Hearing Officer Transmittal Checklist

Hearing Date
08/02/2016
Agenda Item No.
7

Project Number: 2016-000672
Case(s): Conditional Use Permit No. RPPL2016000522
Planner: Greg Mirza-Avakyan

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☒ Draft Findings
- ☒ Draft Conditions + Other department letters of recommended conditions
- ☒ Burden of Proof Statement(s)
- ☒ Photographs
- ☒ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☒ Site Plan / Floor Plans / Elevations

Reviewed By: _____

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

PROJECT NUMBER
2016-000672

HEARING DATE
August 2, 2016

REQUESTED ENTITLEMENTS
Conditional Use Permit No.RPPL 2016000522

PROJECT SUMMARY

OWNER / APPLICANT
Sprint Nextel / Pepperdine University

MAP/EXHIBIT DATE
February 5, 2016

PROJECT OVERVIEW
The applicant, Sprint Nextel, requests a conditional use permit to authorize the continued operation of an unmanned wireless telecommunications facility on the roof of the Keck Building on the Pepperdine University Campus.

LOCATION
24255 Pacific Coast Highway

ACCESS
Ingress and egress to the site by internal roads from Pacific Coast Highway or Malibu Canyon Road.

ASSESSORS PARCEL NUMBER(S)
4458-038-010

SITE AREA
200-square-foot lease area

GENERAL PLAN / LOCAL PLAN
General Plan / Pepperdine University Long Range Development Plan

ZONED DISTRICT
Malibu

LAND USE DESIGNATION
N/A

ZONE
A-1-1-DP (Light Agricultural – One Acre Minimum Required Lot Area – Development Program)

PROPOSED UNITS
N/A

MAX DENSITY/UNITS
N/A

COMMUNITY STANDARDS DISTRICT
N/A

ENVIRONMENTAL DETERMINATION (CEQA)
Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Los Angeles County General 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:
Greg Mirza-Avakyan

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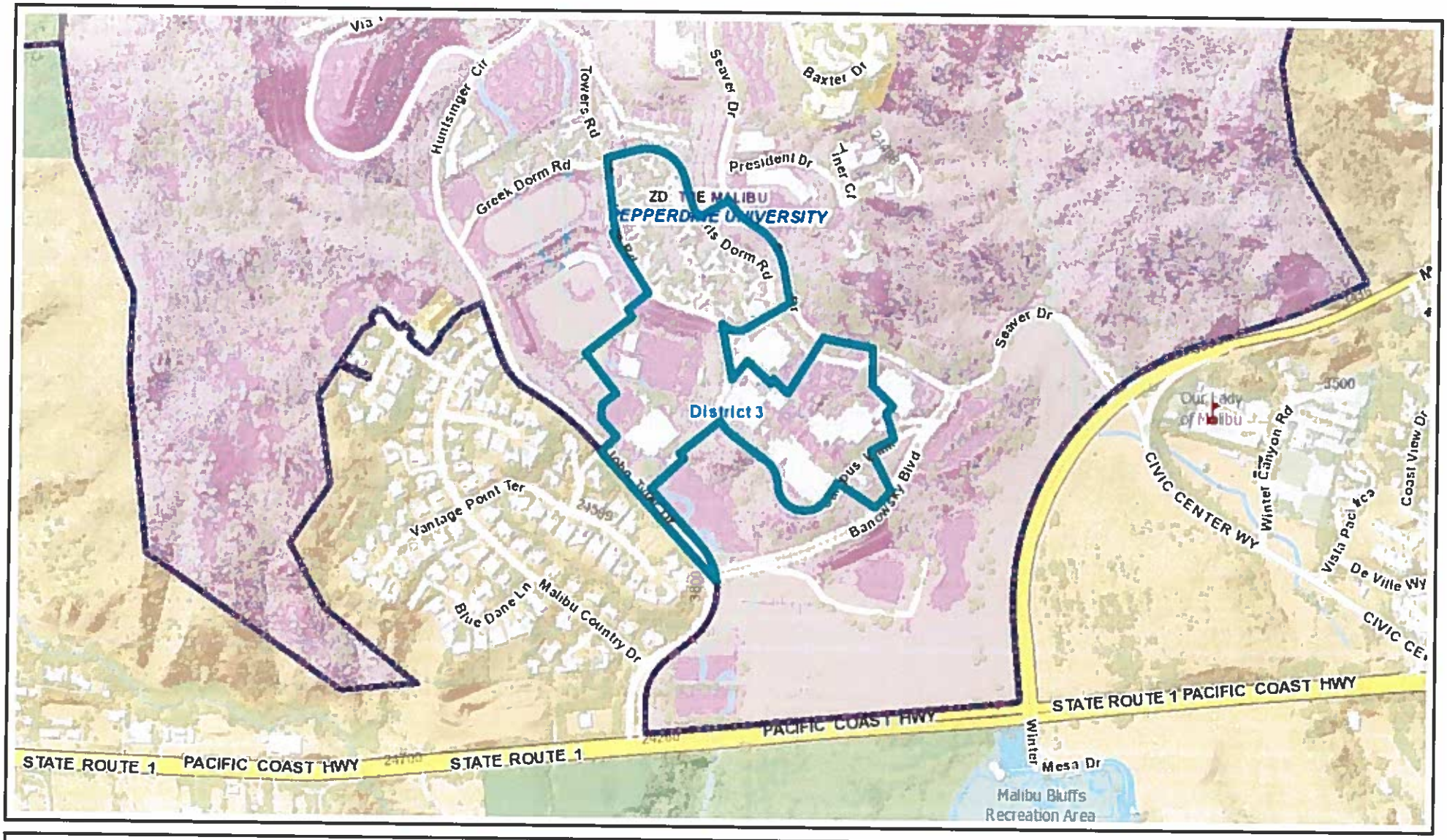

Property Location Map

24255 Pacific Coast Highway

Printed: Mar 23, 2016

0 1,000
Feet

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ENTITLEMENTS REQUESTED

- Conditional Use Permit ("CUP") for the continued operation of a wireless telecommunications facility ("WTF") in the A-1-1-DP (Light Agricultural – Development Program) Zone. A WTF is not a specified use in the County Zoning Code. The comparable use is a radio transmission tower, which is subject to a CUP in the A-1 Zone pursuant to County Code Section 22.24.100.

PROJECT DESCRIPTION

The project is a request for a CUP to authorize the continued operation and maintenance of WTF consisting of four (4) sectors of antennas with two (2) antennas each, equipment cabinets, and appurtenant equipment ("Project") on an approximately 200-square-foot lease area at various locations of the rooftop of the Keck Science Center building on the Pepperdine University Campus at 24255 Pacific Coast Highway ("Project Site"). The WTF will continue to cohabitate on the building rooftop with existing wireless facilities by other carriers. Six (6) of the antennas will be screened from view by existing Fiber Reinforced Plastic (FRP) screening, which maintains an appearance identical to the existing parapet. The remaining two (2) antennas are mounted on the roof on the southeast side. The equipment cabinets and appurtenant equipment are located inside the attic space, and are fully screened from view.

EXISTING ZONING

The subject property is zoned A-1-1-DP (Light Agricultural – One Acre Minimum Required Lot Area – Development Program).

Surrounding properties are zoned as follows:
North: A-1-1-DP
South: City of Malibu
East: A-1-1-DP
West: A-1-1-DP

EXISTING LAND USES

The Project Site is developed with a university campus building.

Surrounding properties are developed as follows:
North: University Campus and State Park
South: Pacific Coast Highway
East: University Campus and Vacant
West: Residential

PREVIOUS CASES/ZONING HISTORY

The campus was originally established in the early 1970's after the Regional Planning Commission approved a zone change that allowed campus development. The campus came under the jurisdiction of the Coastal Commission with the adoption of the Coastal Act of 1976. The Pepperdine University Long Range Development Plan (LRDP) was certified by the Coastal Commission in the mid-1980s to provide guidance for future expansion of the campus.

Key permit cases are as follows: in 1972, Conditional Use Permit No. 133 was approved to establish the original campus, and Variance No. 82 established parking requirements of one parking space for each full-time-equivalent student. In February 1987, Conditional Use Permit No. 2432 established a campus master plan. On July 7, 1987, the Board of Supervisors approved the DP zone change as Ordinance No. 87-0106Z and zone case 85-007. In August of 1987, the zone change went into effect, creating the Development Program (DP) designation for the whole campus. In May 1999, Conditional Use Permit No. 97191 was approved to establish the graduate campus. Other subsequent conditional use permits authorized various campus additions and minor improvements including wireless telecommunications facilities.

On February 7, 2006, Conditional Use Permit No. 200500132-(3) was approved with conditions by the Hearing Officer to authorize the construction, operation, and maintenance of an unmanned WTF on the rooftop of the Keck Science Building on the Pepperdine Campus. However, the CUP grant term expired on February 7, 2016 and the applicant is seeking a new CUP for the continued operation of the WTF.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. No changes are proposed to the facilities, and thus no environmental impacts should transpire from their continued use. 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 on a public and semi-public facility. It is consistent with the General Plan policies for public and semi-public facilities and community-serving uses, including public buildings and campuses, schools, hospitals, cemeteries, and fairgrounds; airports and other major transportation facilities. A wireless telecommunication facility (WTF) is a use associated with public and semi-public areas and is therefore consistent with the permitted uses of the underlying land use category. The project is within the Pepperdine University Long Range Plan and requires a Notice of Intended Development from the Coastal Commission.

The following policies of the General Plan are applicable to the proposed Project:

- *Policy PS/F 6.2 (Public Services and Facilities): Improve existing wired and wireless telecommunications infrastructure.*

The Project will allow the carrier to maintain coverage of wireless service in the area.

- *Policy PS/F 6.3 (Public Service and Facilities): Improve access to wireless technology networks, while minimizing visual impacts through co-location and design.*

The Project will maintain access to a wireless technology network maintaining coverage for the network in the area. The WTF is proposed to be integrated into the building's architecture through design, color, and texture and is fully screened in order to minimize visual impacts.

- *Policy S 4.1(Safety): Ensure that residents are protected from the public health consequences of natural or man-made disasters through increased readiness and response capabilities, risk communication, and the dissemination of public information.*

Cell phones provide one of the primary methods in which the public engages in communication and the dissemination of public information. The Project will maintain wireless coverage, which will maintain the ability of the public to communicate in an emergency.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.24.110 of the County Code, establishments in the A-1 Zone are subject to the following development standards:

- Yards – The required front yard in this zone shall be no less than 20 feet in depth. The required side yard shall be no less than five feet in depth, and the rear yard shall be no less than 15 feet in depth. The WTF equipment is proposed to be located well outside these required setbacks, and therefore meets the yard requirements for the A-1 Zone.
- Parking – Per Section 22.52.1220 of the County Code, for uses not specified, the director determines the required parking necessary to prevent traffic congestion and excessive on-street parking. The wireless facility is unmanned, and should not generate traffic and congestion, as it will require only periodic maintenance. When maintenance is needed, the vehicle can use the on-site parking adjacent to the building area. No designated parking space is required.

Wireless Telecommunication Facilities Standards

The Project is subject to the following standards in the Subdivision & Zoning Ordinance Policy No. 01-2010:

- Design – WTFs shall use camouflage techniques to provide appropriate screening. All but two of the WTF antennas and all of the appurtenant equipment is screened from view to minimize visual impacts. The WTF predates the design guidelines contained in the 2010 Memo, and no changes are proposed to the facilities.

- Co-Location – The Project is a proposal to continue the operation of the existing WTF on the roof of the same building where other carriers co-habitate their WTFs. Therefore the WTF is consistent with the requirements of the 2010 Memo.

- Security – Fencing, gates, and/or locks to secure the wireless facility from access by all persons other than authorized personnel shall be provided. The existing WTF

equipment is located on the rooftop of a building and only has private access from inside the building, and is therefore not accessible to the public.

Site Visit
Staff conducted a site visit to the property on September 16, 2015 for another wireless telecommunications facility located on the same rooftop. The photographs provided with the application are a realistic representation of the existing facilities.

Burden of Proof
The applicant is required to substantiate all facts identified by Section(s) 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
Wireless facilities are found in all zones and land use categories within unincorporated Los Angeles County. They provide important communication infrastructure that supports public services and safety. This WTF is currently located on a campus with mixed residential, educational, and institutional uses. The aesthetic impacts of the wireless facility were addressed through placement, design, color, and texture. The bulk of the WTF equipment is fully screened, with the exception of one sector of antennas, which will not be visible from the rest of campus. Therefore, the Project is not expected to adversely affect the surrounding area. The Project is consistent with the Zoning Code and the Wireless Telecommunications Facility Policy Memo, and therefore it is adequate in size and shape to accommodate required development features and is well-integrated into the surrounding area. No new infrastructure is required because the Project is a request to continue an existing use, therefore the Project is adequately served by existing infrastructure, and no new impacts are expected.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS
The Los Angeles County Departments of Public Works (DPW) was consulted on this permit request. DPW stated that they did not need to review this project and cleared it for hearing.

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 Conditional Use Permit Number RPPL2016000522, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NUMBER RPPL2016000522 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Greg Mirza-Avakyan, Regional Planning Assistant II, Zoning Permits West Section
Reviewed by Mi Kim, Supervising Regional Planner, Zoning Permits West Section

Attachments:
Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Site Photographs, Aerial Image
Site Plan, Land Use Map

MKK:GMM
07/19/2016

DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. 2016-000672
CONDITIONAL USE PERMIT NO. RPPL2016000522

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. RPPL 2016000522 ("CUP") on August 2, 2016.

2. The permittee, Sprint Nextel ("Permittee"), requests the CUP to authorize the continued operation and maintenance of a wireless telecommunications facility ("Project") on an approximately 200-square-foot lease area at various locations of an building rooftop located at 24255 Pacific Coast Highway in the Pepperdine University Community ("Project Site") in the A-1-1-DP (Light Agricultural – One Acre Minimum Required Lot Area – Development Program) Zone pursuant to Los Angeles County Code ("County Code") section 22.24.100. The project is located within The Malibu Zoned District.

3. The Project Site is located on the rooftop of the Keck Science Center building on the Pepperdine University campus. The campus is 33.6 gross acres in size and consists of one legal lot. The Project Site building is located at the western portion of the campus, west of Joslyn plaza.t. The specific lease area of the existing WTF is approximately 200 square feet of the rooftop.

4. The campus is developed with public and semi-public facilities and is consistent with the General Plan policy for such facilities. The Project Site is also subject to the Pepperdine University Long Range Development Plan.

5. Surrounding Zoning within a 500-foot radius includes:

   North: A-1-1-DP
   South: City of Malibu
   East: A-1-1-DP
   West: A-1-1-DP

6. Surrounding land uses within a 500-foot radius include:

   North: University Campus and State Park
   South: Pacific Coast Highway
   East: University Campus and Vacant
   West: Residential

7. The campus was originally established in the early 1970's after the Regional Planning Commission approved a zone change that allowed campus development. The campus came under the jurisdiction of the Coastal Commission with the adoption of the Coastal Act of 1976. The Pepperdine University Long Range Development Plan

(LRDP) was certified by the Coastal Commission in the mid-1980s to provide guidance for future expansion of the campus.

8. Key permit cases are as follows: in 1972, Conditional Use Permit No. 133 was approved to establish the original campus, and Variance no. 82 established parking requirements of one parking space for each full-time-equivalent student. In February, 1987, Conditional Use Permit No. 2432 established a campus master plan. On July 7, 1987 the Board of Supervisors approved the DP zone change as Ordinance No. 87-0106Z (Zone Change Case No. 85-007), and in August of 1987, the zone change went into effect, creating the Development Program (DP) designation for the whole campus. Conditional Use Permit No. 97191 was approved to establish the graduate campus in May of 1999.

9. On February 7, 2006, Conditional Use Permit No. 200500132-(3) was approved with conditions by the Hearing Officer to authorize the construction, operation, and maintenance of an unmanned WTF on the rooftop of the Keck Science Building on the Pepperdine Campus. However, the CUP grant term expired on February 7, 2016.This request is to continue the use established under the prior CUP.

10. The Project Site is accessible via internal roads to the west of campus. Primary access to the Project Site will be via an entrance/exit on Banowsky Blvd.

11. Per Section 22.52.1220 of the County Code, for uses not specified, the director may determine the required parking necessary to prevent traffic congestion and excessive on-street parking. Because the wireless facility requires only periodic maintenance and the maintenance vehicle can use the onsite parking adjacent to the building area, no designated parking is required to be provided.

12. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project is a request to continue the operation and maintenance of a wireless telecommunications facility, and no new construction is proposed.

13. The Los Angeles County Department of Public Works (DPW) was consulted on this permit request. In a letter dated March 16, 2016, Public Works stated that they had no conditions for the Project.

14. 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 hearings by mail, newspaper, and property posting.

15. Staff has not received any comments from the public.

16. [Reserved for Hearing Proceedings]

17. The Hearing Officer finds that the project is consistent with Policies S/F 6.2 and 6.3 (Public Services and Facilities) of the Los Angeles County General Plan, which support the improvement of wireless telecommunications infrastructure and encourage the improvements in access to wireless technology while minimizing visual impacts through design. Furthermore, the project is consistent with Policy S 4.1 (Safety) of the General Plan, which calls for increased readiness and response capabilities, as well as the communication of risk and the dissemination of public information. Therefore, this project is consistent with the General Plan.

18. The Hearing Officer finds that the use of the existing lease area for a wireless facility that is incorporated into the roof of an existing, legally established building is consistent with the A-1 Zone requirements. No designated parking space is required for a maintenance vehicle, as only periodic maintenance is needed, and the vehicle can use the on-site parking provided adjacent to the building. The wireless equipment meets the requirements in the A-1 for front, side, and rear yard requirements. Therefore, this project is consistent with the Zoning Code.

19. The Hearing Officer finds that the screening of the existing WTF equipment into the building's architecture through design and placement meets the requirements of the Wireless Telecommunications Facilities Interpretation and Procedure Memo. Furthermore, the WTF equipment co-habitates with other carriers on the roof of the Keck Science building. Therefore, the project is consistent with the Subdivision & Zoning Ordinance Policy No. 01-2010

20. The Hearing Officer finds that the existing WTF is integrated into the roofline of an existing building and that the operation of the facility can be accomplished without disrupting or changing the operation or character of the existing building. The wireless facility is unmanned, so it will continue to have no impact on traffic or any adverse impacts on adjacent land uses. Therefore, the requested use at this 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.

21. The Hearing Officer finds that the existing WTF is placed entirely on the existing building's rooftop. The antennas are hidden behind RF-friendly material and are integrated into the existing building's architecture through paint and texture. Therefore, the 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.

22. Hearing Officer finds that the WTF is integrated into an already existing building and does not require any new public infrastructure for its construction, maintenance, or operation. The operating characteristics of the WTF are that it is unmanned and will not generate additional traffic. Therefore, the 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.

23. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 15 years.

24. 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 Regional Planning's website and at libraries located in the vicinity of the Malibu community. On June 28, 2016, a total of 45 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500--foot radius from the Project Site, as well as 16 notices to those on the courtesy mailing list for the Malibu Zoned District and to any additional interested parties.

25. 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, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West 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.

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 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 REGIONAL HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, categorical exemption); and

2. Approves Conditional Use Permit No. RPPL2016000522, subject to the attached conditions.

ACTION DATE: August 2, 2016

MKK:GAM
July 19, 2016

c: Hearing Officer, Zoning Enforcement, Building and Safety

DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 2016-000672
CONDITIONAL USE PERMIT NO. RPPL2016000522

PROJECT DESCRIPTION

The project is a request to authorize the continued operation and maintenance of a roof-mounted wireless telecommunications facility consisting of four (4) sectors of antennas, equipment cabinets, and appurtenant equipment, 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 August 2, 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 within ninety (90) days 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 wireless telecommunications facility 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 **$1600.00**. 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 the County Fire Department.

13. All development pursuant to this grant shall conform with the requirements of the County Department of 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 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 conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" 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 **September 30, 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 substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS – CONDITIONAL USE PERMIT (WIRELESS)

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. 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.

22. If any external lighting is proposed, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.

23. If 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.

24. 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.

25. 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.

26. The height at which the antennas are mounted to the rooftop shall not exceed 68-feet above finished grade.

27. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.

28. The panel antennae shall be camouflaged and be integrated into the building's architecture through design, color, and texture.

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. The finish shall be graffiti-resistant.

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 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 30 days of notice.

31. 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.

32. The 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.

33. 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.

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

PERMIT SPECIFIC CONDITIONS

35. This grant shall authorize the continued operation and maintenance of a roof-mounted wireless telecommunications facility consisting of antennas and appurtenant equipment.

36. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated March 16, 2016.

Attachments:
Public Works Department Letter dated March 16, 2016

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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

March 16, 2016

IN REPLY PLEASE
REFER TO FILE: LD-2

TO: Mi Kim
Zoning Permits West Section
Department of Regional Planning

Attention Greg Mirza-Avakyan

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

PLAN CASE NO. RPPL2016000522
WORKCLASS TYPE: CUP
24255 PACIFIC COAST HIGHWAY
ASSESSOR'S MAP BOOK NO. 4458, PAGE 38, PARCEL NO. 10
UNINCORPORATED COUNTY AREA OF MALIBU

Thank you for the opportunity to review the plan case associated with the renewal of existing CUP No. 200500132-(3) for the operation of a wireless telecommunication facility located on the roof of the Keck Science Building at Pepperdine University. All equipment has been permitted.

☒ Public Works has no conditions that need to be applied to this project if ultimately approved by the advisory agency.

☐ Public Works has comments on the submitted documents, and therefore, a Public Hearing shall **NOT** be scheduled until the following comments have been addressed:

If you have any questions or require additional information, please contact Max Rodriguez of Public Works' Land Development Division at (626) 458-6967 or mrodrique@dpw.lacounty.gov.

MR:plg
P:\ldpub\SUBPCHECK\Plan\Single\24255 pacific coast\RPPL2016000522\2016-02-02 RPPL 2016000522\2016-03-03 RPPL2016000522 DPW.docx

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.

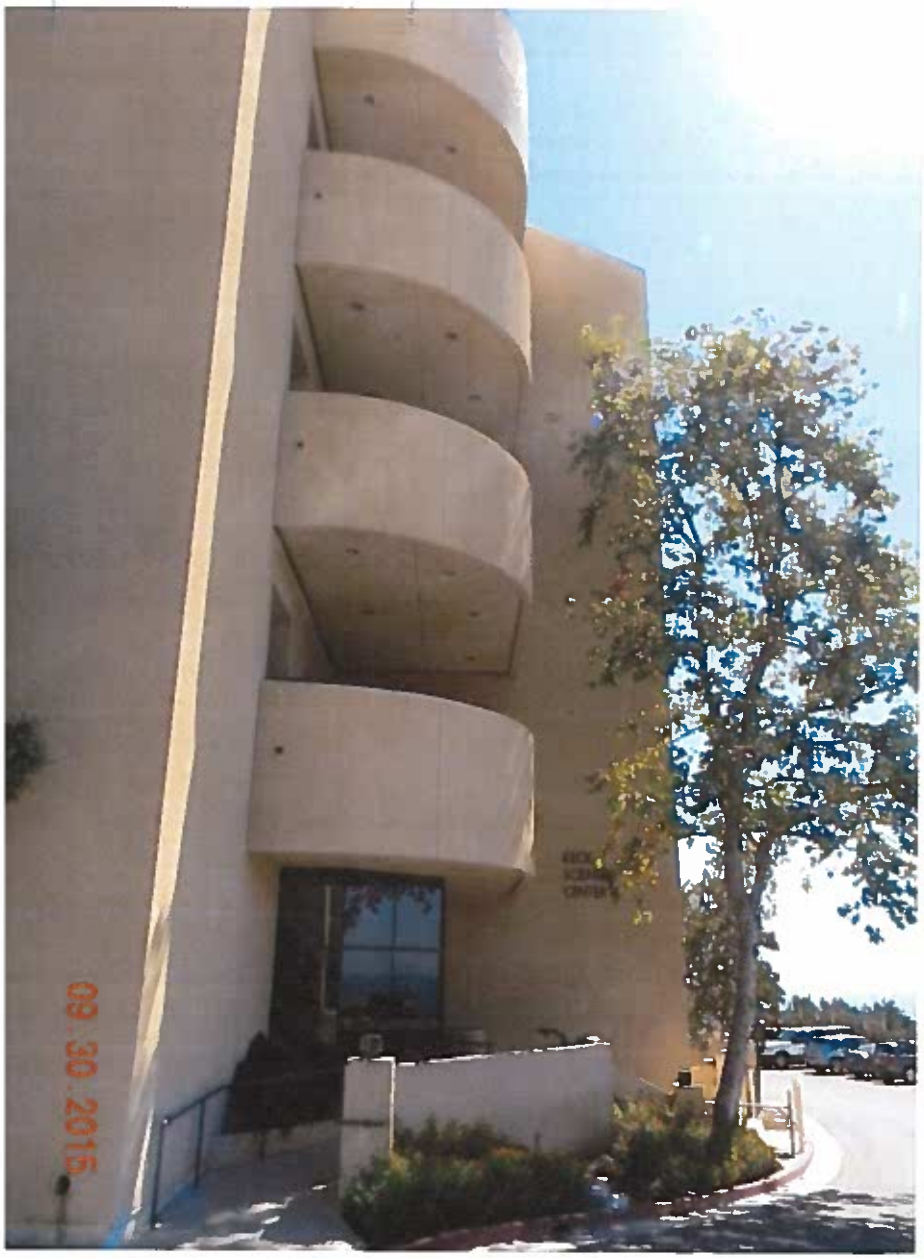
The existing facility antennas are located behind the existing building roof top parapet
thereby fully screening the antennas from view.
the existing installation is not detrimental or visually intrusive to surrounding properties or people
working or living in the area; the facility is not detrimental to the enjoyment of surrounding owners.

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 antenna facility is located behind the building parapet on fully improved property.
the facility is virtually unnoticeable due to the size of the existing structure and location of the
antennas mounted behind the existing buildings roof top parapet walls fully screened from public
view thereby the site is adequate to support the existing installation.

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 site's location on a fully improved property is sufficiently accessible and does not create
additional traffic nor impact any nearby public or private facilities.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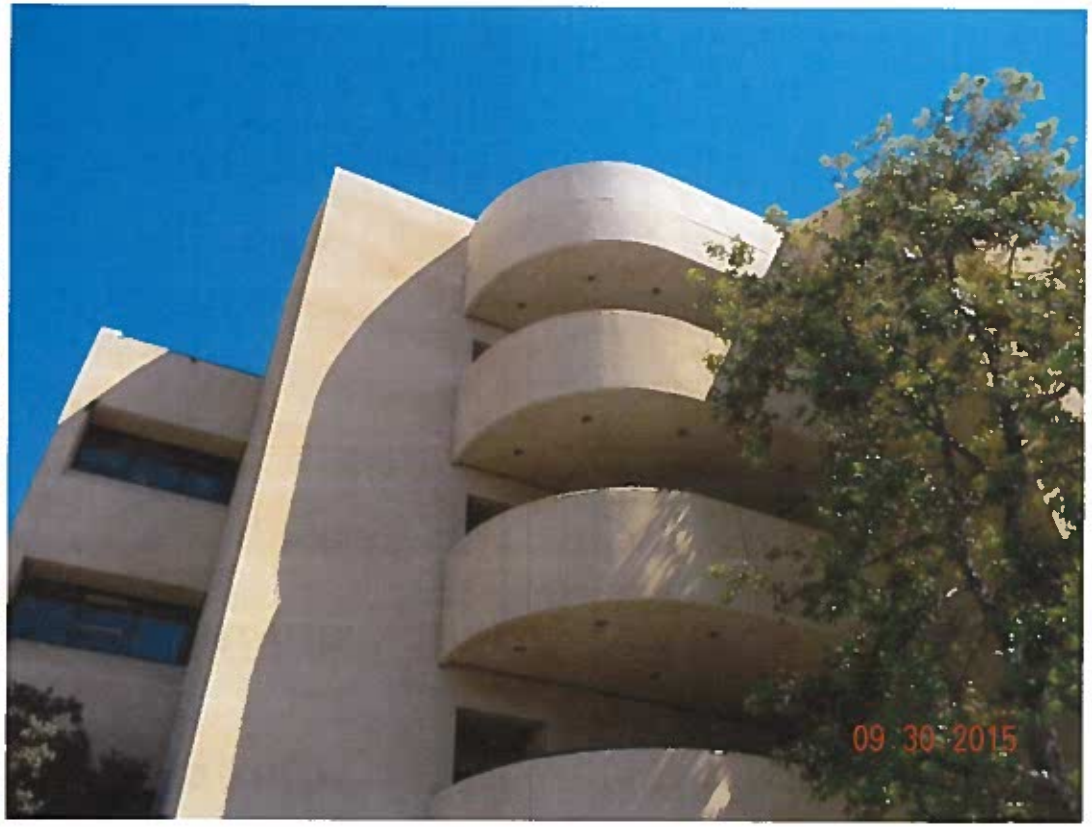
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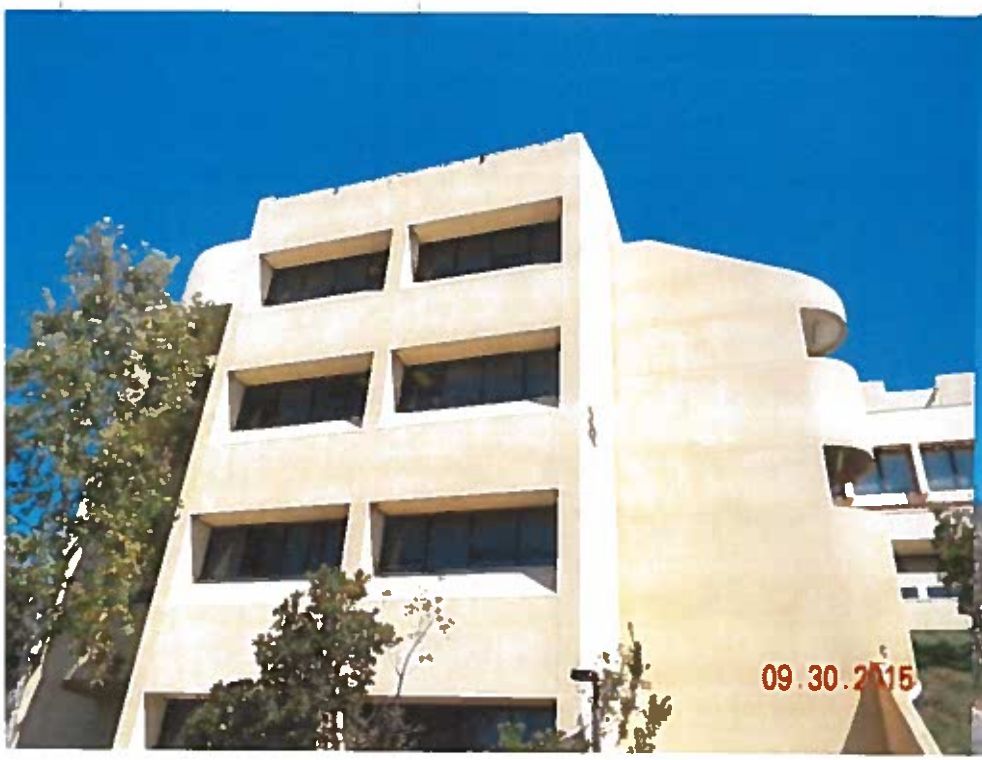
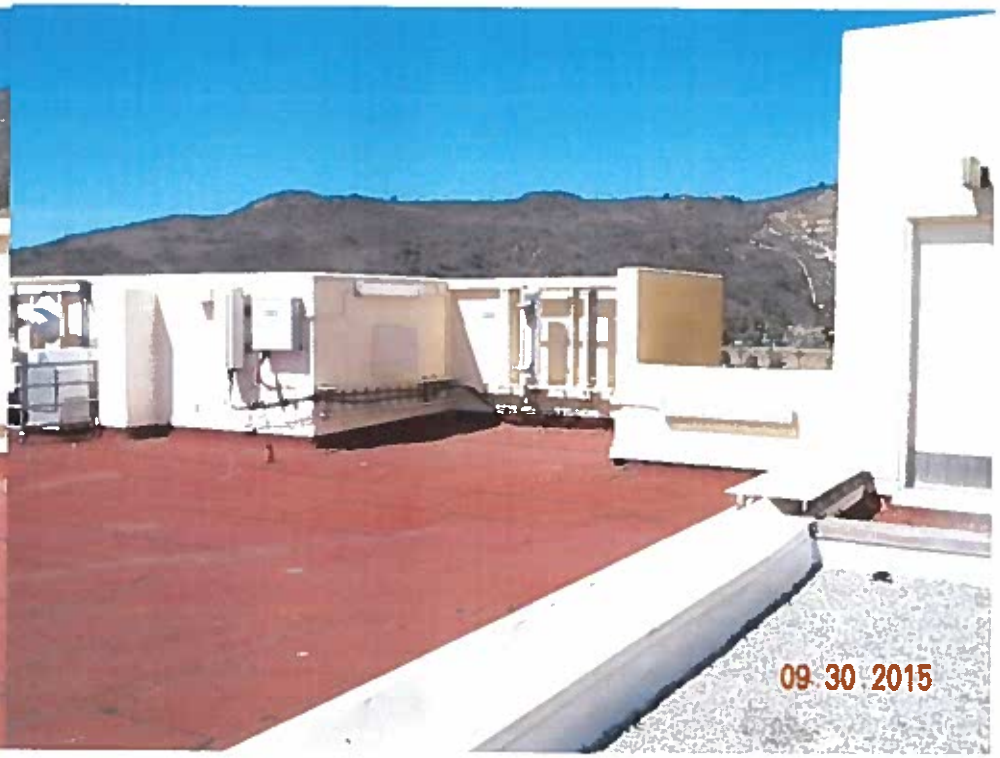

09 30 2015

09 30 2015

NOTICE
09 30 2015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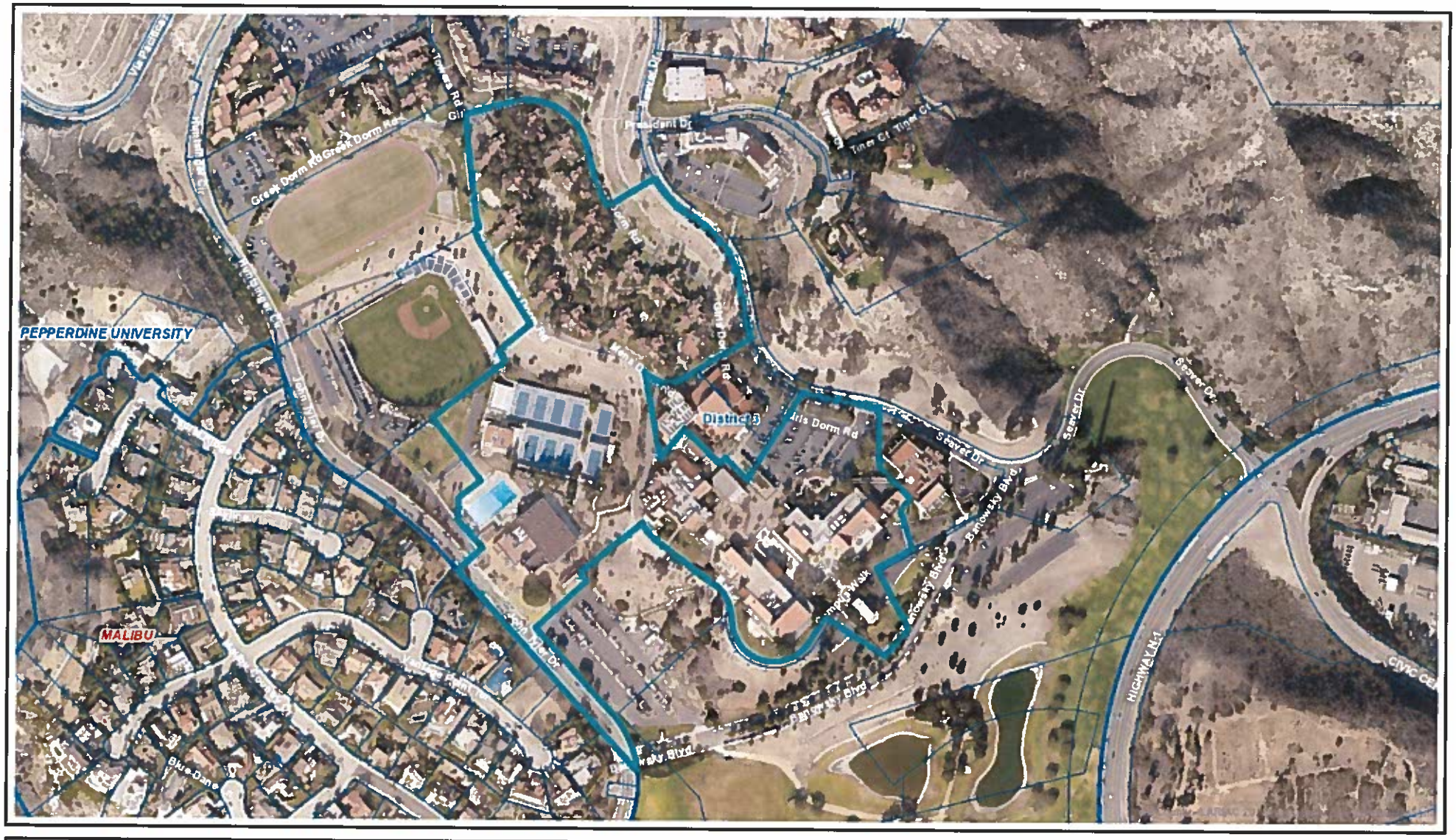

Aerial View

24255 Pacific Coast Hwy

Printed: Mar 23, 2016

0 500
Feet

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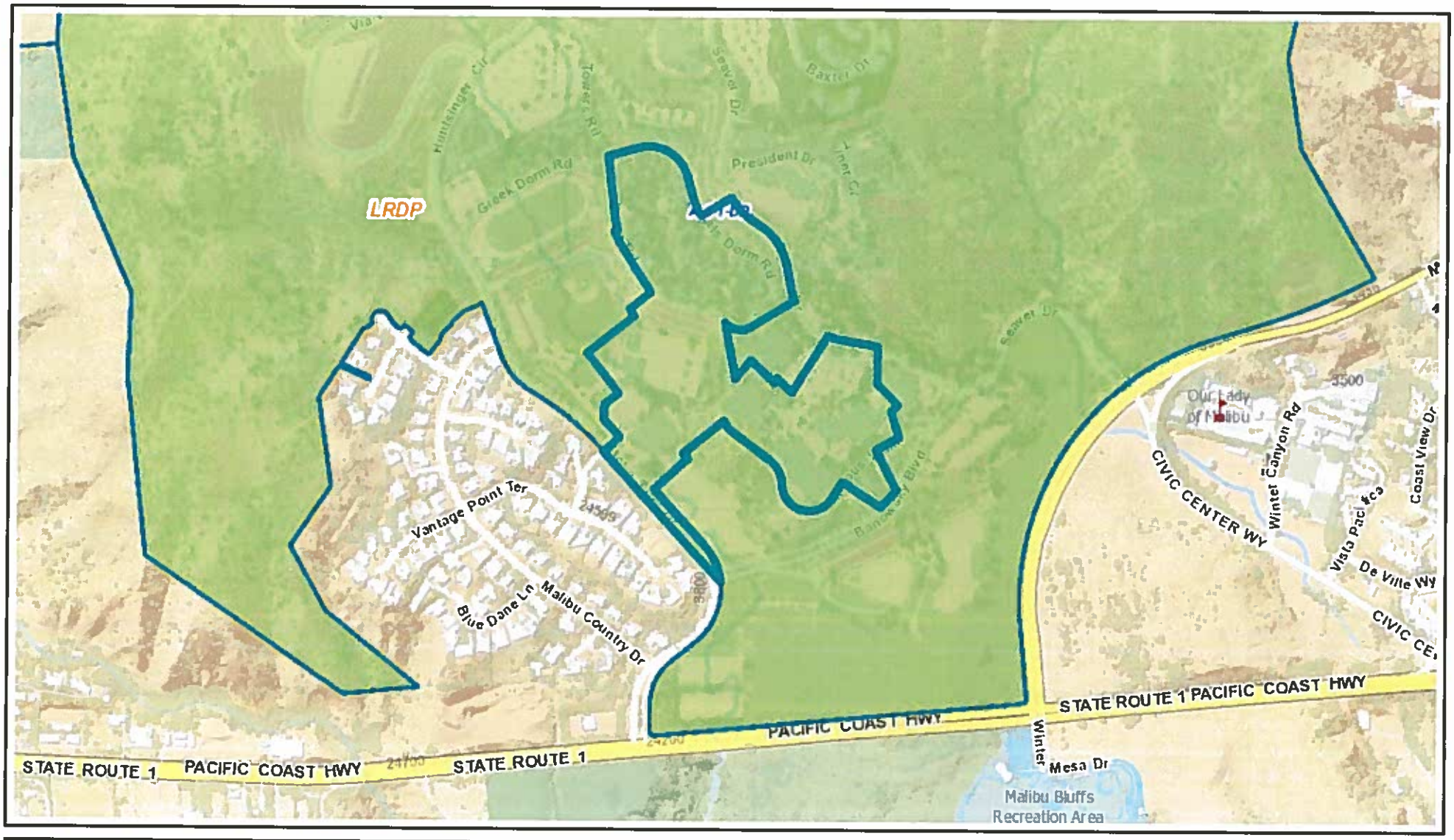

Zoning and Land Use

24255 Pacific Coast Highway

Printed: Mar 23, 2016

0 1,000
Feet

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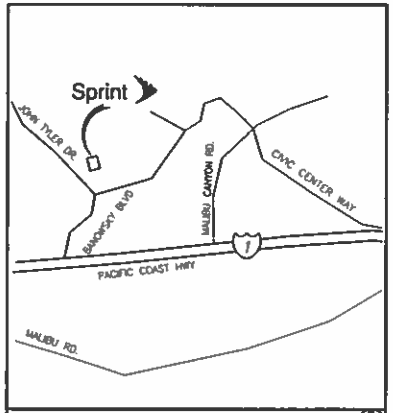
Sprint

KECK SCIENCE BUILDING
LA34XC737

24255 PACIFIC COAST HWY.,
MALIBU, CA 90263



VICINITY MAP

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. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

1. CALIFORNIA BUILDING CODE CBC-2013
2. CALIFORNIA ADMINISTRATIVE CODE (INCL. TITLES 24 & 25) 2013
3. ANSI/EIA-222-F LIFE SAFETY CODE
4. 2013 CALIFORNIA FIRE CODE (CFC)
5. 2013 EDITION NATIONAL ELECTRICAL CODE WITH 2013 CALIFORNIA AMENDMENTS
6. CALIFORNIA MECHANICAL CODE CMC-2013
7. CALIFORNIA ENERGY CODE 2013
8. LOCAL BUILDING CODE(S)
9. CITY AND/OR COUNTY ORDINANCES

CODE COMPLIANCE

THIS PROJECT ENTAILS:

THE CONTINUED USE AND OPERATION OF AN EXISTING WCF CONSISTING OF FOUR SECTORS OF 2 ANTENNAS EACH AND (4) EXISTING EQUIPMENT CABINETS ALL MOUNTED ON ROOF TOP OF AN EXISTING BUILDING

PROJECT DESCRIPTION

PROJECT INFORMATION:

AREA OF CONSTRUCTION: ±200 SQ. FT

OCCUPANCY: A3 AND B
S-2 (TELECOM FACILITY-UNMANNED)

CONSTRUCTION TYPE: III-A

NUMBER OF STORY: 4

CURRENT ZONING: A-1-1-DP (LIGHT AGRICULTURE)

A.P.N.: 4458-038-010

ACCESSIBILITY REQ'D: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

PROJECT SUMMARY

POWER:
COMPANY: N/A
CONTACT: .
PHN:
FAX:
E-MAIL:

TELCO:
COMPANY: N/A
CONTACT: .
PHN:
FAX:
E-MAIL:

UTILITY PROVIDERS

ARCHITECT:
DCI PACIFIC
32 EXECUTIVE PARK, SUITE 110
IRVINE, CA 92614
CONTACT: DIK. DO
PHONE: (949) 475-1000
E-MAIL: DK@DCIPACIFIC.COM
FAX: (949) 475-1001

APPLICANT:
SPRINT
330 COMMERCE, SUITE 100
IRVINE, CA. 92602
PHONE: (714) 368-3500
FAX: (714) 368-3501

CONTACT: ED HARDEN
PHONE: (714) 412-2121
FAX: (909) 587-2025

APPLICANT'S AGENT:
MCS TELECOM, LLC
28205 BLUEBELL DRIVE
LAGUNA NIGUEL, CA 92677

CONTACT: NORM MACLEOD PROJECT MANAGER
PHONE: (949) 235-8812

PROPERTY INFORMATION:
OWNER: PEPPERDINE UNIVERSITY

ADDRESS: 24255 PACIFIC COAST HIGHWAY
MALIBU, CA 90263

CONTACT: KIM CAREY
PHONE: (310) 506-6655

PROJECT TEAM

SHEET	DESCRIPTION	ISSUE LEVEL
T1	TITLE SHEET	--
A1	SITE PLAN	--
A2	ROOF PLAN	--
A3	EQUIPMENT AND ANTENNA LAYOUT PLAN	--
A4	ELEVATIONS	--
A5	ELEVATIONS	--

6 SHEETS TOTAL

SHEET INDEX

ISSUED FOR: **ZONING RENEWAL**
JURISDICTION: COUNTY OF LOS ANGELES

DO NOT SCALE DRAWINGS

GENERAL CONTRACTOR NOTES

DCI PACIFIC
A|E|C WORKS

Sprint

PROJECT IDENTIFICATION
KECK SCIENCE BUILDING
LA34XC737
24255 PACIFIC COAST HIGHWAY
MALIBU, CA 90263

CURRENT ISSUE DATE
02/05/16

ISSUED FOR
ZD RENEWAL

APPROVALS:

APPROVED BY:	INITIALS	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK.	APV.
HH	BCH	DKD

ISSUE STATUS:

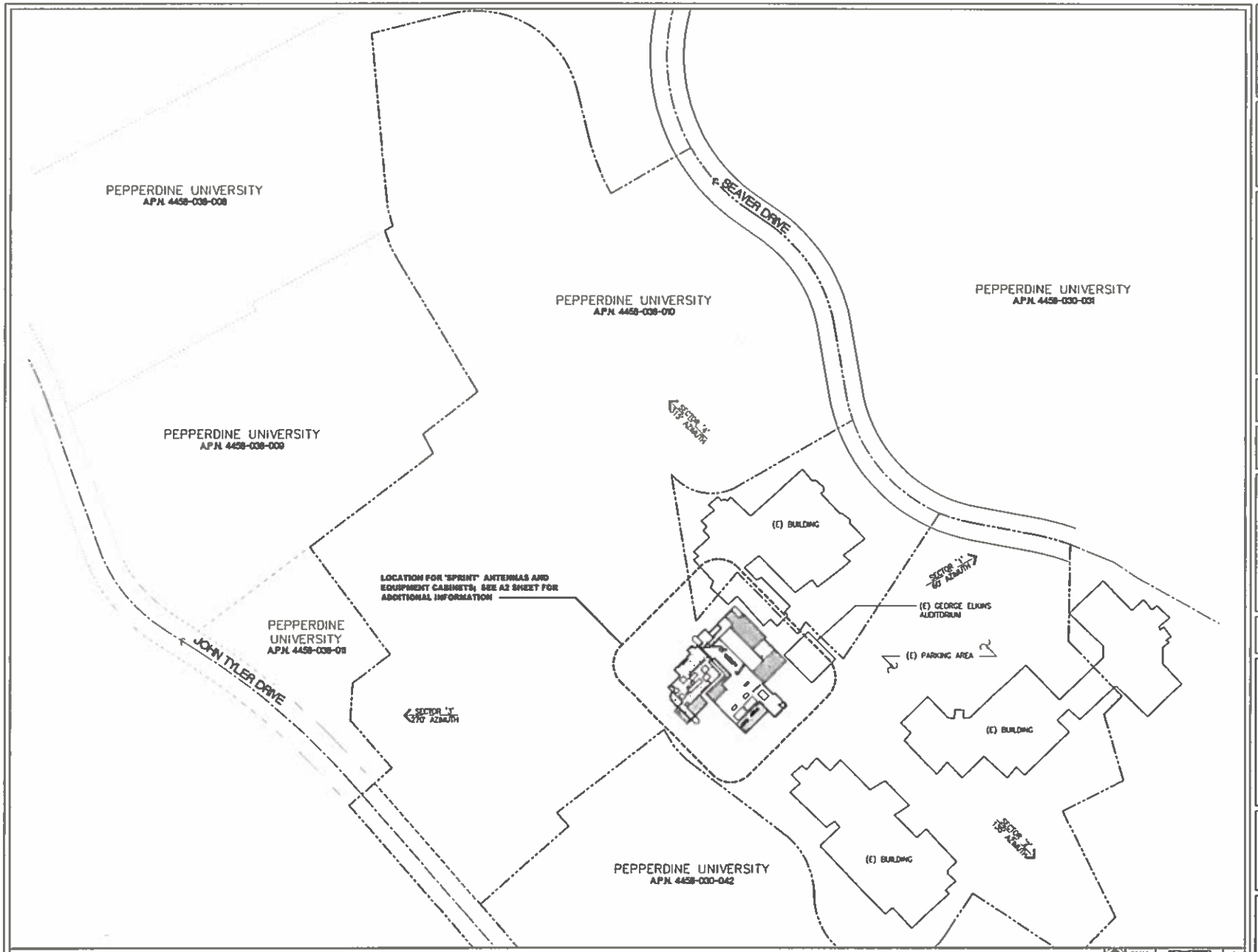
△	DATE:	DESCRIPTION:	BY:
--	10/26/15	90% ZD RENEWAL	HH
--	02/05/16	100% ZD RENEWAL	HH

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T1

ISSUE LEVEL:

SEQ: SERI BUNE
LA34XC737



SITE PLAN

SCALE: 1"=60'

1

DCI PACIFIC
A|E|C WORKS

Sprint

PROJECT IDENTIFICATION:
KECK SCIENCE BUILDING
LA34XC737
24255 PACIFIC COAST HIGHWAY
MALIBU, CA 90263

CURRENT ISSUE DATE:
02/05/16

ISSUED FOR:
ZD RENEWAL

APPROVALS:

APPROVED BY:	INITIALS:	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK:	APV
HH	BOK	DKD

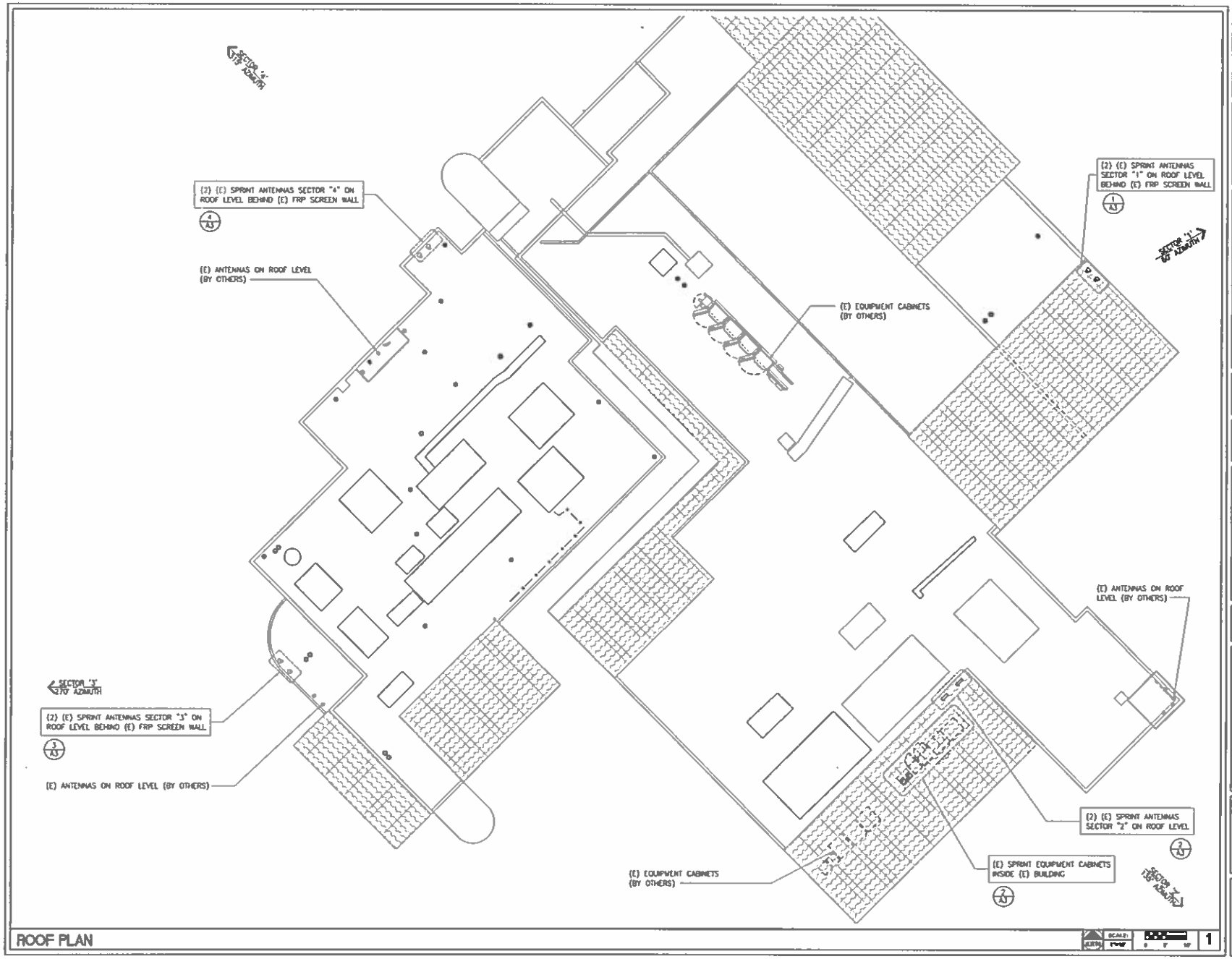
ISSUE STATUS:

△	DATE:	DESCRIPTION:	BY:
	10/26/15	80% ZD RENEWAL	HH
	02/05/16	100% ZD RENEWAL	HH

SHEET TITLE:
SITE PLAN

SHEET NUMBER: **A1**

ISSUE LEVEL:



ROOF PLAN

SCALE: 1/16" 0 8' 16'

1

DCI PACIFIC
A|E|C WORKS

Sprint

PROJECT IDENTIFIER:
KECK SCIENCE BUILDING
LA34XC737
24256 PACIFIC COAST HIGHWAY
MALIBU, CA 90263

CURRENT ISSUE DATE:
02/05/16

ISSUED FOR:
ZD RENEWAL

APPROVALS:

APPROVED BY:	INITIALS	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK:	APV:
HH	BCM	DKD

ISSUE STATUS:

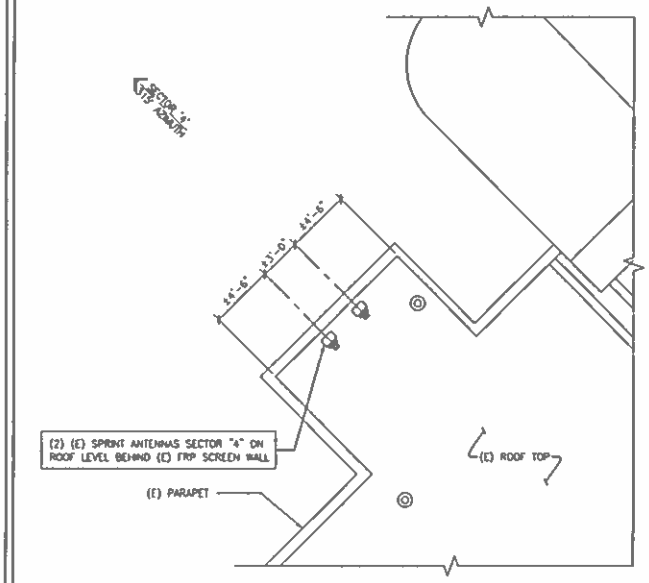
△	DATE:	DESCRIPTION:	BY
1	10/28/13	90% ZD RENEWAL	HH
2	02/05/16	100% ZD RENEWAL	HH

SHEET TITLE:
ROOF PLAN

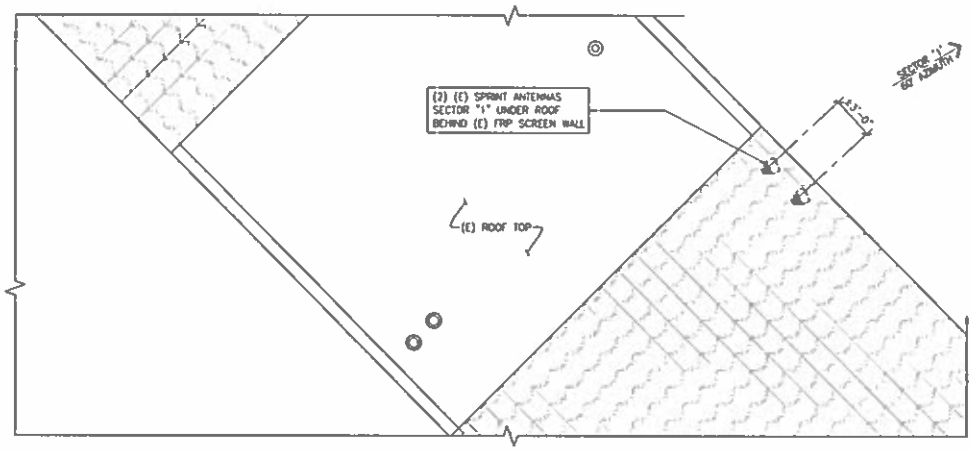
SHEET NUMBER: **A2**

ISSUE LEVEL:

KECK SCIENCE BLDG
LA34XC737



(E) SECTOR '4' ANTENNA LAYOUT PLAN — SCALE: 1/8"=1'-0" — 3



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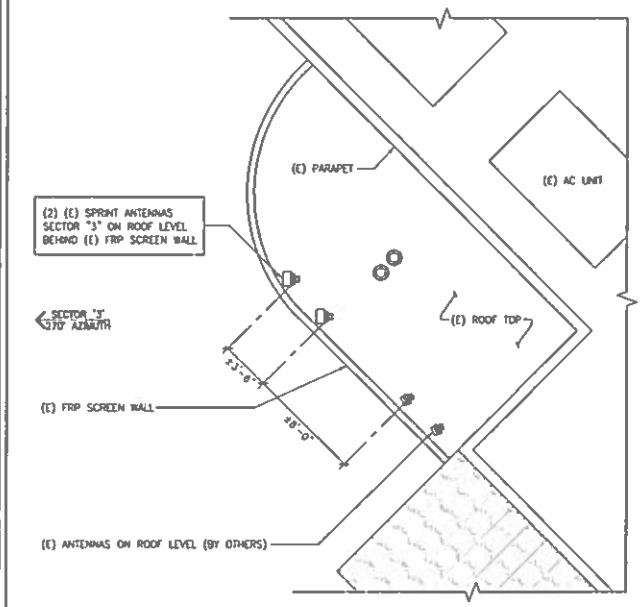

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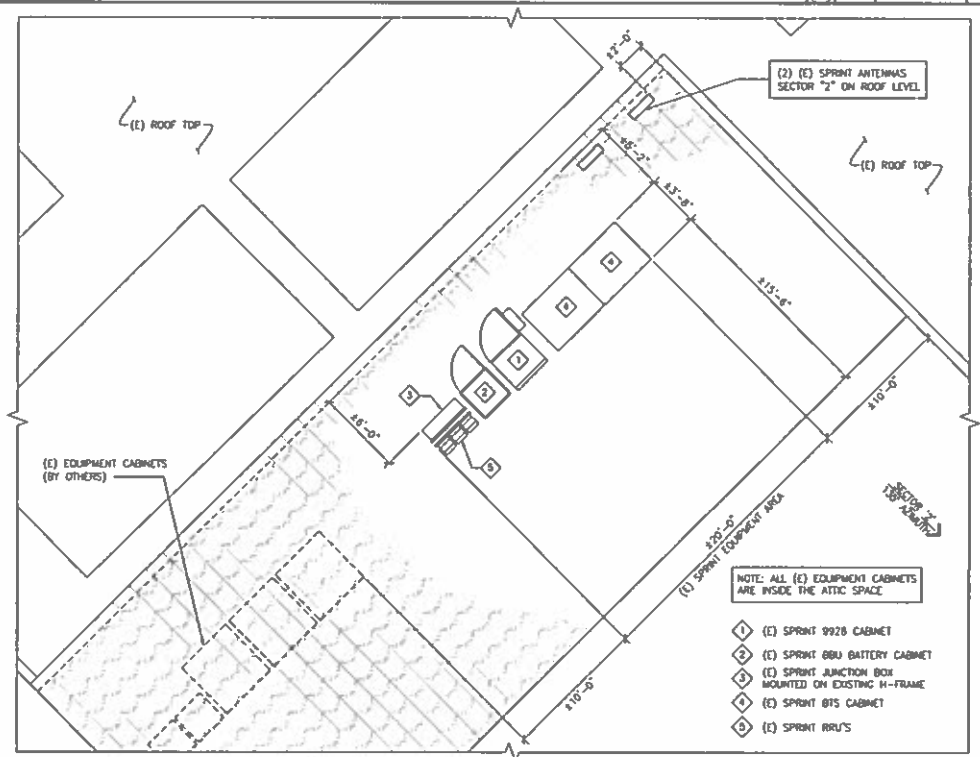


(E) EQUIPMENT AND (E) SECTOR '2' ANTENNA LAYOUT PLAN — SCALE: 1/8"=1'-0" — 2

DCI PACIFIC
A|E|C WORKS

Sprint

PROJECT IDENTIFICATION
KECK SCIENCE BUILDING
LA34XC737

CURRENT ISSUE DATE:
02/05/16

ISSUED FOR:
ZD RENEWAL

APPROVALS:

APPROVED BY:	INITIALS	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

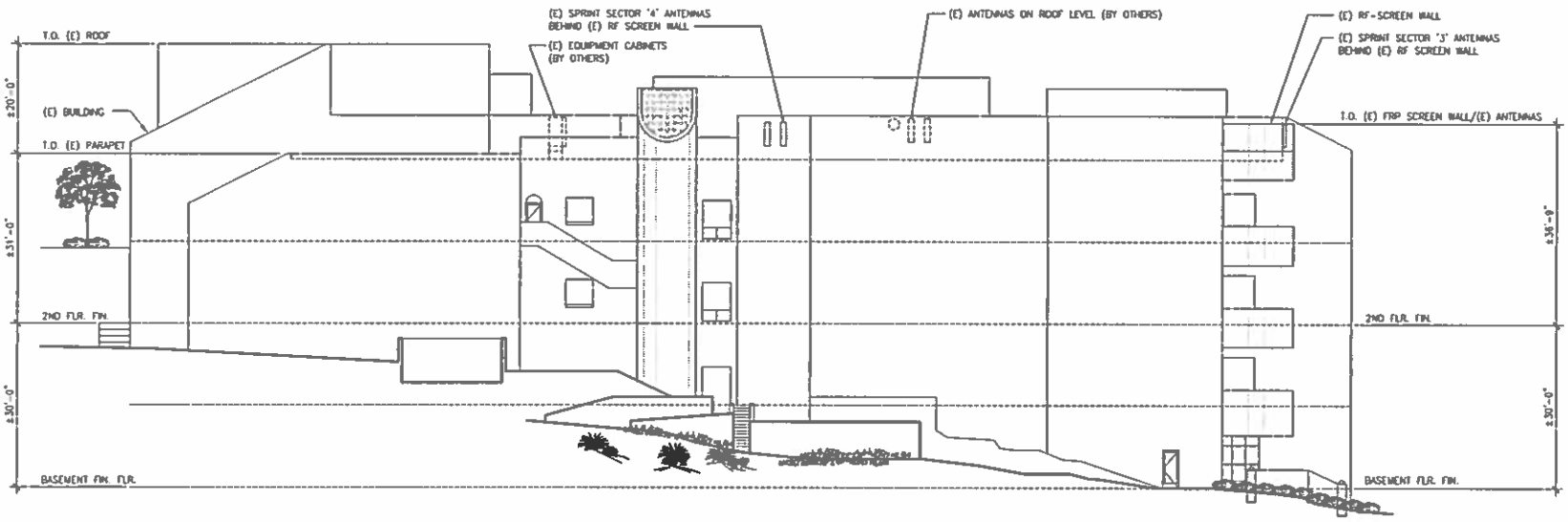
DRAWN BY:	CHK:	APV:
MH	BCK	DKD

ISSUE STATUS:

△	DATE:	DESCRIPTION:	BY:
—	10/28/15	90% ZD RENEWAL	MH
—	02/05/16	100% ZD RENEWAL	MH

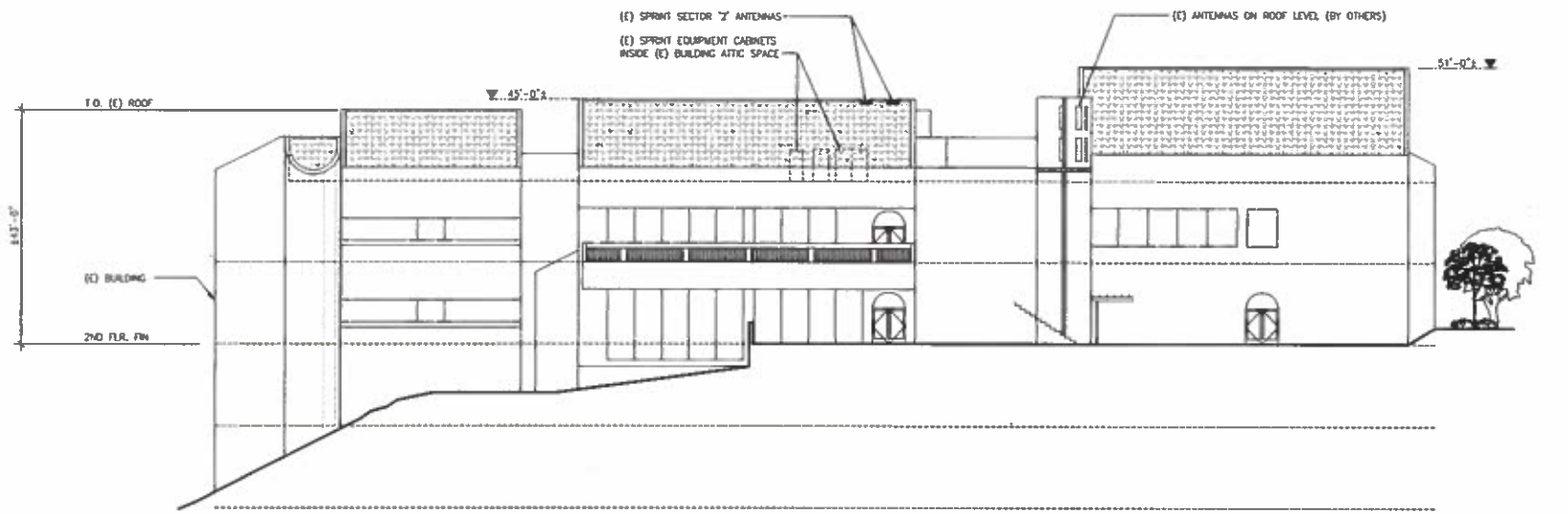
SHEET TITLE
EQUIPMENT AND ANTENNA LAYOUT PLAN

SHEET NUMBER: **A3**
ISSUE LEVEL:
KECK SCIENCE BUILDING
LA34XC737



NORTH ELEVATION

SCALE: 1"=40'-0" 2



SOUTH ELEVATION

SCALE: 1"=40'-0" 1

DCI PACIFIC
A|E|C WORKS

Sprint

PROJECT IDENTIFICATION
KECK SCIENCE BUILDING
LA34XC737

CURRENT ISSUE DATE:
02/05/16

ISSUED FOR:
ZD RENEWAL

APPROVALS:

APPROVED BY:	INITIALS:	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK:	APV:
HH	BOX	DKD

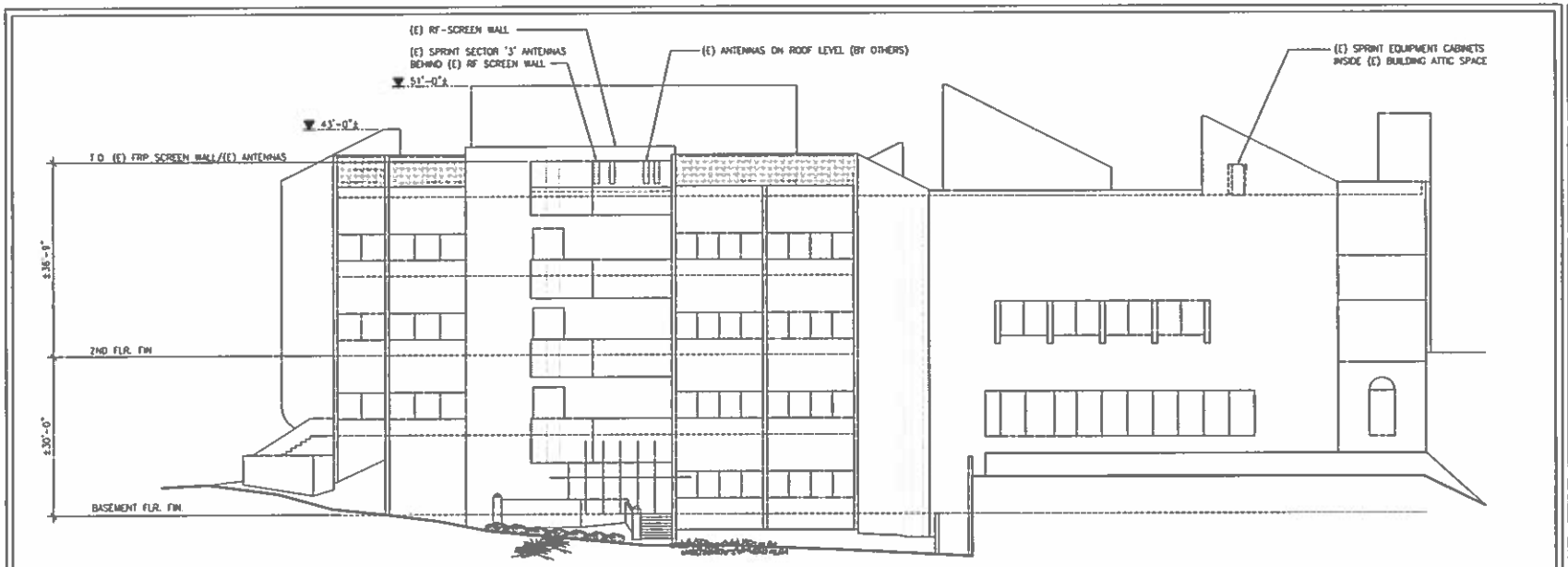
ISSUE STATUS:

△	DATE	DESCRIPTION	BY
	10/26/15	90% ZD RENEWAL	HH
	02/05/16	100% ZD RENEWAL	HH

SHEET TITLE
ELEVATIONS

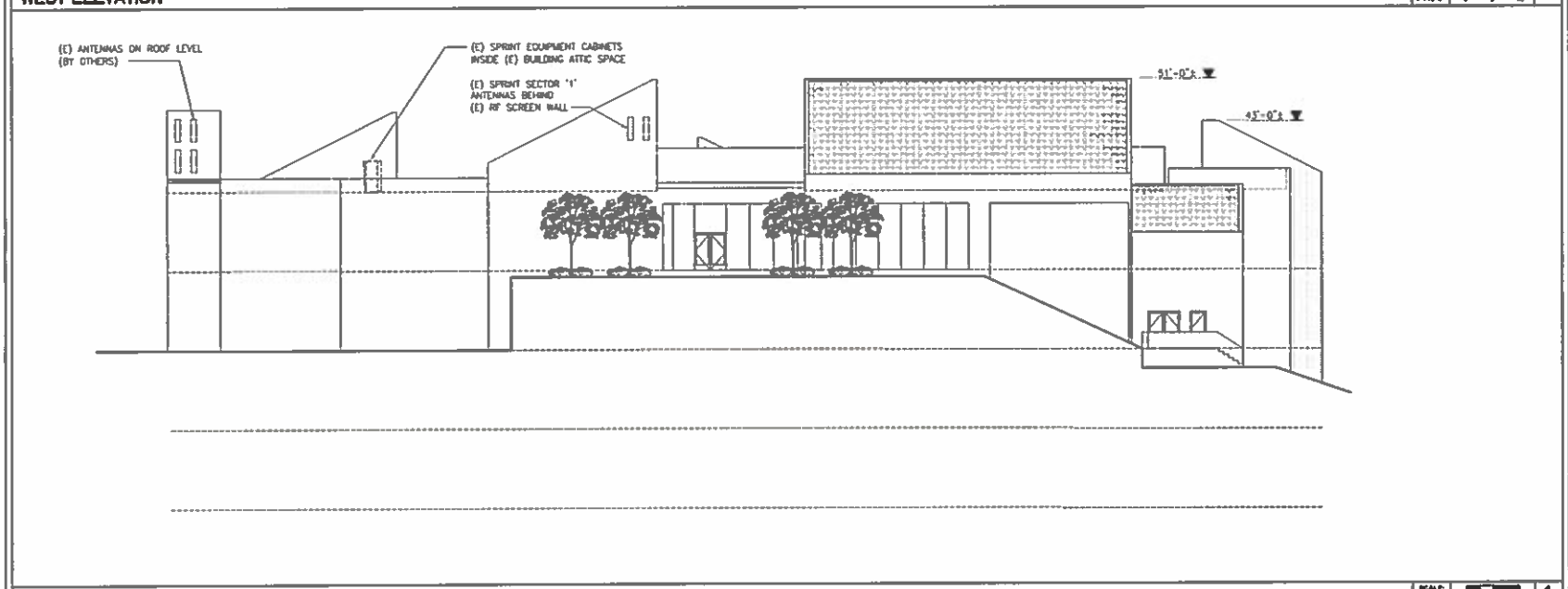
SHEET NUMBER
A4

ISSUE LEVEL:
LA34XC737



WEST ELEVATION

SCALE: 1"=40'-0" 2



EAST ELEVATION

SCALE: 1"=40'-0" 1

DCI PACIFIC
A|E|C WORKS

Sprint

PROJECT IDENTIFICATION
KECK SCIENCE BUILDING
LA34XC737

CURRENT ISSUE DATE:
02/05/16

ISSUED FOR:
ZD RENEWAL

APPROVALS:

APPROVED BY:	INITIALS	DATE:
LANDLORD		
LEASING		
ZONING		
RF		
CM		

DRAWN BY:	CHK.	APV
HH	BOK	DKD

ISSUE STATUS:

△	DATE:	DESCRIPTION:	BY:
	10/26/15	90% ZD RENEWAL	HH
	02/05/16	100% ZD RENEWAL	HH

SHEET TITLE:
ELEVATIONS

SHEET NUMBER: **A5**

ISSUE LEVEL:

KECK SCIENCE BUILDING LA34XC737