

Hearing Officer Transmittal Checklist

04/17/2012
Agenda Item No.
8

Project Number: 96135-(5)
Case(s): Conditional Use Permit No. 201100067
Planner: Gretchen Siemers

- 1 Factual
- 2 Property Location Map
- 3 Staff Report
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- 4 Draft Findings
- 5 Draft Conditions
- 6 Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- 7 Photographs
- 8 Aerial Image(s)
- 9 Land Use Radius Map *(digital only)*
- Tentative Tract / Parcel Map
- 10 Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- 11 Coverage Analysis

Reviewed By: 



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6443

PROJECT NO. 96135-(5)
CONDITIONAL USE PERMIT NO. 201100067

PUBLIC HEARING DATE
 4/17/2012

AGENDA ITEM
 8

RPC CONSENT DATE
 N/A

CONTINUE TO
 N/A

APPLICANT
 T-Mobile West Corporation

OWNER
 Charles and Marianna Wallasch Trust

REPRESENTATIVE
 Synergy Development Services (Wally Gaworecki)

PROJECT DESCRIPTION

The applicant is requesting a Conditional Use Permit (CUP) to authorize the equipment upgrade, and the continued operation and maintenance of an existing unmanned wireless telecommunication facility WTF in the A-1-1 (Light Agricultural - One Acre Minimum Required Lot Area) zone. The existing WTF consists of two 12-foot tall monopoles with omni-directional antennae attached that reach 15 feet in height. At the base of the monopoles are one equipment cabinet mounted on a concrete pad, and a telecom cabinet mounted on an H-frame. The WTF is located within an approximately 400-square-foot lease area surrounded by an 8-foot tall chain link fence. The project proposes to increase the total height of the antennae poles from 15 feet to 20 feet, remove the omni-directional antennae and replace with panel antennae, and add two new equipment cabinets, each mounted on a new concrete pad.

REQUIRED ENTITLEMENTS

The applicant, T-Mobile West Corporation, is requesting a CUP to authorize the equipment upgrade, and the continued operation and maintenance of a WTF in the A-1-1 zone. A CUP is required for the continued operation of a WTF pursuant to Section 22.24.100 of the Los Angeles County Zoning Code.

LOCATION/ADDRESS

Southwest of 7648 Escondido Canyon Road, Acton, CA 93510

SITE DESCRIPTION

The site plan depicts a WTF located on an approximate 40-acre vacant parcel. Access to the subject property is from Escondido Canyon Road (designated Secondary Highway) through a 15-foot wide maintained dirt road to the WTF. The WTF, with proposed upgrade, consists of two monopoles with panel antennae attached, reaching 20 feet in height. At the base of the monopoles are three equipment cabinets mounted on concrete pads and an H-frame structure supporting telecom equipment. An 8-foot tall chain link fence surrounds the 400-square-foot lease area.

ACCESS

via Escondido Canyon Road (designated Secondary Highway)

ZONED DISTRICT

Soledad

ASSESSORS PARCEL NUMBER

3223 008 026

COMMUNITY

Acton

SIZE

Approximately 40 Acres

COMMUNITY STANDARDS DISTRICT

Acton

	EXISTING LAND USE	EXISTING ZONING
Project Site	A vacant parcel with an existing WTF	A-1-1
North	Vacant land	A-1-1
East	Single-family residences	A-1-1
South	Single-family residence	A-2-1 (Heavy Agricultural - One Acre Minimum Required Lot area)
West	Vacant land and single-family residences	A-1-1

GENERAL PLAN/COMMUNITY PLAN

Santa Clarita Valley Areawide Plan

LAND USE DESIGNATION

N1 (Non-Urban, Up to One Dwelling Unit per Acre) & HM (Hillside Management)

MAXIMUM DENSITY

One Dwelling Unit Per Acre

ENVIRONMENTAL DETERMINATION

Class 3 Categorical Exemption-New Construction or Conversion of Small Structures

RPC LAST MEETING ACTION SUMMARY

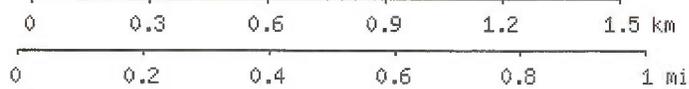
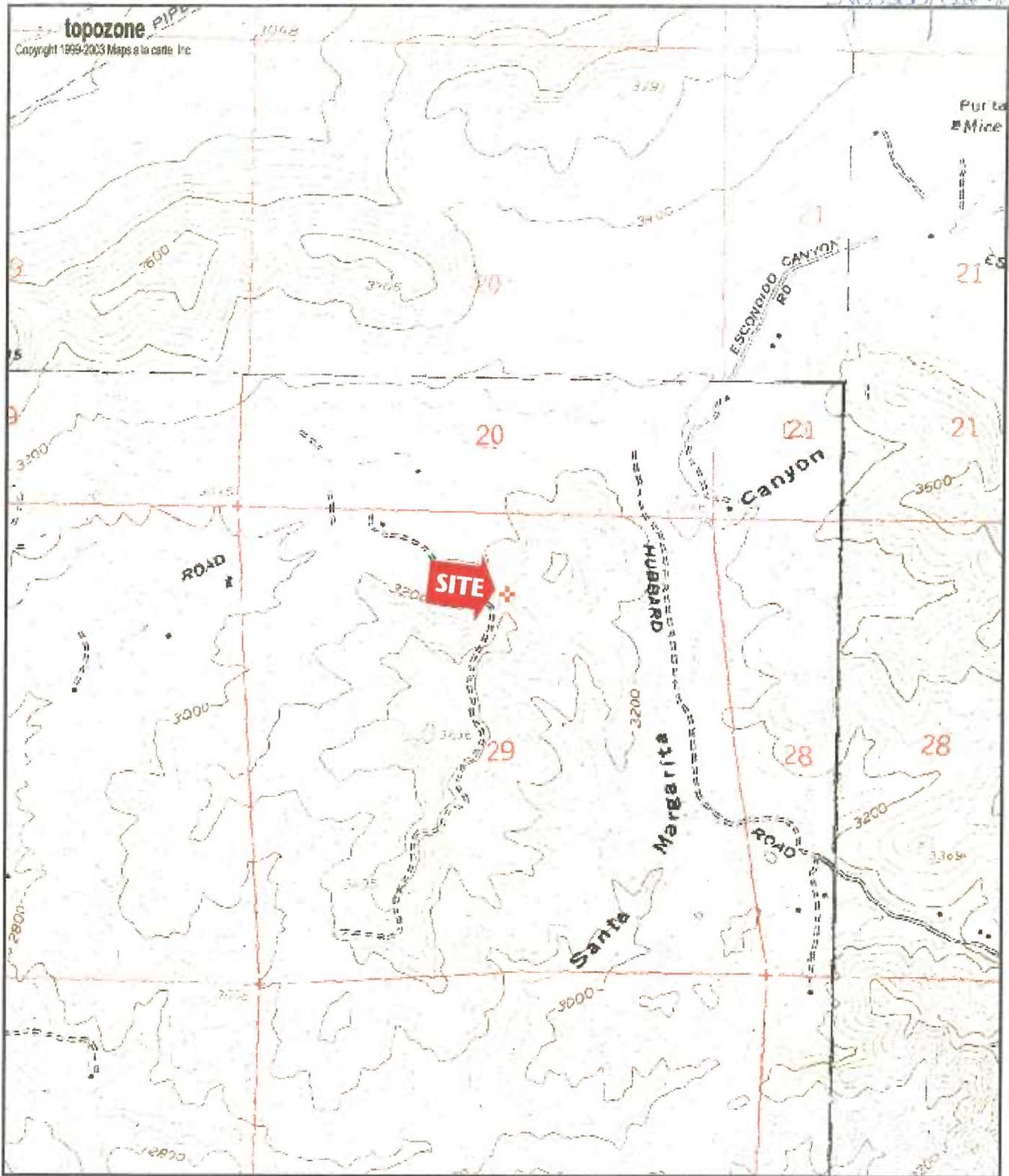
LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

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

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

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

5/25/2006/11/15/2006



34° 29' 36"N, 118° 15' 48"W (NAD83/WGS84)
USGS AGUA DULCE (CA) Quadrangle
 Projection is UTM Zone 11 NAD83 Datum



STAFF REPORT
PROJECT NO. 96135-(5)
CONDITIONAL USE PERMIT NO. 201100067

REQUIRED ENTITLEMENTS

The applicant, T-Mobile West Corporation, is requesting a Conditional Use Permit (CUP) to authorize the continued operation and maintenance of an existing unmanned wireless telecommunication facility (WTF) in the A-1-1 (Light Agricultural - One Acre Minimum Required Lot Area) zone. A CUP is required for a WTF in the A-1 zone pursuant to Section 22.24.100 of the Los Angeles County Code (County Code).

REPRESENTATIVE

Synergy Development Services (Wally Gaworecki)

OWNER

Charles and Marianna Wallasch Trust

PROJECT DESCRIPTION

The project consists of authorizing the equipment upgrade, and the continued operation and maintenance of an existing unmanned WTF in the A-1-1 zone. The existing WTF consists of two 12-foot tall monopoles with omni-directional antennae attached that reach 15 feet in height. At the base of the monopoles are one base transmitter station (BTS) cabinet mounted on a concrete pad, and a telecom cabinet mounted on an H-frame. The WTF is located within an approximately 400-square-foot lease area surrounded by an 8-foot tall chain link fence. The project proposes to increase the total height of the antennae poles from 15 feet to 20 feet, remove the omni-directional antennae and replace with panel antennae, add two BTS cabinets and add one BBU cabinet mounted on a new concrete pad. The proposal will not increase the lease area.

Location

The subject property is located at Escondido Canyon Road near the intersection of Hubbard Road, in the unincorporated community of Acton, in the Soledad Zoned District.

Assessor's Parcel Number

3223 008 026

Existing Zoning

Subject Property

The subject property is zoned A-1-1.

Surrounding Properties

Surrounding properties are zoned:

1. North: A-1-1
2. East: A-1-1
3. South: A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area); R-1 (Resort and Recreation – One Acre Minimum Required Lot Area)
4. West: A-1-1

Existing Land Uses

Subject Property

The subject property is a vacant parcel of land with an existing WTF.

Surrounding Properties

The existing land uses for the surrounding properties are as follows:

1. North: Vacant land, single-family residences
2. East: Single-family residences
3. South: Single-family residences
4. West: Vacant land, single-family residences

Site Description

The subject parcel is an approximately 40-acre parcel that is vacant, except for the existing WTF. The subject property is located south of the intersection of Escondido Canyon Road, a secondary highway, and Hubbard Road. Access to the property is from an unpaved 15-foot wide access easement via Escondido Canyon Road.

The site plan depicts the existing WTF within a 400-square-foot (20'x20') lease area enclosed by an 8-foot tall chain link fence. The monopoles, located in the northwest side of the lease area, consist of two 20-foot tall poles with one panel antennae attached to the top of each pole. Three equipment cabinets mounted on concrete pads contain the base transmitter stations; one H-frame holds telecom equipment.

The location of the existing WTF is on a hillside, in the center/west of the property. The project exceeds the minimum required yard areas per the A-1-1 zone by several hundred feet.

PREVIOUS CASE/ZONING HISTORY

On October 8, 1996, CUP No. 96135-(5) was approved to authorize the construction, operation, and maintenance of the unmanned WTF with two monopoles at 15 feet in height. This grant terminated on October 8, 2006.

On April 15, 2008, CUP No. 200600323 was approved to authorize the equipment upgrade, and the continued operation and maintenance of the subject WTF. However, this permit was never used because a signed affidavit was never received from the applicant, and therefore expired on April 15, 2010.

STAFF EVALUATION

General Plan Consistency

The subject property is designated N-1 (Non-Urban 1, Up to One Dwelling Unit per Acre) and HM (Hillside Management) in the Santa Clarita Valley Areawide General Plan (SCV Plan), a component of the Los Angeles County General Plan (General Plan). The SCV Plan permits non-residential uses in the N-1 category if those uses are conditioned to minimize negative impacts on adjacent land. The HM category indicates that the slope likely exceeds 25 percent (4 horizontal to 1 vertical). Within HM areas, development should occur in the most suitable and least environmentally sensitive areas, and should be designed in terms of scale and intensity in a manner compatible with the natural resource values and character of the area. The parcel is vacant, except for the existing WTF, and the use is consistent with the aforementioned adopted land use designations.

Additionally, the existing WTF is consistent with the applicable land use compatibility goals and policies of the General Plan and the SCV Plan. The following policies of the plans are applicable to the subject property and serve as a guideline for the continued operation and maintenance of such facility:

General Plan Public Services Policy 58: "Maintain high quality emergency response services."

- The continued use of the existing WTF provides cellular service to the surrounding area and such service is often used to make emergency calls. The

continued use of the existing facility will ensure that such service is readily available.

SCV Plan, Land Use Policy 7.1: "Adequacy of Public Services"

- This policy encourages the development of convenient services to meet the needs of Santa Clarita Valley residents, including utilities. The continued use and minor expansion of the existing WTF provides a convenient utility for residents and visitors, with a level of service commensurate with need, as encouraged by the SCV Plan. The project applicant has provided documentation (attached) to support the local need for cellular services, which are a publicly accessible service. Thus, the service proposed will be adequate to serve the local community.

Zoning Ordinance and Development Standards Compliance

Title 22 of the County Code does not specify "WTF" as a use. The use which is consistent with a WTF specified in Title 22 is "radio or 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 in Zone A-1, provided that a CUP is obtained. In addition, the project complies with applicable development standards, as per Section 22.24.110 of the County Code.

Supplementing the general requirements of the A-1 zone, the Acton Community Standards District (CSD) contains additional development standards to protect the character of the Acton community. Per Subsection C(3) of 22.44.126: "All uses in [...] the Antelope Valley Plan [...] within nonurban land classifications which are not accessory to residential structures shall [...] not exceed a height of 35 feet except for [...] pole antennas, which may not exceed a height of 45 feet." The 20-foot tall WTF is in compliance with this height requirement. The CSD also requires that all uses be designed to conceal from public view all external utilities. The existing WTF complies with this requirement because its distance from the public right of way is such to conceal the antennae, equipment cabinets, and fencing from view.

Neighborhood Impact/Land Use Compatibility

The proposed redesign of the existing WTF design is appropriate for the site and area. The WTF's equipment is located at the southwest of the property, on a hillside, surrounded by undeveloped land. As discussed above, the existing WTF is compatible with its surroundings because of its size and location.

The existing WTF is not, and will not be, a detriment to the surrounding community. A WTF provides valuable telecommunications infrastructure to the community and is consistent with the established use and zoning requirements for the subject property. To date, there have been no complaints about the use or maintenance of the subject property. Thus, it can be presumed that the continuation and minor expansion of the WTF will not have a negative impact on the surrounding community.

Burden of Proof

The applicant is required to substantiate the burden of proof as required by Section 22.56.040 of the Los Angeles County Code. Staff is of the opinion that the applicant has met the burden of proof. The applicant's burden of proof responses are attached to this document and summarized below:

- 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; and

The requested continued use is justified at the current location because the existing facility does not generate additional light, nor does the facility block any views, attract criminal elements, or interfere with the use of the subject or surrounding properties.

- 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; and

The existing site is adequate in size and shape to accommodate all development features related to the continued use of a WTF. The facility will continue to operate in a manner that is consistent and compatible with the surrounding area.

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

The existing use is adequately served by Escondido Canyon Road, the existing road and utility easement, and the private access road, as well as other public facilities networks already in place. The use is not expected to generate additional need for these networks. This is an unstaffed facility expected to have one monthly visit for maintenance, and the existing roads and parking are sufficient to accommodate the visits.

Public Comments

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

Environmental Determination

The Los Angeles County Department of Regional Planning has determined that a Categorical Exemption, Class 3 Categorical Exemption – New Construction or Conversion of Small Structures, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) and the Los Angeles County Environmental Document Reporting Guidelines, since minimal new construction is proposed for the WTF.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Section 22.60.174 of the County Code, the Notice of Public Hearing was advertised in La Opinión, on March 15, 2012 and in the Signal, on March 14, 2012. A total of 53 public hearing notices regarding the subject application were mailed out to the owners of properties located within a 1,000-foot radius of the subject property on March 12, 2011. This number also includes notices sent to the local community groups and residents on the Soledad Zoned District courtesy list.

Case information materials, including the Notice of Public Hearing, Factual and Site Plan were forwarded to the Acton Agua Dulce County Library, Acton, on March 8, 2012. The same materials were also posted on Regional Planning's website.

Pursuant to Section 22.60.175 of the County Code, the applicant is required to post the public hearing notice on the property no less than 30 days prior to the public hearing date. Staff received the Certificate of Posting and photos from the applicant's agent stating that the Notice of Public Hearing was posted on March 16, 2012.

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 CUP No. 201100067, subject to the attached conditions, since the existing WTF has been operating and maintained for more than 15 years without any complaint or problem from the community. This facility is consistent with the goals and policies set forth in the General Plan, SCV Plan, and permitted in the A-1 zone with a CUP. Cellular service is important to maintain and is often used to make emergency calls.

SUGGESTED APPROVAL MOTIONS

"I MOVE TO CLOSE THE PUBLIC HEARING AND DETERMINE THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT."

"I MOVE TO APPROVE CONDITIONAL USE PERMIT CASE NO. 201100067 WITH THE ATTACHED FINDINGS AND CONDITIONS"

Prepared by Gretchen Siemers, AICP

Reviewed by Susan Tae, AICP, Section Head, Zoning Permits North Section

Attachments:

- Draft Conditions
- Draft Findings
- Applicant's Burden of Proof Statement
- Site Photographs
- Site Plan
- Coverage Analysis

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

PROJECT NO. PROJECT NO. 96135-(5)

CONDITIONAL USE PERMIT NO. 201100067

REQUEST: The applicant, T-Mobile West Corporation, is requesting a conditional use permit (CUP) to authorize the equipment upgrade, and the continued operation and maintenance of an existing unmanned wireless telecommunication facility (WTF) in the A-1-1 (Light Agricultural – One Acre Minimum Required Lot Area) zone.

A CUP is required for a WTF in the A-1 Zone pursuant to Section 22.24.100 of the Los Angeles County Code (County Code).

HEARING DATE: April 7, 2012

PROCEEDINGS BEFORE THE HEARING OFFICER:

[To be inserted]

FINDINGS:

1. The subject property is located near the intersection of Escondido Canyon Road and Hubbard Road in the Soledad Zoned District. The Assessor's Parcel Number is 3223 008 026.
2. The subject property is zoned A-1-1. Surrounding properties are zoned as follows:
 - North: A-1-1
 - East: A-1-1
 - South: A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area); R-1 (Resort and Recreation – One Acre Minimum Required Lot Area)
 - West: A-1-1
3. The subject property is an undeveloped parcel of land except for the existing WTF. The existing land uses for the surrounding properties are as follows:
 - North: Vacant land, single-family residences
 - East: Single-family residences
 - South: Single-family residences

West: Vacant land, single-family residences

4. The project provides for the equipment upgrade, and the continued operation and maintenance of an existing unmanned WTF in the A-1-1 Zone. The existing WTF consists of two 15-foot-tall monopoles with omni-directional antennae attached. The project proposes to increase the total height of the antennae poles from 15 feet to 20 feet, remove the omni-directional antennae and replace with panel antennae, and add two equipment cabinets, each mounted on a new concrete pad. The proposal will not increase the lease area.
5. The existing WTF is consistent with the applicable land use compatibility goals and policies of the County of Los Angeles General Plan (General Plan), and the Santa Clarita Valley Areawide General Plan (SCV Plan), a component of the General Plan. The subject property is designated N-1 (Non-Urban, One Dwelling Unit per Acre) and HM (Hillside Management) in the SCV Plan. The parcel is vacant, except for the existing WTF, and the use is consistent with the adopted land use designation. The following policies of the General Plan and SCV Plan are applicable to the subject property and serve as guidelines for the continued operation and maintenance of such facility:
 - a. General Plan, Public Services Policy 58: "Maintain high quality emergency response services": The existing WTF provides cellular service to this area and such service is often used to make emergency calls. The continued operation of the facility will ensure that such service is readily available to the community, which includes motorists on State Route 14 (Antelope Valley Freeway), in the case of an emergency.
 - b. SCV Plan, Land Use Policy 7.1: "Adequacy of Public Services": This policy encourages the development of convenient services to meet the needs of Santa Clarita Valley residents, including utilities. The continued use and minor expansion of the existing WTF provides a convenient utility for residents, with a level of service commensurate with need, as encouraged by the SCV Plan. The project applicant has provided coverage analysis documentation to support the local need for cellular services, which are a publicly-accessible service. Thus, the public service will be adequate to serve the local community.
6. Title 22 of the County Code does not specify "WTF" as a use of property. The use consistent with a WTF specified in the County Code is "radio or television stations and towers." Pursuant to Section 22.24.100 of the County Code, development of

radio and television stations and towers is an allowed use in Zone A-1, provided that a CUP is first obtained.

7. The project complies with development standards, as specified in Section 22.24.110 of the County Code. The location of the existing WTF is on a hillside, in the southwest portion of the property. The setbacks meet the required yard areas per the A-1 Zone. Access to the WTF is through an existing road and utility easement leading to an unpaved driveway, which is maintained by the property owner. The road meets minimum width requirements provided in Section 22.52.1030 of the County Code.
8. The project is consistent with the Acton Community Standards District (CSD). The CSD encourages the discreet siting of wireless facilities.
9. The project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area and will not jeopardize, endanger, or otherwise constitute a menace to public health, safety or general welfare. The requested continued use is justified at the current location because the existing facility does not generate additional light, nor does the facility block any views, attract criminal elements, or interfere with the use of the subject or surrounding properties. In addition, the use may promote the general welfare, by increasing the enjoyment and valuation of nearby properties by offering an important utility service.
10. The existing site is adequate in size and shape to accommodate all development features related to the continued use of a WTF. The existing use at the current location is not, and will not be, materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and does not, and will not, jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare. The facility will continue to operate in a manner that is consistent and compatible with the surrounding area. Therefore, allowing the operation and maintenance and the minor equipment upgrade of the facility will not be materially detrimental to the use, enjoyment, or valuation of property or of other persons located in the vicinity of the site.
11. The existing use is adequately served by the road, highway, and public facilities networks already in place, and the use is not expected to generate additional need for these networks. Access to the WTF is provided by a 15-foot wide unpaved road and utility easement via Escondido Canyon Road, which is a designated Secondary Highway, and a private unpaved driveway. This is an unstaffed facility expected to have one monthly visit for maintenance, and the existing streets and parking are sufficient to accommodate the visits. No other public infrastructure is required;

therefore, the existing site is adequately served for the needs of this project. As a valuable utility, the use may in fact add to the communication service facilities in the area. Allowing the WTF to continue to operate will ensure that cellular service will be readily available. Cellular service is often used to make emergency calls and is important to the health and safety of the surrounding residents as well as those who may visit the community.

12. On October 8, 1996, CUP No. 96135-(5) was approved to authorize the construction, operation, and maintenance of the unmanned WTF with two monopoles at 15 feet in height. This grant terminated on October 8, 2006.
13. On April 15, 2008, CUP No. 200600323 was approved to authorize the equipment upgrade, and the continued operation and maintenance of the subject WTF. The permit was never issued used because a signed affidavit was never received from the applicant, and therefore expired on April 15, 2010.
14. Staff has determined that a Class 3 Categorical Exemption—New Construction or Conversion of Small Structures—is the appropriate environmental documentation under the California Environmental Quality Act (CEQA) and the Los Angeles County Environmental Document Reporting Guidelines.
15. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
16. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to 15 years.
17. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Zoning Permits North Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

1. That the existing use is consistent with the adopted general plan for the area;
2. That the existing use at the current location 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;

3. That the existing site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
4. That the existing 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;
5. That the information submitted by the applicant and presented at the public hearing substantiate the required findings identified by Section 22.56.040 of the County Code.

HEARING OFFICER ACTION:

1. The Hearing Officer determines that this project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to a Class 3 Categorical Exemption for New Construction or Conversion of Small Structures.
 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201100067 is approved subject to the attached conditions.
- c: Regional Planning Commission, Zoning Enforcement, Building and Safety

SMT:GS

CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. 96135--(5)
CONDITIONAL USE PERMIT NO. 201100067

PROJECT DESCRIPTION

The project would authorize the equipment upgrade, and the continued operation and maintenance of an existing unstaffed wireless telecommunication facility (WTF) in the A-1-1 (Light Agricultural – One Acre Minimum Required Lot Area) Zone. The project consists of two monopoles with panel antennae attached, reaching 20 feet in height. At the base of the monopoles are three equipment cabinets mounted on concrete pads and an H-frame structure supporting telecom equipment. An 8-foot tall chain link fence surrounds the 400-square-foot lease area. Pursuant to Section 22.24.100 of the Los Angeles County Code (County Code), a conditional use permit (CUP) is required for a WTF in the A-1 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 Conditions No. 4, 5, and 9, shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term “date of final approval” shall mean the date the County’s action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall

promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

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

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

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 22.170.010.

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 April 17, 2027.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the

applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.

9. This grant shall expire unless used within one (1) year from the date of final approval of the grant. A single one (1)-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 Part 13 Chapter 22.56, of the County Code.

12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All requirements of Title 22 of the County Code and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
14. All development pursuant to this grant shall conform to the requirements of County Department of Public Works ("Public Works").
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 48 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **four (4) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
17. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
18. Upon request, the permittee shall submit 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.

19. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.
20. Upon request, any proposed WTF that will be co-locating on the proposed facility will be required to submit the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.
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. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences and open spaces. 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 Federal Aviation Administration (FAA).
23. Construction and maintenance of the facility shall be limited to the hours of 9:00 A.M. to 5:00 P.M., Monday through Friday. Emergency repairs of the facility may occur at any time.
24. The project shall be developed and maintained in substantial compliance with the approved plans marked Exhibit "A." Placement and height of all pole-mounted equipment shall be in substantial conformance with that shown on said Exhibit "A."
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 any driveways.
26. The maximum height of the facility shall not exceed 20 feet above finished grade.
27. Within 30 days of change in service provider ownership, the permittee shall provide the Zoning Enforcement Section of Regional Planning the name and contact information of the new service provider.

28. 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 a grey or tan color that blends in with the immediately-surrounding environment.
29. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced within 30 days of notice. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.
30. Upon request, the permittee/operator shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
31. The Regional Planning project number, CUP number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.
32. The facility shall be secured by fencing, gates and/or locks.

SMT:GS



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 applicant T-Mobile West Corporation is seeking a new CUP for an existing Wireless Telecommunication facility. the original entitlement was cup 96-135. this parcel is zoned light agricultural with no residences or businesses on the property and is compatible with its current uses and elements. the site overlooks the interstate and provides needed coverage in the area. the wtf is regulated by the fcc and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

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 unmanned facility will not require parking and will not generate any traffic. No noise or odors are emitted from the facility. the proposed facility's shape and size is adequate and will not impede or negatively affect the setbacks or other development features required by the a-1 zone. the wtf is 400' sq lease space on a 40 acre plot. it is approx. 500' from hubbard rd. and as such leaves plenty of room for setback and yards as well as future development.

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.

as stated above, no traffic is generated by the site. no water or sewer services are required. the existing wtf is adequately served by the old road. since this is an unmanned facility, trips are minimal to the site.



3 carrier Monopole .94 miles from existing T-Mobile antennas

Existing T-Mobile WTF with expired Use Permit

7648 Escondido Canyon Road, Acton CA 93510

Photo Key



The numbers correspond with where the photographer stood while taking the specific photo

7648 Escondido Canyon Road, Acton CA 93510

Photo Key Page # 2

The numbers correspond with where the photographer stood while taking the specific photo





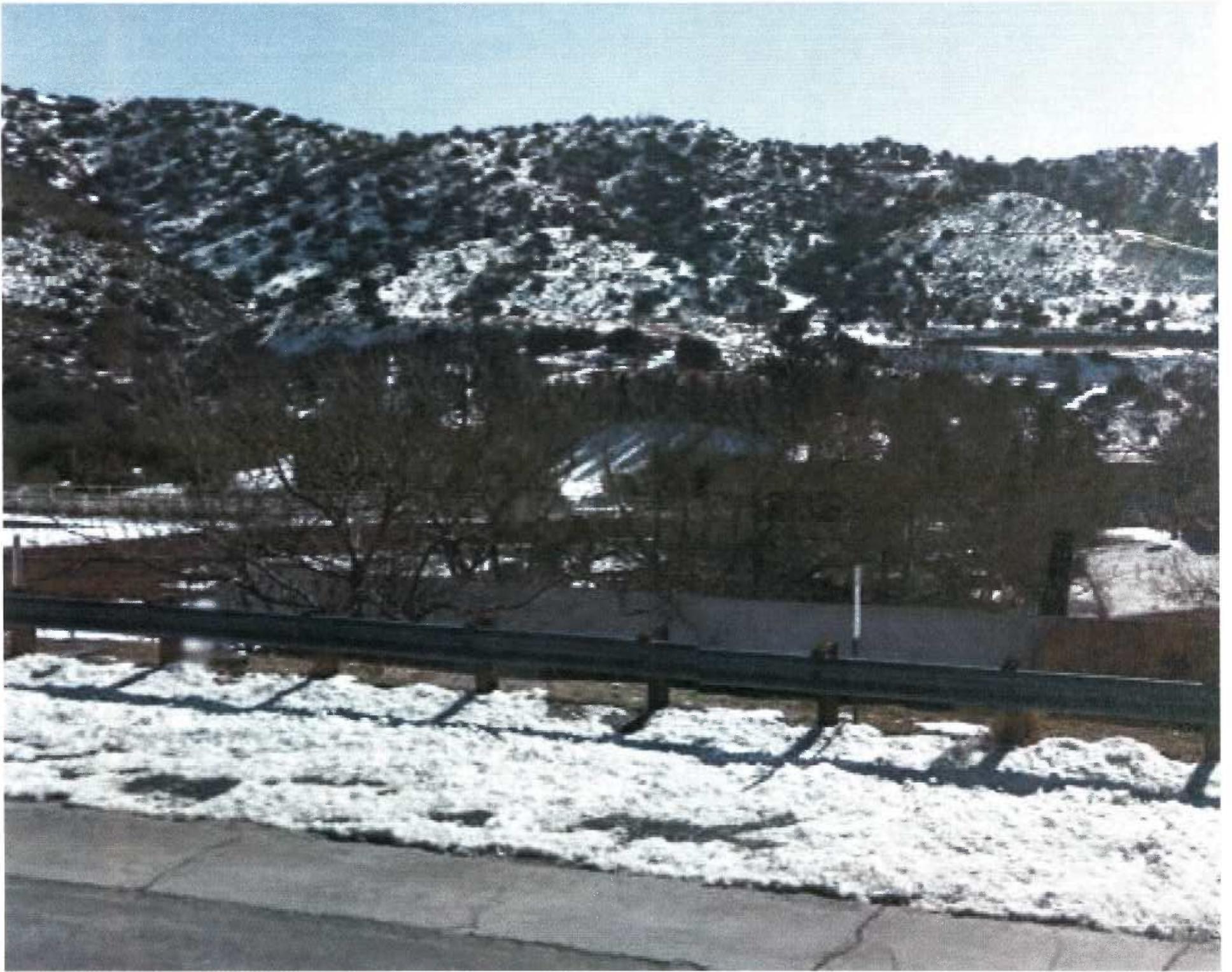










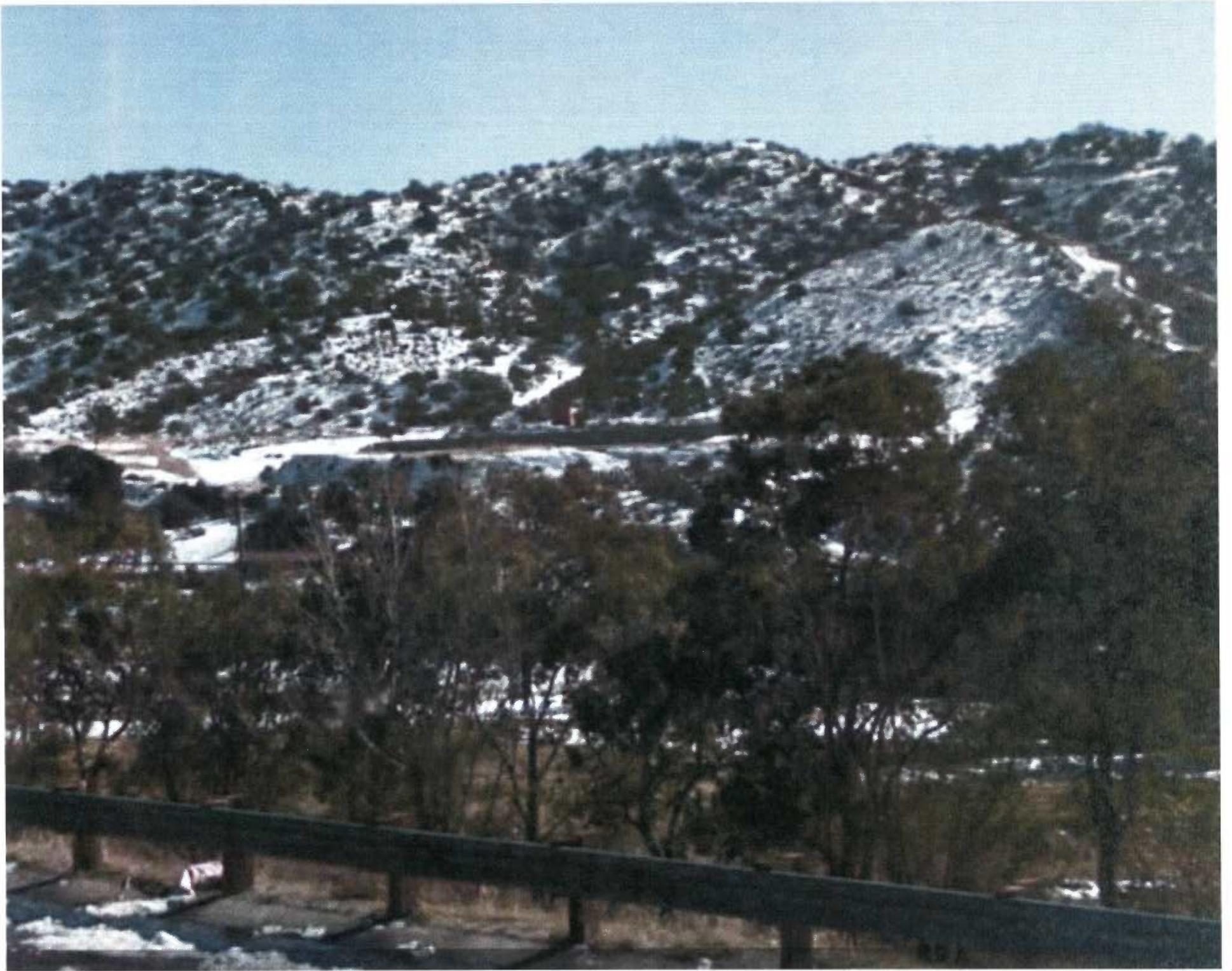




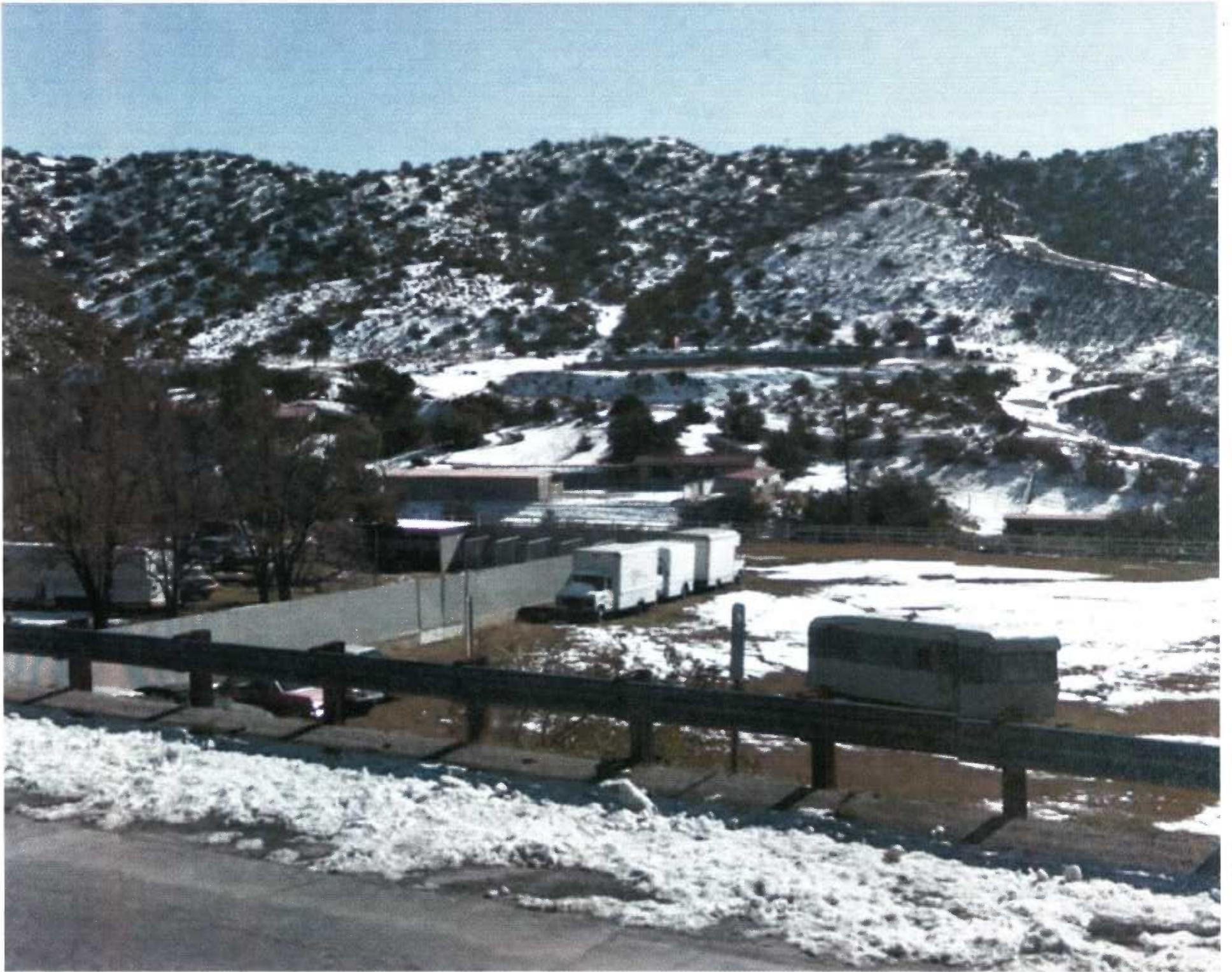
Row 2



Row 3



Row 4



Row 5

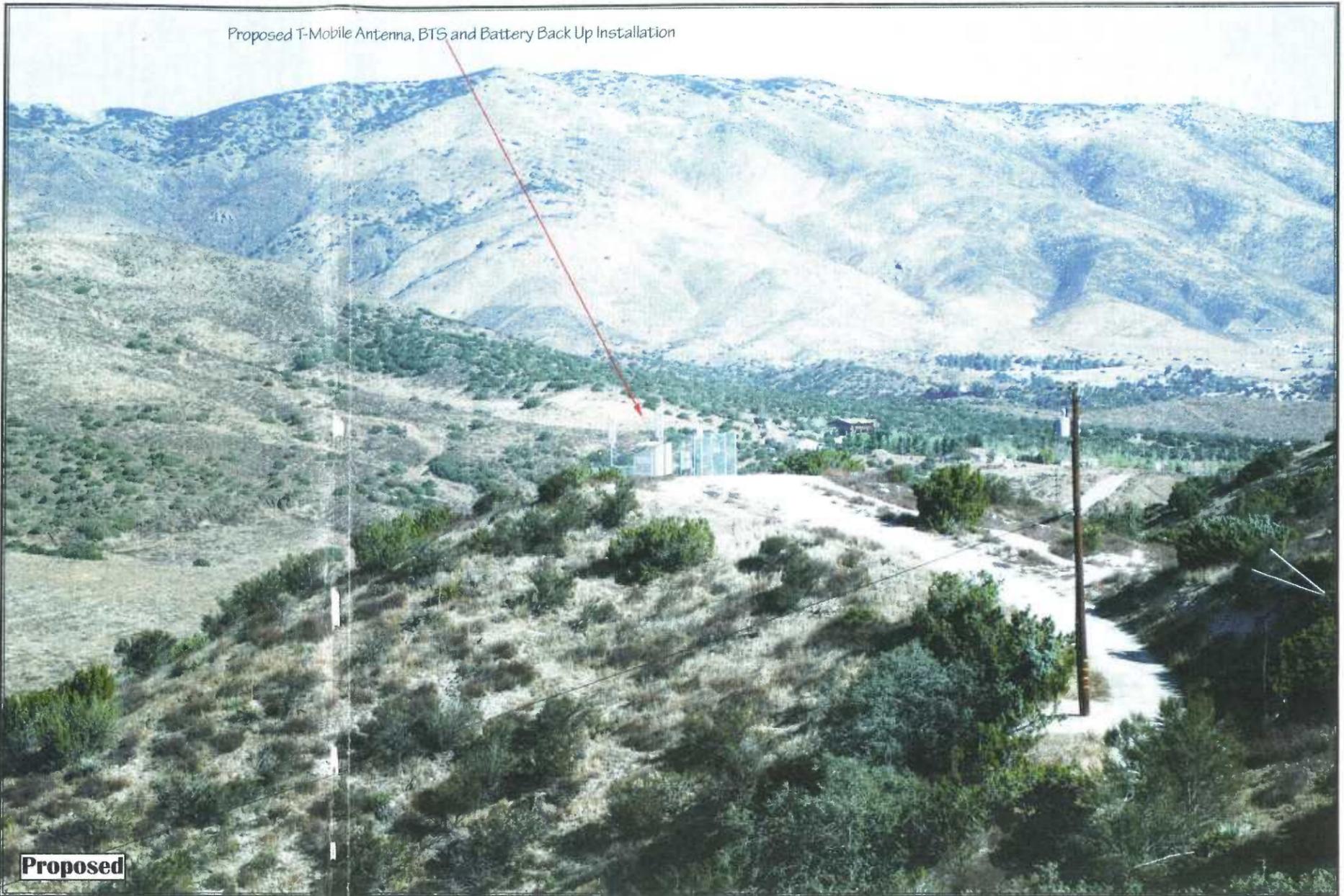


Row 6

SV00300A Pasos Finos ~ 7648 Escondido Canyon Rd. Acton, CA 93510

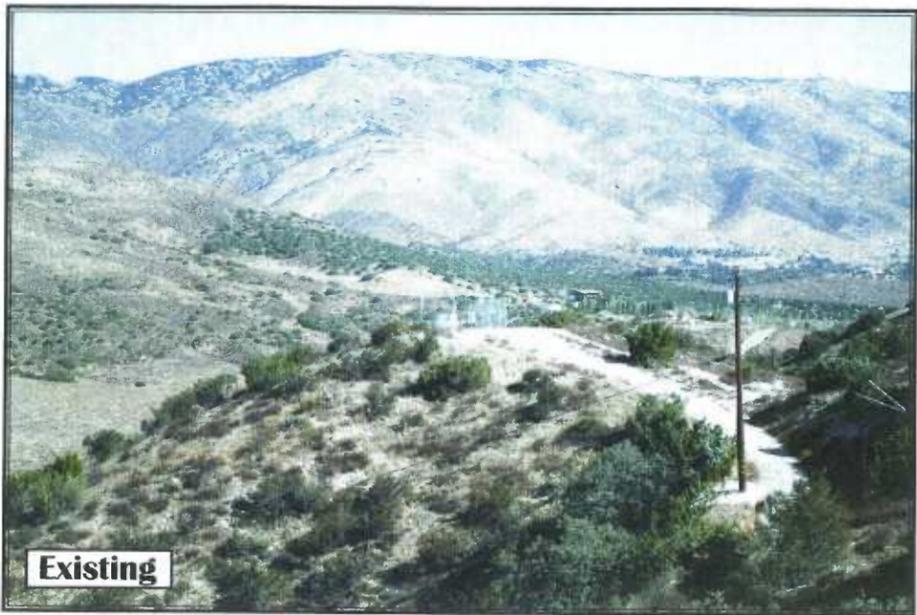


Location



Proposed T-Mobile Antenna, BTS and Battery Back Up Installation

Proposed



Existing

View 1

T-Mobile
Boudewijn Hanrath
Development Manager
3 Imperial Promenade Suite 1100
Santa Ana CA, 92707
(949) 861-1912

Applicant/Contact

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This illustration is representative of the proposed project based on information provided by our client. Actual construction may vary dependent on approved construction plans. Digital Dreamz is not responsible for post simulation production design changes.