

HEARING OFFICER'S FINDINGS AND ORDER:

Request: Sprint is requesting to renew the Conditional Use Permit no 96-172 consisting of a 60 foot high monopole with 12 panel antennas and 3 whip antennas elevating the height to 75 feet and equipment cabinets within a 400 square foot lease area.

PROCEEDINGS BEFORE THE HEARING OFFICER:

December 2, 2008 Public Hearing

A duly noticed public hearing was held on December 2, 2008 before the Hearing Officer. The applicant's representative was sworn in and testified in favor of the request. The applicant's representative confirmed that he had reviewed the staff report and conditions recommended by staff and concurred with all conditions of approval.

The Hearing Officer inquired whether Town Council was informed of the project, staff advised that the Quartz Hill Town Council received notification regarding the project as they are listed on the courtesy list. There being no further testimony, the Hearing Officer closed the public hearing and approved the permit with changes to the findings and conditions as agreed to by the applicant.

Findings

1. The subject property is located at 5104 W Avenue M in the Quartz Hill Zoned District between 50th and 55th Street in the unincorporated Los Angeles County in the community of Antelope Valley.
2. The General Plan designation for the subject property is M-Industrial under the Antelope Valley area plan. The proposed wireless project is consistent with the Antelope Valley Area Plan requirements by improving wireless communication in the area.
3. The zoning for the subject property is M-1 (Light Manufacturing). Self-service storage facility is a permitted use. The existing storage facility was approved with a plot plan review.
4. The Department of Regional Planning has determined that a Categorical Exemption Class 1 - Existing Facilities is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.
5. A total of 172 public hearing notices were mailed out to property owners located within the 1000-foot radius of the subject property on October 28, 2008. The notice was published in the *La Opinion* and Antelope Valley Press newspapers on October 31, 2008 and November 1, 2008. Case-related material was provided to the Quartz Hill County Library, County of Los Angeles located at 42018 North 50th Street West Quartz Hill, CA. The hearing notice was posted on

the property for at least 30 days prior to the public hearing and posted on the Department of Regional Planning website.

6. Title 22 of the Los Angeles County Code (Zoning Ordinance) does not specify wireless telecommunications facility as a use. The use most closely matching a wireless telecommunications facility specified in the Zoning Ordinance is a radio or television tower.

7. Conditional Use Permit 96-172 was approved on February 10, 1997 to construct, maintain and operate an unmanned communications facility consisting of a 75-foot high antenna and accessory equipment.

8. Revised Exhibit "A" was approved on June 9, 1999 for Airtouch Cellular consisting of 12 directional antennas and 2 microwave dish antennas mounted on the existing monopole. The approved REA included additional lease area.

9. Plot Plan 200601356 was approved on September 20, 2006 to expand the existing mini storage facility to an additional 37,900 square feet.

10. Plot Plan 46953 was approved on May 23, 2001 for an expansion of self-storage units to allow R.V boat and vehicle storage on parcel 3101-016-026.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- 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 uses would generate and by other public or private facilities as are required.

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:

I have considered the 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.

In view of the findings of facts presented above, Project No. R2007-02947-(5) Conditional Use Permit No. 200700187-(5) is **APPROVED**, subject to the attached conditions.

Attachments: Conditions

cc: Commission Services, Zoning Enforcement, Building and Safety