will extend to a height of 41' tall and be contained within an 18' x 19' lease area. .
3. The Project Site is 54.5 acres in size and consists of three legal lots. The Project Site is square in shape and is developed with a single-family residence and two additional structures.
4. The Project Site is located in the Soledad Zoned District and is currently zoned A-1-2 (Light Agricultural with a Two Acre Minimum Required Lot Area).
5. The Project Site is located within the RL2 (Rural Land 2) land use category of the Santa Clarita Valley Area Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
  - North: A-2-2 (Heavy Agricultural with a Two Acre Minimum Required Area)
  - South: A-1-2
  - East: A-1-2
  - West: A-1-2
7. Surrounding land uses within a 500-foot radius include:
  - North: Single-family residences and vacant
  - South: Vacant
  - East: Single-family residences
  - West: Single-family residences

8. Ordinance No. 7091 established the zoning of the subject property as M-3 (Unclassified Zone) on January 22, 1957. Ordinance No. 7401 changed the zoning of the subject property to A-1-1 (Light Agricultural with a Required Two Acre Minimum Lot Area) on September 30, 1958. Ordinance No. 2012-0055Z changed the zoning of the subject property to A-1-2 on November 27, 2012.
9. The Project consists of three parcels cumulatively totaling 54.5 acres located at 7975 Sierra Highway in the unincorporated community of Agua Dulce. APN 3216-007-001 is 40 acres in size and the site plan shows an existing single-family residence located in the southern part of this parcel, with the proposed WTF located along the far eastern boundary. Access to the site is gained through two adjoining parcels, APN 3216-007-007 (4.5 acres) and 3216-007-042 (10 acres), via an existing 12-foot wide non-exclusive paved access road from Sierra Highway to the southeast. A power fiber will run underground from the WTF southward then along the northern and eastern boundary of APN 3216-007-042. A wireless step-up transformer, meter pedestal, and 17" x 30" fiber hand-hole will be located along the southern boundary of APN 3216-007-042. All other WTF equipment will be contained within the 18' x 19' lease area on APN 3216-007-001.
10. The Project Site is accessible via an existing 12-foot wide non-exclusive paved access road from Sierra Highway which runs along the southeastern boundary of the Project Site.
11. The WTF requires only periodic maintenance and the maintenance vehicle can park onsite adjacent to the WTF.
12. The permittee contacted the Agua Dulce Town Council ("ADTC") prior to the Hearing Officer's public hearing and the ADTC did not have any issues or concerns after their discussion of the Project at their September 14, 2016 meeting.
13. The Los Angeles County Department of Public Works provided a comment letter dated August 1, 2016 recommending conditions if the Project is approved.
14. The Los Angeles County Fire Department provided two comment letters dated July 6, 2016 and July 15, 2016 recommending clearance of the Project to proceed to public hearing with conditions of approval.
15. Prior to the Hearing Officer's public hearing on the Project, the Department of Regional Planning Staff ("Staff") determined that the Project qualified for a Class 3, New Construction or Conversion of Small Structures, categorical exemption from the California Environmental Quality Act (Public Resources Code Section 2100, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involves the construction, operation, and maintenance of a WTF with no exceptions to the exemption.

16. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearing by mail, newspaper, and property posting.
17. Prior to the Hearing Officer's public hearing, Staff did not receive any comments from the public regarding the Project.
18. [Hearing Proceedings]
19. The Hearing Officer finds that the Project is consistent with the goals and policies of the Santa Clarita Valley Area Plan. The project site is located within the Rural Land 2 (RL2) land use category of the Santa Clarita Valley Area Plan (Area Plan). The designation provides for the maintenance and expansion of rural communities that are distinguished by large lot sizes, agricultural and equestrian uses, and an absence of urban services. Allowable uses in this designation include single-family homes at a maximum density of one dwelling unit per two acres, agriculture, equestrian uses, private recreation, and public and institutional facilities serving the local area. Specific allowable uses and development standards are determined by the underlying zoning designation. The proposed WTF is disguised as a water tower located on the eastern edge of the 40 acre lot near existing water tanks and is minimally intrusive to the use of the site and of the area. The project is therefore consistent with the permitted uses of the underlying land use category.
20. The Hearing Officer finds that the Project is consistent with the County Code. A wireless telecommunications facility is a use not specified in the County Code. The closest described uses are radio and television towers. Section 22.24.100 of the County Code permits these uses in the A-1 zone, provided a conditional use permit has first been obtained.
21. The Hearing Officer finds that the stealth design of the WTF will allow the facility to provide reliable wireless services without being unsightly or causing adverse impacts to persons residing or working in the area. The WTF will be unmanned and set back approximately 850 feet from Sierra Highway. It will provide reliable access to wireless services for Verizon customers. Therefore, the requested use at the proposed site 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.
22. The Hearing Officer finds that the WTF will occupy 342 square feet of area on the 54.5 acre Project Site. Therefore, 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 Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
23. The Hearing Officer finds that the operating characteristics of the WTF are that it is unmanned and will not generate additional traffic. The Project will be accessed via

an existing paved driveway off Sierra Highway. Therefore, 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 that such use would generate, and by other public or private service facilities as are required.

24. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the grant term to fifteen (15) years.
25. The Hearing Officer finds that pursuant to Sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on the Department of Regional Planning's website and at the Acton Agua Dulce Library. On August 15, 2016, a total of 76 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site as well as those on the courtesy mailing list.
26. The location of the documents and other materials constituting the record of the proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan and Santa Clarita Valley Area Plan.
- B. The proposed use at the site 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.
- C. 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.
- D. 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 HEARING OFFICER:**

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
2. Approves Conditional Use Permit RPPL2016002240, subject to the attached conditions.

**ACTION DATE: October 4, 2016**

RG:TH  
09/22/16

c: Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. 2016-000440-(5)  
CONDITIONAL USE PERMIT NO. RPPL2016002240**

**PROJECT DESCRIPTION**

The project is a request to authorize the construction, operation, and maintenance of a new unmanned wireless telecommunications facility ("WTF") disguised as a water tower and consists of eight (8) panel antennas, eight (8) remote radio units, two (2) surge protection units, one (1) GPS antenna, two (2) equipment cabinets, and one (1) diesel back-up generator. The project will extend to a height of 41' tall and be contained within an 18' x 19' lease area within the A-1-2 (Light Agricultural with a Two Acre Minimum Required Lot Area) Zone subject to the following conditions of approval:

**GENERAL 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 reasonably 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 reasonably 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 October 4, 2031.** 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 by October 4, 2018, which is two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
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 **eight (8) biennial (one every other year)** 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 to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works") to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code 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 of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. 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.

17. 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 (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **December 4, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### PERMIT SPECIFIC CONDITIONS

19. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
20. The permittee shall provide upon request to the Zoning Enforcement Section of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
21. Insofar as is feasible, the permittee 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.
22. Any proposed WTF that will be co-locating on the facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.
23. All structures shall conform to the requirements of the Division of Building and Safety of Public Works or other appropriate agency and obtain an encroachment permit if deemed necessary.

24. If any external lighting is proposed, including security lighting, it shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences and open space. 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.
25. Because the subject property is adjacent to residences, construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the facility may occur at any time.
26. Placement and height of all structure-mounted equipment shall be in substantial conformance with that shown on said Exhibit "A." The facility shall be built as depicted in the photo simulations presented at the public hearing.
27. 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.
28. The maximum height of the facility shall not exceed 41' above grade level.
29. 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.
30. 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 by the permittee within thirty (30) days of notice. Weathered, faded, or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced by the permittee within thirty (30) days of notice. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.
31. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
32. Upon request, the permittee shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
33. The FCC Antenna Structure Registration site number, conditional use permit number, primary leaseholder's and facility manager's contact information shall be kept current and prominently displayed on the facility where it can be easily viewed from ground level.
34. Upon termination of this grant or after the construction of this facility, if the facility has ceased to operate, the permittee shall remove such facility and clear the site of

all equipment within six months of the cease-of-operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility. Failure to remove such facility as required herein shall constitute a public nuisance and be subject to appropriate enforcement actions by the Zoning Enforcement Section of Regional Planning and any other government agency. In the event the facility is not so removed within ninety (90) days after the permittee's receipt of notice requiring removal, the County may itself cause the facility to be removed at the permittee's expense.

35. New equipment added to the facility shall not compromise the stealth design of the facility.
36. Appurtenant equipment boxes shall be screened or camouflaged.

### **PROJECT SITE SPECIFIC CONDITIONS**

37. The permittee shall comply with all the conditions in the letter from the Los Angeles County Department of Public Works dated August 1, 2016.
38. The permittee shall comply with all the conditions in the letters from the Los Angeles County Fire Department dated July 6, 2016 and July 15, 2016.
39. All development pursuant to this grant shall comply with the requirements contained in the noise control ordinance Title 12 during construction and during maintenance work or non-emergency operations of the generator.

#### **Attachment**

Los Angeles County Fire Department Letter dated July 6, 2016 and July 15, 2016  
Los Angeles County Department of Public Works Letter dated August 1, 2016

09/22/16



**COUNTY OF LOS ANGELES FIRE DEPARTMENT  
FIRE PREVENTION DIVISION**

Land Development Unit  
5823 Rickenbacker Road  
Commerce, CA 90040  
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: RPPL 2016002240

MAP DATE: 04/20/2016

LOCATION: 7975 Sierra Highway, Agua Dulce

PLANNER: Thuy Hui

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**THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO  
PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE  
FOLLOWING CONDITIONS OF APPROVAL.**

Signs shall be posted around the cell tower indicating that it is not a real water tank, but a cell tower.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at [Wally.Collins@fire.lacounty.gov](mailto:Wally.Collins@fire.lacounty.gov).



# COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE  
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY  
FIRE CHIEF  
FORESTER & FIRE WARDEN

July 15, 2016

Thuy Hua, Senior Regional Planner  
Los Angeles County  
Zoning Permits North Section  
320 W Temple Street, 13th Floor  
Los Angeles, CA 90012

Dear Thuy Hua:

**PERMIT CONSULTATION, PROJECT NO. 2016-000440, CUP RPPL2016002240, CONSISTS OF A NEW WIRELESS TELECOMMUNICATION FACILITY CONSISTING OF A 41-FOOT HIGH ANTENNA SUPPORT STRUCTURE DISGUISED AS AN ELEVATED WATER TANK AND ANCILLARY GROUND-MOUNTED EQUIPMENT/CABINETS AND STANDBY GENERATOR, AGUA DULCE, FFER 201600101**

The Permit Consultation has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

## PLANNING DIVISION:

1. We have no comments.

## LAND DEVELOPMENT UNIT:

1. The Land Development Unit is reviewing the proposed project for access and water system requirements. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants. The Land Development Unit has no

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CERRITOS	EL MONTE	INDUSTRY	LAKWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	COMMERCE	GLENDORA	IRWINDALE	LAWNDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COVINA	HAWAIIAN GARDENS	LA CANADA FUNTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	CUDAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAG
BRAEBURY							WHITTIER

Thuy Hua, Senior Regional Planner

July 15, 2016

Page 2

requirements for this project other than signage indicating that it is not a real water tower, but an actual cell tower.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at [Wally.Collins@fire.lacounty.gov](mailto:Wally.Collins@fire.lacounty.gov).

**FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:**

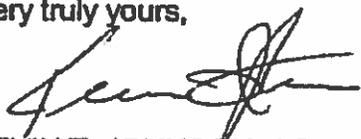
1. The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

**HEALTH HAZARDOUS MATERIALS DIVISION:**

1. The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department advises that a hazardous materials program permit may have to be acquired from HHMD, Certified Unified Program Agency (CUPA) for the storage of potential hazardous materials (e.g., fuel for standby generator) associated with the proposed wireless telecommunications facility at the project site.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



KEVIN T. JOHNSON, ACTING CHIEF, FORESTRY DIVISION  
PREVENTION SERVICES BUREAU

KTJ:cc

Enclosure



GAIL FARBER, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

August 1, 2016

IN REPLY PLEASE  
REFER TO FILE: LD-2

TO: Rob Glaser  
Zoning Permits North Section  
Department of Regional Planning

Attention Thuy Hua

FROM: Art Vander Vis   
Land Development Division  
Department of Public Works

**CONDITIONAL USE PERMIT (CUP) RPPL NO. 2016002240**  
**PROJECT NO. 2016000440**  
**7975 SIERRA HIGHWAY**  
**ASSESSOR'S MAP BOOK NO. 3216, PAGE 7, PARCEL NOS. 1, 7, AND 42**  
**UNINCORPORATED COUNTY COMMUNITY OF AGUA DULCE**

Thank you for the opportunity to review the zoning permit application and site plan associated with the construction of an unmanned Wireless Telecommunications Facility located on the property at 7975 Sierra Highway. The facility will consist of a 41-foot antenna support structure disguised as an elevated water tank with ancillary ground-mounted equipment, cabinets, and a standby generator. All facilities will be located within an 18 foot by 19 foot leased area. The proposed facility will be adjacent to an existing water tank and all antennas will be hidden from public view.

- Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- Public Works has comments on the submitted documents; therefore, a Public Hearing shall **NOT** be scheduled until the following comments have been addressed:

1. Building and Safety

- 1.1 Submit building plans to Public Works' Building and Safety Division, Antelope Valley District office, for review and permit issuance.

Rob Glasser  
August 1, 2016  
Page 2

For questions regarding the building and safety condition, please contact Francis Dominguez of Building and Safety Division at (661) 524-2390 or [fdomingu@dpw.lacounty.gov](mailto:fdomingu@dpw.lacounty.gov).

2. Aviation

- 2.1 Fully comply with all protocols and regulations imposed by Caltrans' Division of Aeronautics and the Federal Aviation Administration and provide documentation to the County of Los Angeles prior to issuance of a building permit. The documentation shall include a description of all related actions that were taken by the applicant to ensure full compliance was achieved.

If you have any questions or require additional information, please contact Max Rodriguez of Public Works' Land Development Division at (626) 458-4921 or [mrodrigue@dpw.lacounty.gov](mailto:mrodrigue@dpw.lacounty.gov).

MR:tb

P:\dpub\SUBPCHECK\Plan\Single Lots\RPPL 2016002240-APN 3216-007-001\RPPL2016002240\2016-06-27 RPPL2016002240 SUBMIT\RPPL 2016002240 DPW .docx

CUP-Burden of Proof  
Verizon "PENMAN"  
7975 Sierra Highway

**A. That the requested use at the location proposed will not:**

- 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or**

After comparison of other potential site locations in the surrounding area, the project site at 7975 Sierra Highway offered the most desirable location in the interest of health, peace, comfort, and welfare of persons residing or working in the surrounding area. The proposed project design and location will have only positive effects on the community in that the project will provide access to reliable wireless telecommunications services for Verizon customers. Reliable access to wireless services is necessary in times of emergencies, for business use, and convenient for personal and family use. The proposed use of a "faux water tank" design (approximately 850' from Sierra Highway at its closest point) will allow the facility to provide reliable wireless services without being unsightly or causing adverse impacts to persons residing or working in the surrounding area.

- 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or**

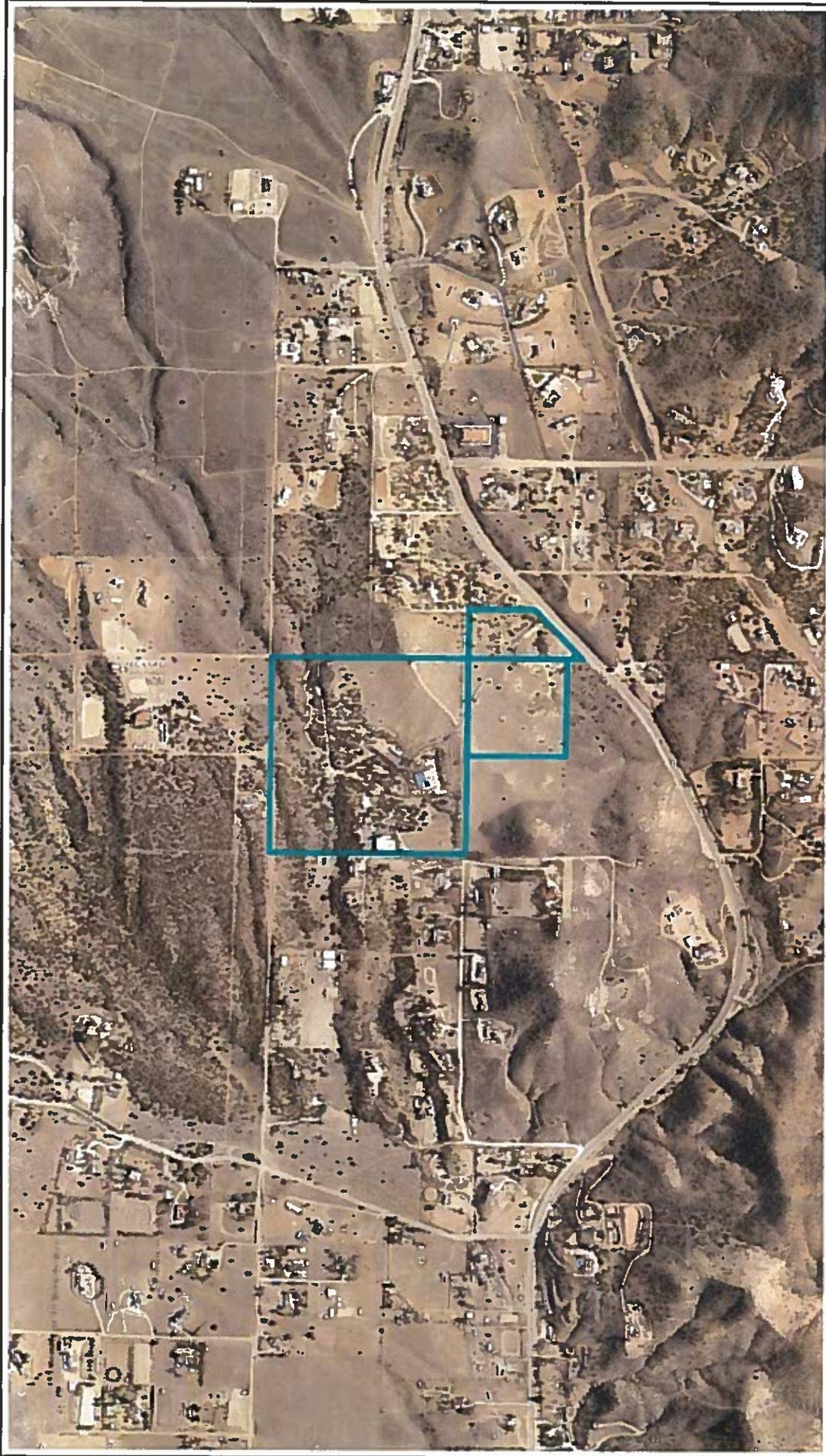
The proposed project will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site in that the proposed facility structures and equipment will: (1) be "unmanned"; (2) have a "stealth" appearance using a "faux water tank" design that will blend with the surrounding rural area; and (3) be set back approximately 850' from Sierra Highway at its closest point to the highway. The proposed stealth design and strategic location will alleviate any potential adverse impacts to adjacent uses or structures in the vicinity.

- 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.**

The proposed project will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare in that the project will be unmanned and not generate any smoke, odor, noise, or other adverse impacts to the surrounding properties. The proposed use will also have no impact on parking, traffic, circulation or density in the area. The proposed project will also not adversely affect existing viewsheds nor will it adversely affect any scenic or natural vistas.

**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 proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking



**Project No. 2014-000440 / CUP RPPL2016002240**



# Aerial Map

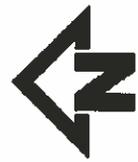
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**Project No. 2014-000440 / CUP RPPL2016002240**



# Land Use Plan & Zoning Map

Printed: Aug 02, 2016

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Verizon Wireless at 7975 Sierra Highway

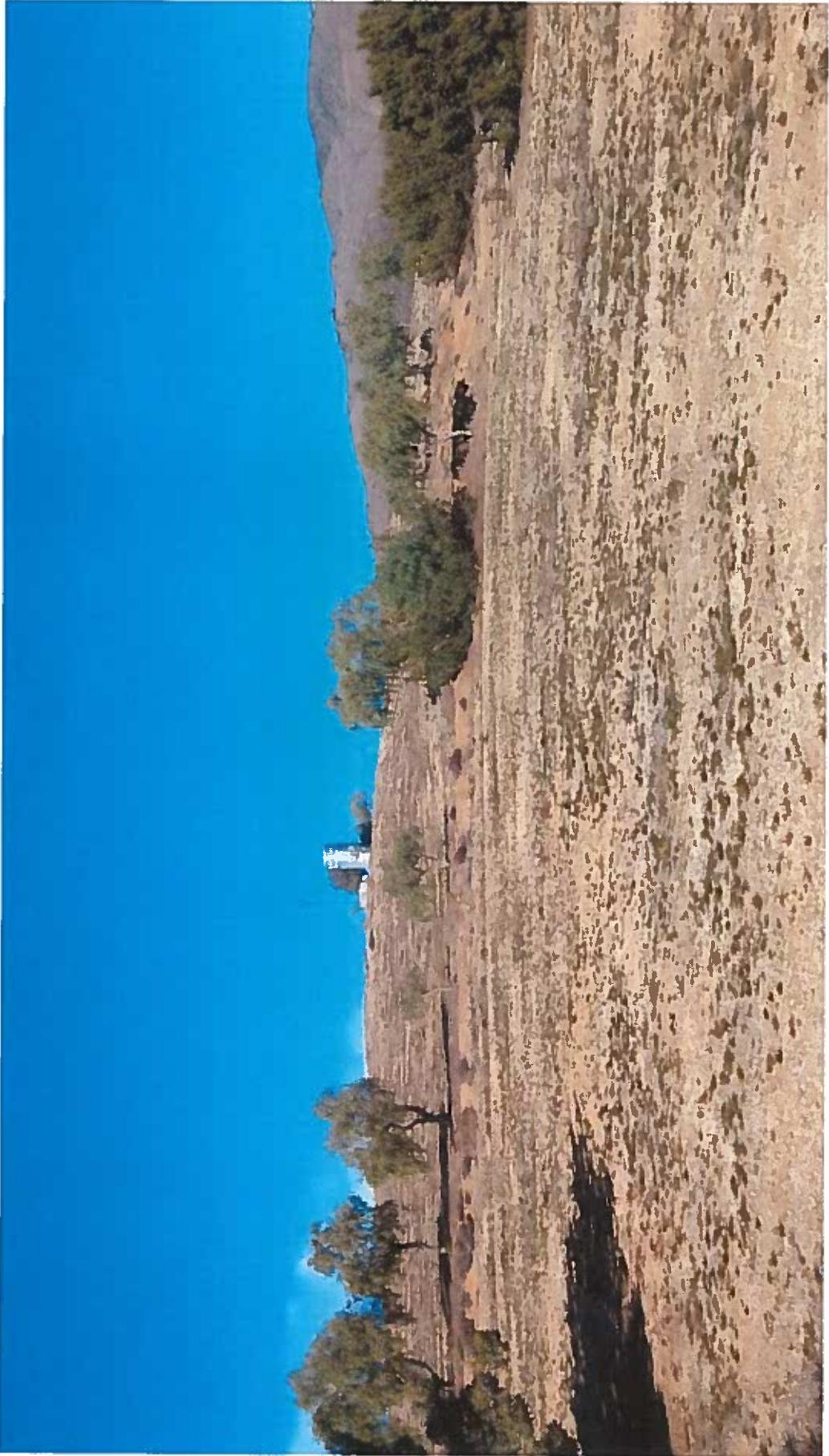
Site Photo Key



1

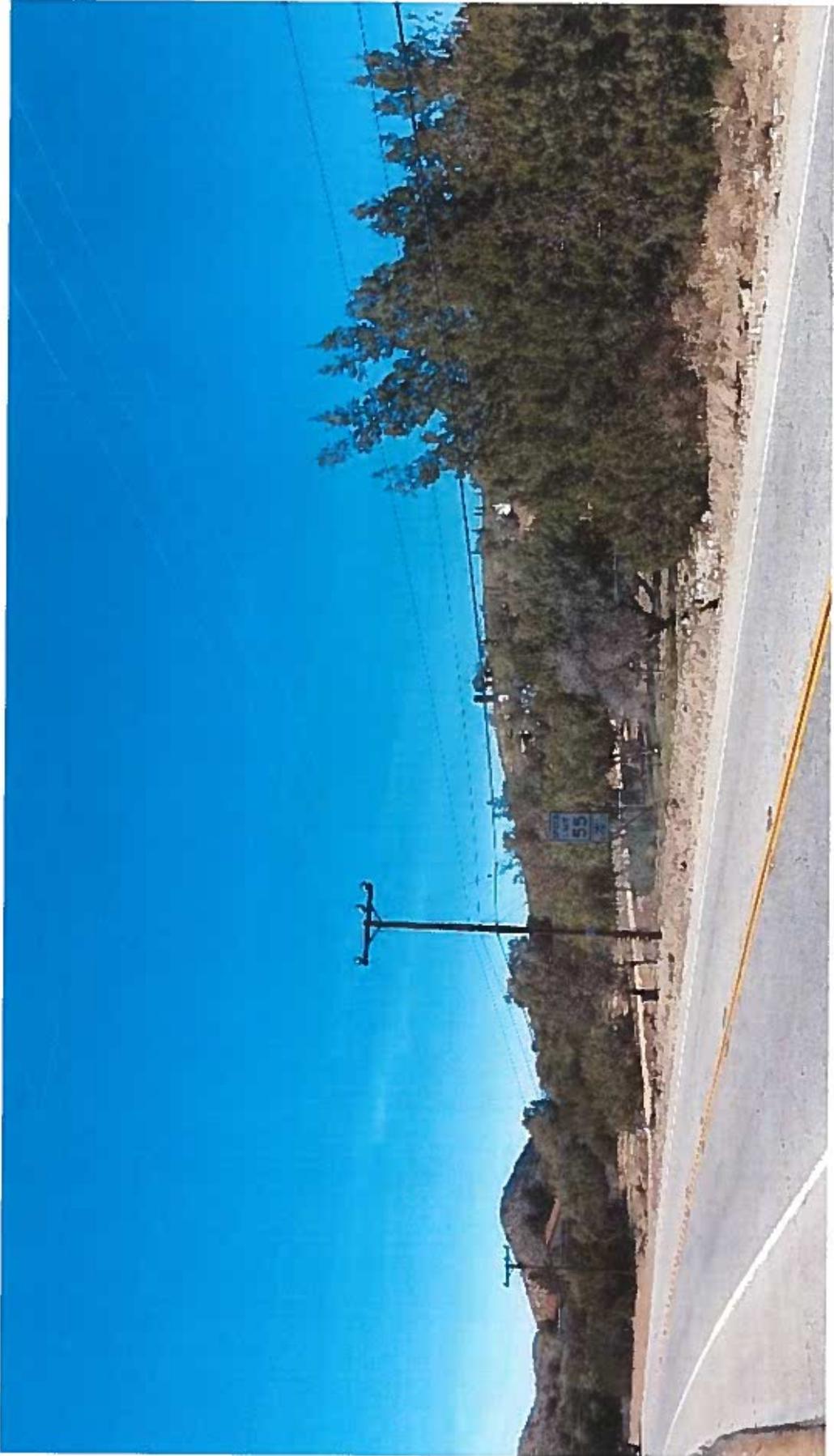


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