



WTF HEARING PACKAGE
PROJECT NUMBER 98-132-(5)
CONDITIONAL USE PERMIT 201000054

HEARING DATE
February 15, 2011
ITEM
4
CONTINUED TO
April 5, 2011

HEARING OFFICER: Mitch Glaser

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PREPARED BY: Dean Edwards, Zoning Permits North

(213) 974-6443, ComLine 288, dedwards@planning.lacounty.gov

REVIEWED BY: Mark Child

A handwritten signature in black ink, appearing to read 'Mark Child'.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

January 31, 2011

TO: Alex Garcia, Hearing Officer
Mitch Glaser, Hearing Officer

FROM: Mark Child *MC*
Zoning Permits North Section

SUBJECT: PROJECT NUMBER 98-132-(5)
CONDITIONAL USE PERMIT 201000054
HEARING DATE: February 15, 2011
AGENDA ITEM 4

The applicant did not post the hearing notice on the subject property. Therefore, Staff requests that the case be continued to **April 5, 2011**. The hearing package will be distributed March 24, 2011.

MC:de

STAFF REPORT
PROJECT NUMBER 98-132-(5)
CONDITIONAL USE PERMIT 201000054

REQUEST

The applicant, Crown Castle, is requesting a conditional use permit to authorize the continued operation and maintenance of a wireless telecommunications facility (WTF), a use that is subject to permit.

REPRESENTATIVE: Alexis Osborn

OWNER: Laslovich and Silvia

PROJECT DESCRIPTION

No new construction or installation of new equipment is proposed.

LOCATION

The subject property is located north of Sierra Highway and south of Hypotenuse Road in the unincorporated area of Antelope Valley and Soledad Zoned District.

Assessor's Parcel Number(s): 3217-019-016

Antelope Valley Area Plan Land Use Designation: Non-Urban 1

Zoning: A-1-1 (Light Agriculture – 1 Acre Minimum Required Lot Area)

Community Standards District: Acton

SITE DESCRIPTION

The 17.73 acre subject property is developed with a residence on the west side of the property and four WTFs.

The WTF that is under consideration by Conditional Use Permit 201000054, includes a 20 foot tall undisguised pole with six top mounted antennas in three sectors. Related equipment, including three equipment cabinets mounted to a concrete pad, located on the east side of the lease area. An electrical pedestal is located on the south side of the lease area. The facility is secured by a six foot high chain link fence. Access to the facility is provided by a dirt road terminating at Sierra Highway.

ENVIRONMENTAL DETERMINATION

The proposed project is eligible for a Class 1 (Existing Facility) Categorical Exemption from California Environmental Quality Act reporting requirements.

PREVIOUS CASE/ZONING HISTORY

Conditional Use Permit 98-132 authorizing the construction, operation and maintenance of a WTF was approved by the Hearing Officer on April 20, 1999. The grant terminated April 20, 2009. The continued operation of this facility is being considered under Conditional Use Permit 201000054.

Conditional Use Permit 00-23 authorizing the construction, operation and maintenance of a WTF was approved by the Hearing Officer. The case file is not available and there are no determination documents on file for additional information.

Conditional Use Permit 93148 authorizing the installation and maintenance of a WTF was approved by the Hearing Officer on June 28, 1994. There is no grant termination date for this permit.

Conditional Use Permit 200600324 authorizing the continued operation and maintenance of a WTF was approved by the Hearing Officer on April 15, 2008. The grant will terminate April 15, 2018.

Request for Service: Zoning Enforcement submitted an inspection report dated November 24, 2010 stating that no violations were discovered.

PUBLIC COMMENTS

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

ANALYSIS

The policies and guidelines of Subdivision and Zoning Ordinance Memo 01-2010 do not apply to this case because the application was deemed complete on June 9, 2010 which is before the July 26, 2010 memo date.

Height

The site plan depicts a 20 foot high facility. The aforementioned height was approved under Conditional Use Permit 98-132.

Aesthetics

The subject property is surrounded by the following land uses:

North: Vacant Land and Single-family Residence

East: Single-family Residences

South: Vacant Land

West: Vacant Land

Because no new construction or installation of new equipment is proposed, the continued operation of the facility should not degrade the aesthetics of the area.

RECOMMENDATION

Staff recommends **APPROVAL** of Conditional Use Permit 201000054 with a grant term of 15 years and biennial inspections because:

- There are no zoning violations on the property.
- To date, there is no opposition to the project.
- The continued operation of the facility should not degrade the aesthetics of the area.

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

PROJECT NUMBER 98-132-(5)
CONDITIONAL USE PERMIT 201000054

REQUEST

The applicant, Crown Castle, is requesting a conditional use permit to authorize the continued operation and maintenance of a wireless telecommunications facility (WTF).

HEARING DATE: February 15, 2011

FINDINGS

1. No new construction or installation of new equipment is proposed.
2. The subject property is located north of Sierra Highway and south of Hypotenuse Road in the unincorporated area of Antelope Valley and Soledad Zoned District.
3. The 17.73 acre subject property is developed with a residence on west side of the property and four WTFs.

The WTF that is under consideration by Conditional Use Permit 201000054, includes a 20 foot tall undisguised pole with six top mounted antennas in three sectors. Related equipment, including three equipment cabinets mounted to a concrete pad is located on the east side of the lease area. An electrical pedestal is located on the south side of the lease area. The facility is secured by a six foot high chain link fence. Access to the facility is provided by a dirt road terminating at Sierra Highway.

4. The proposed project is consistent with the Antelope Valley Area Plan. The land use designation of the subject property is Non-Urban 1. There are no policies in the Plan that specifically prohibit, discourage or limit the use of WTFs.
5. Title 22 of the Los Angeles County Code (Zoning Ordinance) does not specify WTF as a use. Similar uses, such as radio/television stations/towers, are subject to permit.
6. The site plan depicts a 20 foot high facility. The aforementioned height was approved under Conditional Use Permit 98-132.
7. The 17.73 acre subject property is adequate in size and shape to accommodate the development. Pursuant to Section 22.24.110, the facility complies with setback requirements. One parking space for maintenance vehicles is required. The site plan does not depict vehicle parking. A condition requires that one parking space for maintenance vehicles be provided.
8. The subject property is adequately served by public and private service facilities as necessary. A WTF does not require sewer or water service.
9. The subject property is adequately served by highways and streets of sufficient width and improved as necessary to carry the kind and quantity of traffic associated with this project. The subject property is served by Sierra Highway. The facility will generate approximately one maintenance vehicle trip every two months which the aforementioned highway should be able to accommodate.
10. The subject property is surrounded by the following land uses:
North: Vacant Land and Single-family Residence
East: Single-family Residences
South: Vacant Land
West: Vacant Land

11. The design of the facility is appropriate for the site and area because the facility is located in a rural area with vacant land.
12. No comments from the public were received.
13. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
14. The proposed project is exempt from the California Environmental Quality Act under Class 1 because the facility is existing.
15. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to 15 years and require eight inspections.
16. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits 1 Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use is consistent with the adopted general plan for the area; and
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

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

HEARING OFFICER ACTION

1. I have considered the Class 1 Categorical Exemption for this project and certify that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit 201000054 is **APPROVED**, subject to the attached conditions.

c: Hearing Officer, Building and Safety

MC:de

January 31, 2011

1. This grant authorizes the continued operation and maintenance of a wireless telecommunications facility (WTF) that includes: a 20 foot tall undisguised pole with six top mounted antennas in three sectors; related equipment, including three equipment cabinets mounted to a concrete pad; and an electrical pedestal.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
3. 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 Department of 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 7, and until all required monies have been paid pursuant to Condition 10. The recorded affidavit shall be filed and the required monies shall be paid by **April 18, 2011**. Notwithstanding the foregoing, Condition 3, and Conditions 4, 5 and 8 shall be effective immediately upon final approval of this grant by the County. The date of final approval is 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 other applicable statute of limitations. 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 pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs or expenses shall be billed and deducted for the purpose of defraying the costs and expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs or expenses shall be billed and deducted:
 - a. If during the litigation process, actual costs 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 the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.The cost for collection and duplication of records and other related documents shall be paid by the permittee according to Los Angeles 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 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 Recorder. In addition, upon any transfer or lease of the property during the term of this grant, permittee or 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 February 15, 2026.** 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 6 months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two years from the date of final approval by the County. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County of Los Angeles 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 deposit provides for **eight (8) biennial (one every other year)** inspections. Inspections shall be unannounced.
11. 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.
12. 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 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.
13. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.

14. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
15. All requirements of the Zoning Ordinance 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. The facility shall be operated in accordance with all applicable regulations of the State Public Utilities Commission and the Federal Communications Commission.
15. Upon completion of construction of the facility, the permittee shall submit to the Zoning Enforcement Section of the Department 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.
16. 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.
17. Any proposed WTF that will be co-locating on the proposed facility will be required to submit the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of the Department of Regional Planning.
18. All structures shall conform to the requirements of the Division of Building and Safety of the Department of Public Works or other appropriate agency and obtain an encroachment permit if deemed necessary.
19. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Pole mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
20. 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". The facility shall be built as depicted in the photo simulations presented at the public hearing.
21. 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.
22. The maximum height of the facility shall not exceed 20 feet above finished grade.
23. Within 30 days of change in service provider ownership, the permittee shall provide the Zoning Enforcement Section of the Department of Regional Planning the name and contact information of the new property owner.
24. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.

25. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced within 30 days of notice. Any and all graffiti shall be removed by the operator or property owner within 48 hours. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.
26. Upon request, the permittee/operator shall submit annual reports to the Zoning Enforcement Section of the Department of Regional Planning to show compliance with the maintenance and removal conditions.
27. The Department of Regional Planning project number, conditional use permit number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.
28. Replacement poles or fencing shall comply with current regulations and policies.

MC:de

1/31/2011



Los Angeles County
Department of Regional Planning
Director of Planning James E. Harll, AICP



May 4, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Jerry Ambrose
JM Consulting Group
120 Cremona Avenue
Goleta, CA 93117

RE: CONDITIONAL USE PERMIT CASE NO. 98-132-(5)
To authorize the construction, maintenance, and operation of
an unmanned telecommunications facility consisting of one
20-foot monopole and (3) arrays with (4) top mounted antennas
per array and appurtenant equipment.

Dear Applicant:

PLEASE NOTE: This document contains the Hearing Officer's
findings and order and conditions relating to **APPROVAL** of the
above referenced case. **CAREFULLY REVIEW EACH CONDITION.**

Condition 2 requires that the permittee must file an affidavit
accepting the conditions before this grant becomes effective.
USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the
Hearing Officer's decision to the Regional Planning Commission at
the office of the commission's secretary, Room 170, Hall of
Records, 320 West Temple Street, Los Angeles, California 90012.
Contact the commission's secretary for the necessary forms and
the amount of the appeal fee at (213) 974-6409. The appeal must
be postmarked or delivered in person within 15 days after this
notice is received by the applicant. The Hearing Officer's
decision may also be called up for review by the Regional
Planning Commission during the appeal period.

For further information on appeal procedures or any other matter
pertaining to this approval, please contact the Zoning Permits
Section at (213) 974-6443.

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: The applicant requests a Conditional Use Permit to
authorize the construction, maintenance, and operation

of one 20-foot monopole and (3) arrays with (4) top mounted antennas per array and appurtenant equipment.

FACTUAL SUMMARY:

April 20, 1999 Public Hearing

A duly noticed public hearing was held. One person was sworn in, the applicant's representative. The applicant's representative presented testimony in support of the project.

There being no further testimony, the Hearing Officer closed the public hearing and approved the wireless communications facility, subject to the conditions recommended by staff. The Hearing Officer directed staff to prepare findings and conditions for the Hearing Officer's signature.

Findings

The site plan, marked "Exhibit A" page 1 of 2, depicts a 11' X 32' unmanned wireless telecommunications facility which includes (12) top mounted antennas. A 6' high chain link fence is shown surrounding the facility. The facility is located on a leasehold of approximately 400 square feet. An existing telecommunications facility which includes four monopoles with top mounted antennas is already developed on the parcel. Parking for one vehicle is shown. The site takes access from Sierra Highway to the south. Access to the facility is by dirt road and then by a gravel foot path.

The site elevations, marked "Exhibit A" page 2 of 2, depicts the facility from the west and south. The elevations show the existing wireless telecommunications facility and the proposed monopole with antenna arrays, and appurtenant equipment enclosed by a 6' fence.

Zoning on the subject property is A-1-1 (Light Agriculture, one acre minimum required area).

The subject leasehold is currently undeveloped, although an existing wireless telecommunications facility is located on the same parcel.

Pursuant to Section 22.24.100, Title 22 of the Los Angeles County Code (Zoning Ordinance), a wireless telecommunications facility is a permissible use in Zone A-1-1 provided that a Conditional Use Permit has first been obtained.

The project site is classified as "Non-Urban I" in the Antelope Valley Area Plan. The operation of a wireless telecommunications facility, such as that proposed by the applicant, is an allowable

use within the "Non-Urban I" land use category.

The project site is located within the Acton Community Standards District and is consistent with those standards, which include the use of earth tone colors and preservation and use of high desert vegetation.

There is one previous Conditional Use Permit filed on the 18 acre parcel; Conditional Use Permit No. 96-063-(5). This Conditional Use Permit was for a wireless communications facility which is north of the applicant's leasehold.

The project has been granted a Negative Declaration under CEQA reporting requirements.

Staff has received no comments regarding this request.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

REGARDING THE CONDITIONAL USE PERMIT:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and 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 and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such use would generate and by other public or private facilities as are required.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. I approve the *negative declaration* for the project, certify that I have reviewed and considered the environmental information contained in the initial study for the proposed project, and determine that the proposed project will not have a significant effect on the environment.

2. In view of the findings of fact presented above, Conditional Use Permit Case No. 98-132-(5) is **APPROVED**, subject to the attached conditions.

BY: *Rose Hamilton*
ROSE HAMILTON, HEARING OFFICER
Department of Regional Planning
County of Los Angeles

Date: 5-4-99

Attachments: Conditions
Affidavit

c: Each Commissioner; Zoning Enforcement; Building and Safety.

JRG:kms

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant 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 property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
3. 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. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully 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.
4. 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 pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs 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 the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

5. This grant will expire unless used within 2 years from the date of approval. A one year time extension may be requested before the expiration date.
6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
7. This grant will terminate April 20, 2009.

Entitlement to use of the property as a wireless communications facility thereafter shall be subject to the regulations then in effect.

8. 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. The permittee shall deposit with the County of Los Angeles the sum of \$500.00. The fee shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fee provides for 5 biennial inspections.

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 the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

9. 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 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.
10. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.

11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
12. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
13. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. 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.
14. In the event of such 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
15. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A" pages 1 and 2. In the event that subsequent revised plans are submitted the written authorization of the property owner is necessary.
16. The project will require the filing of a Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code. The Notice of Determination will not be filed until the appropriate fees required by the California Department of Fish and Game are paid. The fees are based on the type of environmental document approved for this project; the current maximum amount is \$1,275.00.
17. This grant allows for the construction, operation, and maintenance of an unmanned wireless telecommunications facility consisting of one 20-foot monopole with (3) arrays and (4) top mounted antennas per array and appurtenant equipment.
 - a. The facility shall be operated in accordance with regulations of the State Public Utilities Commission;
 - b. Said facility shall be removed if in disuse for more than six months;

- c. 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;
- d. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works;
- e. All buildings or structures shall be a neutral color excluding black to blend with its surroundings and shall be maintained in good condition at all times;
- f. Security lighting shall be low intensity, and directed away from natural areas. No pole-mounted lighting shall be permitted on the site;
- g. A native landscape buffer shall be provided in order to provide a visual buffer between the project site, Sierra Highway, and the adjacent development;
- h. One parking space shall be provided on the subject parcel.



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 proposed facility will be advantageous to the community by providing emergency communication services and internet access to the community and surrounding neighborhoods. It will enhance the general health, safety and welfare within the County of Los Angeles as residents and visitors will be more able to communicate with others.

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

The proposed wireless telecommunications facility is located on a hillside. The equipment needed is limited to a small lease area situated inside a fenced area so that it is not noticeable from the street. The facility has minimal visual impact on the surrounding community.

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

The proposed facility is an existing wireless telecommunications facility which will be unmanned and only visited every couple of months by a service technician. The access roads are adequate for the proposed use.

CERTIFICATE OF POSTING

-Public Hearing-
LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CA 90012

PERMIT(S): 98-132-(5),
RCUP 201000054

Contact: Dean Edwards (213) 974-6443
DEdwards@planning.lacounty.gov

CERTIFICATE OF POSTING

This Certifies that I/We have posted the "NOTICE OF PUBLIC HEARING" sign(s) for: _____
Permit(s): 98-132-(5), RCUP 201000054

Located at: North of Sierra Highway and South of Hypotenuse Road, Antelope Valley

Public Hearing Scheduled: Tuesday, April 5, 2011 at 9:00 a.m.

I hereby certify under penalty of perjury that we posted the above-mentioned
NOTICE OF PUBLIC HEARING. On the 3rd Day of March, 2011.

POSTING AGENT
GC MAPPING SERVICE, INC.
3055 W. VALLEY BLVD.
ALHAMBRA, CA 91803
(626)441-1080

Edward Lopez Jr.
Agent


Signature

March 4, 2011
Date



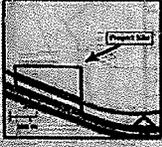


NOTICE OF HEARING

Case Number PROJECT NO.:
98-132-(5)
RCUP201000054

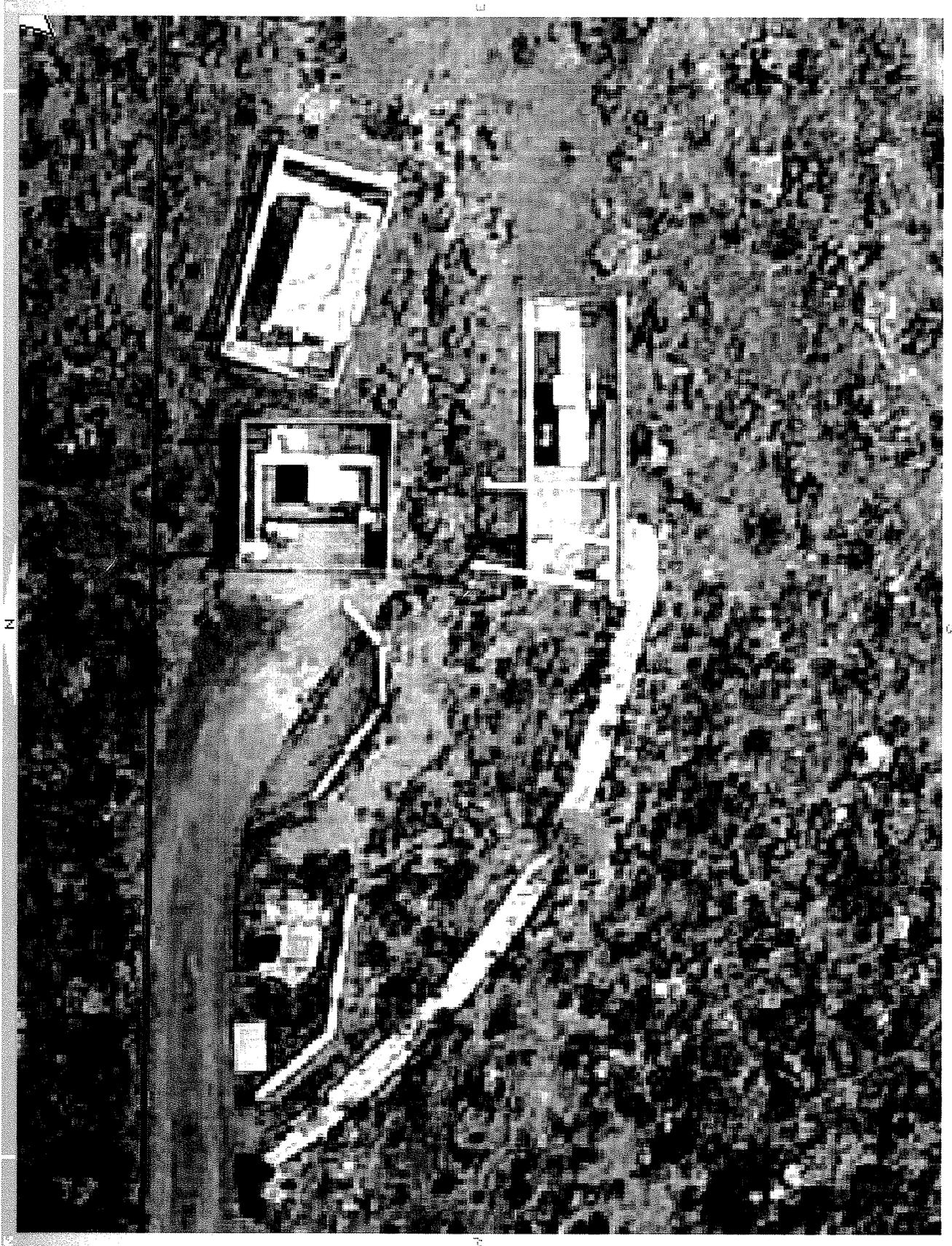
Tuesday, April 5, 2011 at 9:00 a.m.

Room 150
320 West Temple St.
L.A. 90012

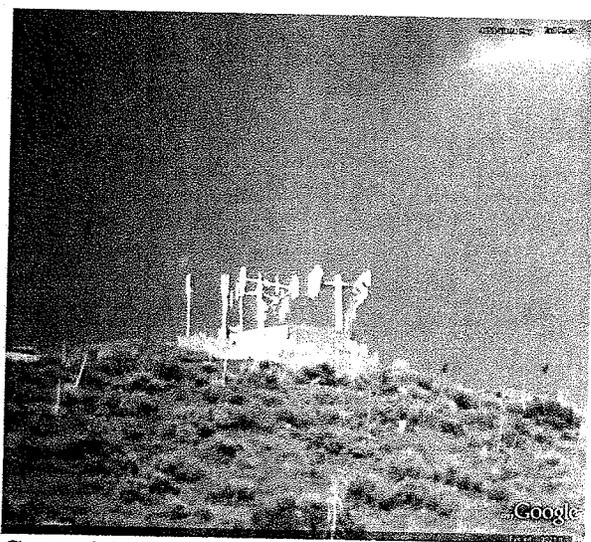
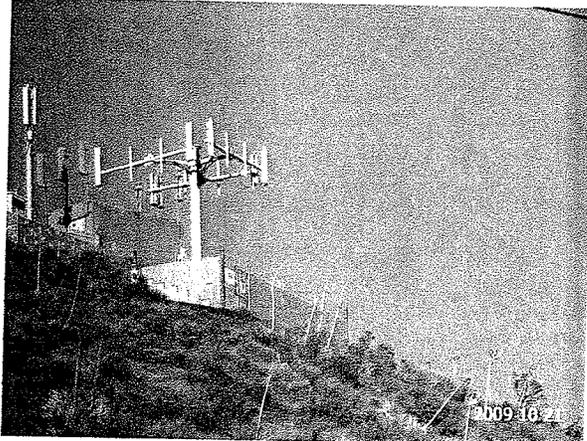


**FOR INFORMATION
CALL (213) 974-6443**

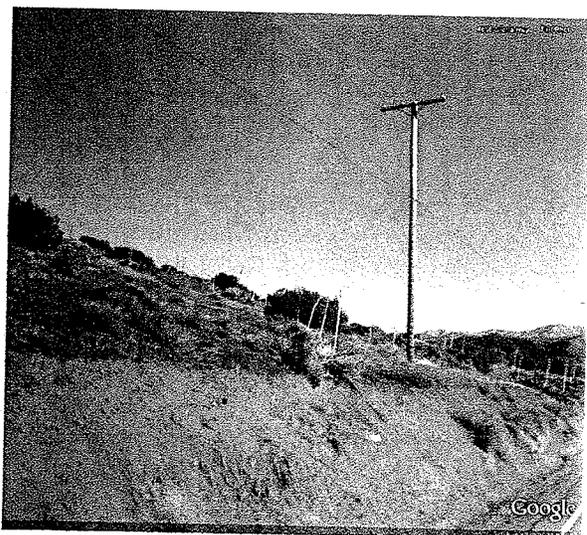
PROJECT NUMBER 98-132-(5)



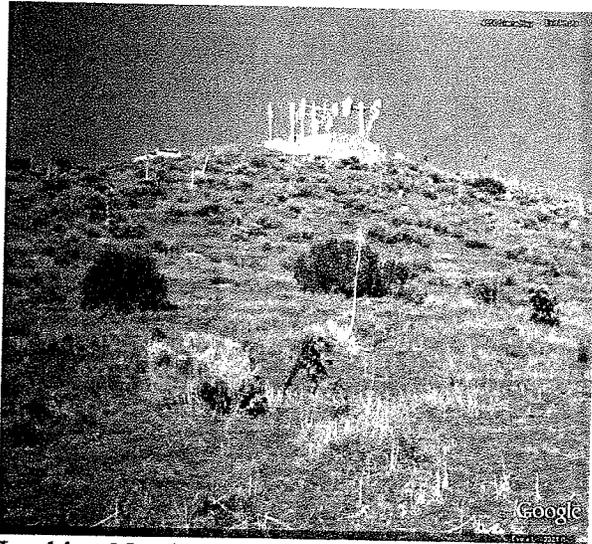
Conditional Use Permit Request
Crown Castle: Red Rover Mine



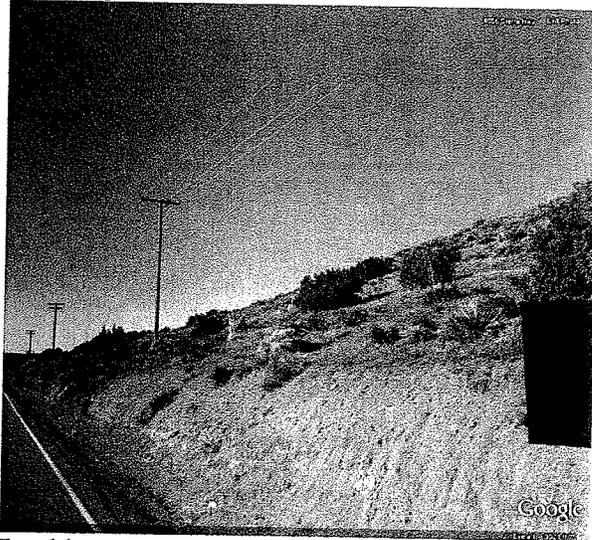
Ground Space



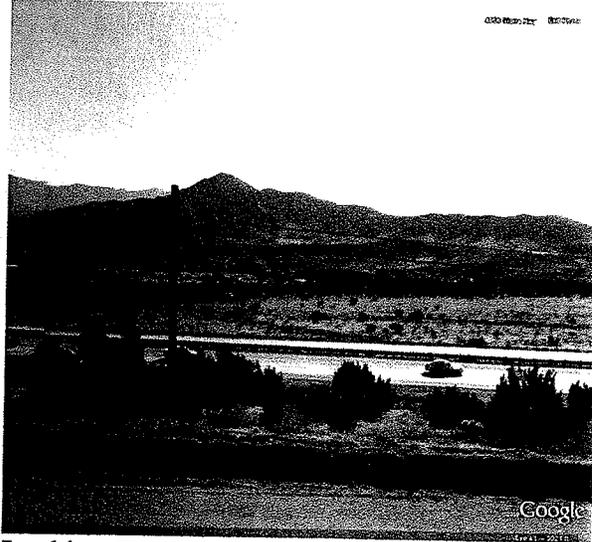
Looking East from site



Looking North at site



Looking West from site



Looking South from Site

