

Hearing Officer Transmittal Checklist

Hearing Date
6/01/2010
Agenda Item No.
6

Project Number: R2008-00599-(1)
Case(s): Conditional Use Permit Case No. 200800072
Planner: Andrew Svitek

- Factual
- Property Location Map
- Staff Report
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use Radius Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6435
PROJECT NUMBER R2008-00599-(1)
CONDITIONAL USE PERMIT NO. 200800072

PUBLIC HEARING DATE
 6/1/10

AGENDA ITEM
 6

RPC CONSENT DATE

CONTINUE TO

APPLICANT
 Crown Castle

OWNER
 Vlach Trust

REPRESENTATIVE
 PB Telecom

PROJECT DESCRIPTION

To authorize the continued operation and maintenance of a wireless telecommunications facility, and to permit the collocation of additional dish antennas at the 50-ft height level and one equipment cabinet on a 3' x 3' concrete slab within the existing lease area.

REQUIRED ENTITLEMENTS

A Conditional Use Permit is required to maintain and operate a wireless telecommunications facility (WTF) in the M-1 (Light Manufacturing with Billboard Exclusion) Zone. WTF is not a use recognized by Title 22 but a similar use of radio/television tower is a use subject to permit.

LOCATION/ADDRESS

10634 Inez Ave in the Sunshine Acres Zoned District in the unincorporated area of South Whittier-Sunshine Acres.

SITE DESCRIPTION

The proposed project consists of the operation and maintenance of an existing wireless telecommunications facility consisting of a 50-foot tall pole with 9 panel antennas at the 50-ft height and 6-panel antennas mounted at the 40-ft height and 4 equipment cabinets, and proposing the addition of 3 dish antennas at the 50-ft height, a new GPS antenna, and a new cabinet on a 3ft x 3ft concrete pad with an ice bridge from the pole to the cabinets that will remain within the existing 12ft by 40ft (420 SF) lease area.

ACCESS

Inez Street (from Telegraph Road)

ZONED DISTRICT

Sunshine Acres

ASSESSORS PARCEL NUMBERS

8029-002-041 and 8029-002-042

COMMUNITY

South Whittier-Sunshine Acres

SIZE

0.7 acre

COMMUNITY STANDARDS DISTRICT

N/A

| | EXISTING LAND USE | EXISTING ZONING |
|--------------|---------------------------------------|---|
| Project Site | Auto body shop and warehouses | M-1 (Light Manufacturing with Billboard Exclusion) Zone |
| North | Auto shop (suspension) | M-1 (Light Manufacturing with Billboard Exclusion) Zone |
| East | Auto parts | M-1 (Light Manufacturing with Billboard Exclusion) Zone |
| South | Machine shop | M-1 (Light Manufacturing with Billboard Exclusion) Zone |
| West | Auto repair; single family residences | M-1 (Light Manufacturing with Billboard Exclusion) Zone |

GENERAL PLAN/COMMUNITY PLAN

Countywide General Plan

LAND USE DESIGNATION

"1" - Low Density Residential

MAXIMUM DENSITY

1 to 6 du/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 |

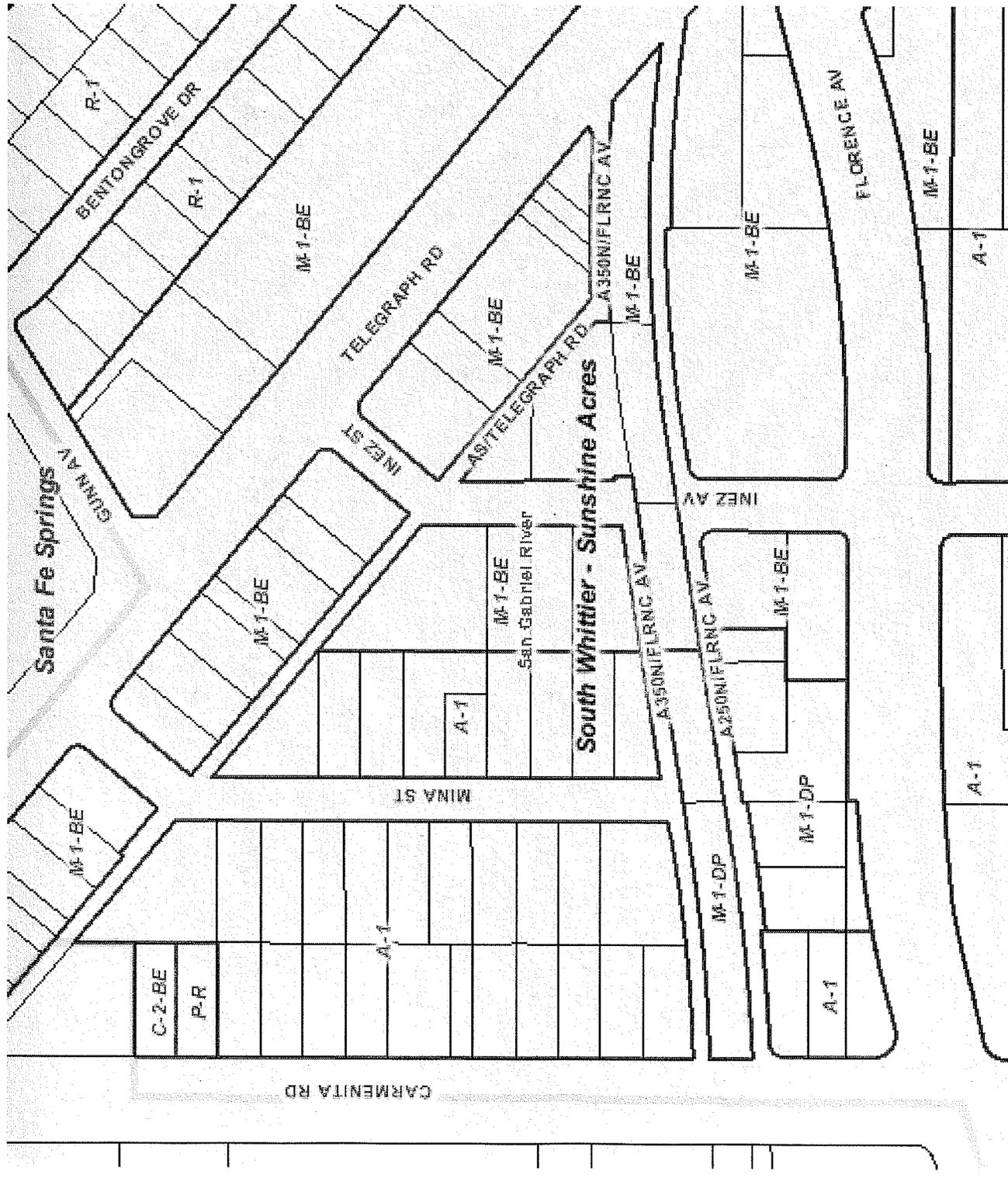
TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON:

| RPC HEARING DATE(S) | RPC ACTION DATE | RPC RECOMMENDATION |
|---------------------|-------------------|--------------------|
| MEMBERS VOTING AYE | MEMBERS VOTING NO | MEMBERS ABSTAINING |

STAFF RECOMMENDATION (PRIOR TO HEARING):

| SPEAKERS* | PETITIONS | LETTERS |
|-------------|-------------|-------------|
| (O) 0 (F) 0 | (O) 0 (F) 0 | (O) 0 (F) 0 |



Legend

- Parcel Boundary
- State Highways
- Freeway
- Trails
- Existing
- Proposed
- Blowway Plan
- Class 1
- Class 2
- Railroad or Rapid Transit
- Railroad
- Rapid Transit
- Underground Rapid Transit
- Significant Ridges
- Casual CSP Primary
- Casual CSP Secondary
- SMUNRA Significant
- Significant Ecological Area
- SEA (Coast Only)
- National Forest
- USGS Quad Sheet Grid
- Very High Fire Hazard Severity Zone
- Natural Diversity Database
- Plant (60m)
- Plant (Species)
- Plant (Specific)
- Plant (Circular)
- Animal (60m)
- Animal (Specific)
- Animal (Circular)
- Terr. Comm (60)
- Terr. Comm (Specific)
- Terr. Comm (Circular)
- Aqu. Comm (60m)
- Aqu. Comm (Specific)
- Aqu. Comm (Circular)
- Natural Diversity Database - Multiple Occurrences
- 1
- 2
- 3
- 4
- Inland Waterbody
- Perennial
- Intermittent
- Dry
- Fermland
- Prime Fermland
- Fermland of Statewide Importance
- Fermland of Local Importance
- Grazing Land
- Urban and Built-Up Land
- Breaston's Nix-Vetch Habitats
- Other Land
- Water
- Remnant of Local Potential
- Impacted Potential
- Nonirrigated Fermland
- Not Surveyed

FEWA Q3 Flood
100-Year Flood Plain
100-Year Flood Plain (Remnant)
500-Year Flood Plain

Safety Related Stations (From TB)
Fire Station
Highway Patrol
Ranger Station
Sheriff Station

DEK
High: 3087.44368
Low: -0.018270

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use 'Display/Info Legend Tab' on the top left tab of screen.

STAFF ANALYSIS
PROJECT NUMBER R2008-00599-(1)
CONDITIONAL USE PERMIT NO. 200800072

PROJECT DESCRIPTION

To authorize the continued operation and maintenance of a wireless telecommunications facility, and to permit the collocation of additional dish antennas at the 50-ft height level and one equipment cabinet on a 3-ft by 3-ft concrete slab within the existing lease area.

REQUIRED ENTITLEMENTS

A Conditional Use Permit is required for a Wireless Telecommunications Facility because while this use is not specifically recognized by Title 22, the similar use of Radio/Television Tower is a use subject to a Conditional Use Permit.

LOCATION

The subject property is located at 10634 Inez Avenue in the Sunshine Acres Zoned District in the unincorporated area of South Whittier-Sunshine Acres.

SITE PLAN DESCRIPTION

The request is for the continued operation and maintenance of an existing wireless telecommunications facility consisting of a 50-foot tall pole with 9 panel antennas at the 50-ft height and 6-panel antennas mounted at the 40-ft height and 4 equipment cabinets, and proposing the addition of 3 dish antennas at the 50-ft height, a new GPS antenna, and a new cabinet on a 3ft x 3ft concrete pad with an ice bridge from the pole to the cabinets that will remain within the existing 12ft by 40ft (420 SF) lease area.

ENVIRONMENTAL DETERMINATION

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

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PREVIOUS CASES/ZONING HISTORY

There are previous cases on the subject property:

Conditional Use Permit No. 97156 – A request to authorize the construction, maintenance of an unmanned wireless communications facility consisting of a 55 foot high monopole and appurtenant facilities in a M-1-(BE) Zone. The existing permit application was filed to renew this permit, which expired on January 20, 2008. Approved on February 25, 1998.

Plot Plan No. 30899 – A request to authorize outdoor storage in the M-1-(BE) Zone. Approved on August 3, 1981.

STAFF EVALUATION

General Plan Consistency

Wireless telecommunications facilities are consistent with the General Plan as they provide needed services to the residents and business owners in the surrounding area.

Zoning Ordinance and Development Standards Compliance

The applicable zoning standards are specified in the M-1 (Light Manufacturing with Billboard Exclusion) Zone. The wireless facility is existing and the lease area is not being expanded. The continued use will not alter the site's compliance with the applicable development standards for the subject site.

Neighborhood Impact/Land Use Compatibility

The surrounding area is a mixture of industrial, commercial, and residential uses. The telecommunications tower is existing and is compatible with the existing development in the surrounding area.

Burden of Proof

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

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

No County departments were consulted as the request is for the continued use of an existing facility, with small construction (of an additional equipment cabinet) within the existing lease area.

PUBLIC COMMENTS

No public comments have been received at the time of the writing of the staff report.

FEES/DEPOSITS

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

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of **Project Number R2008-00599-(1) / Conditional Use Permit No. 200800072** subject to the attached conditions.

Prepared by Andrew Svitek, Regional Planning Assistant II
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits Section II

Attachments:

Draft Conditions of Approval
Applicant's Burden of Proof Statement
Environmental Document
Site Photographs
Site Plan
Land Use Map

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

**PROJECT NUMBER R2008-00599-(1)
CONDITIONAL USE PERMIT NO. 200800072**

REQUEST:

To authorize the continued operation and maintenance of a wireless telecommunications facility, and to permit the collocation of additional dish antennas at the 50-ft height level and one equipment cabinet within the existing lease area.

HEARING DATE: June 1, 2010

PROCEEDINGS BEFORE THE HEARING OFFICER:

(Proceedings will be summarized after the public hearing.)

FINDINGS:

1. The project is located at 10634 Inez Ave in the Sunshine Acres Zoned District in the unincorporated area of South Whittier-Sunshine Acres.
2. The project is a request for authorization to continue operation and maintenance of a wireless telecommunications facility, and to permit the collocation of additional dish antennas at the 50-ft height level and one equipment cabinet in an existing lease area.
3. A Wireless Telecommunications Facility on the subject property is a use that is consistent with the Countywide General Plan.
4. The request is for the continued use of an existing Wireless Telecommunications Facility, with no expansion of the existing lease area. As such, the granting of the request will not change the subject property's compliance with the applicable zoning standards of the M-1-(BE) Zone.
5. The surrounding area is developed with a mixture of industrial, commercial, and residential uses. The Wireless Telecommunications Facility has existed in this area for approximately 10 years and continues to be compatible with the uses and structures in the surrounding area.
6. 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 ten (10) years.
7. 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.
8. The location of the documents and other materials constituting the record of proceedings upon which the Commission'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 II 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 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; 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.

AND, 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 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 No. 200800072** is **APPROVED** subject to the attached conditions.

c: Hearing Officer, Zoning Enforcement, Building and Safety

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This grant authorizes the continued operation and maintenance of a wireless telecommunications facility, and the collocation of additional antennas at the 50-ft height level and one equipment cabinet on a 3-ft by 3-ft concrete slab within the existing lease area, as depicted on the approved Exhibit "A" and subject to the following conditions of approval:

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 subject property 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, and that the conditions of the grant have been recorded as required by Condition 6, and until all required monies have been paid pursuant to Condition 9 and Condition 10. The recorded affidavit shall be filed and the required monies shall be paid by **August 1, 2010**.
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 reasonably 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. 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.
6. Prior to the use of this grant, the property owner or 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, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
7. **This grant will terminate on January 20, 2018.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the permittee intends to continue

operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning. The application shall be a request for continuance of the use permitted under this grant, whether including or not including modification to the use at that time.

8. This grant shall expire unless used within two years from the date of final approval by the County. The date of final approval is the date of the approval action plus any applicable appeal period. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. 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 **\$1,000.00**. The deposit 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 deposit provides for **five (5) biennial** (once 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 the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost, whichever is greater.

10. 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.
11. 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.
12. 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.
13. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
14. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by the Department of 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.

15. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
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, a Revised Exhibit "A" shall be submitted to the Department of Regional Planning within sixty (60) days of the date of approval for the Conditional Use Permit.
17. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
18. Said facility shall be removed if in disuse for more than six months.
19. The permittee shall provide written verification that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted Federal Communications Commission (FCC) standards for safe human exposure to such forms of non-ionizing electromagnetic radiation when operating at full strength and capacity for the lifetime of this conditional use permit. The permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the FCC requirements, to the Zoning Enforcement Section of the Department of Regional Planning. If other WTFs are located on the subject property or on adjacent parcels, a cumulative radio frequency emissions report must be submitted.
20. 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.
21. Any proposed wireless telecommunications facility 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.
22. Security lighting, if required, shall be on motion sensors, be of low intensity, and be directed away from residential areas. No pole-mounted lighting shall be permitted on the leasehold. Exterior lighting shall be a top-shielded or hooded design intended to direct light away from adjacent parcels and prevent off-site illumination.
23. Construction and maintenance of the facility shall take place between the hours of 9:00 AM to 5:00 PM, Monday through Friday only. 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 to be in substantial conformance with that shown on said Exhibit "A". All revised plot plans must be accompanied by the written authorization of the property owner.
25. The maximum height of the facility shall not exceed 55 feet above finished grade.
26. 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.

27. All structures, including the antenna and equipment cabinets, shall be a neutral, earth-tone color or camouflaging color to blend in and harmonize with the surroundings. The colors and materials of the surface shall not be glossy or reflective in appearance and shall be maintained in good condition at all times.
28. Said facility, including any lighting, fences, shields, cabinets, and poles shall be maintained by the operator in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 30 days of discovery to prevent occurrences of dangerous conditions or visual blight.
29. 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.

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In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

- A. That the requested use at the location proposed will not:
 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 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.

See Attached

- 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.

See Attached

- 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.

See Attached



TDI, Inc.
3150 Bristol Street
Suite 250
Costa Mesa, CA 92626
714.668.8288
Fax 714.668.8289

**Burden of Proof Supplemental Information
For Conditional Use Permit Application
County of Los Angeles**

Project Name: LA296-B: Santa Fe
Project Address: Property Adjacent to 10634 Inez Avenue
Whittier, California 90605
(Los Angeles County)
APN: 8029-005-049

Conditional Use Permit Case - Burden of Proof:

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

- 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or*
- 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 project will not adversely affect any element of *Item A1-3*. The addition of the proposed unmanned wireless telecommunications facility and the area designated for the Base Transceiver Station (BTS) electronic equipment cabinets will not affect the primary use of the subject site.

Since their introduction, wireless telecommunications systems have proved to be an invaluable communications tool in the event of emergencies (traffic accidents, fires, etc.) and natural disasters (earthquakes, floods, etc.) where normal land line communications are often disrupted, overlooked or inaccessible during and after an event has occurred. This service is used by numerous governmental and quasi-governmental agencies that provide emergency service. Wireless telecommunications systems, including cellular telephones, have also proved to be invaluable tools in business communication and everyday personal use. In this sense, wireless telecommunications system networks have proved to be desirable in the interest of public convenience, health, safety and general welfare.

The proposed facility will allow commuters and residents within the coverage area wireless access to the rapidly expanding communication infrastructure by providing voice and data transmission services not currently available. The location is near the edge of the designated PCS

coverage area and will provide for the highest quality transmission and reception throughout this region. The proposed wireless communications facility will operate in full compliance with all statutory regulations included in the Telecommunications Act of 1996.

The proposed project is part of the Southern California network of telecommunication facilities that is currently being developed by Cox Communications PCS, L.P. The network will provide affordable and superior Personal Communications Service (PCS) wireless technology to both businesses and to the general public. This site is an essential link within the network of facilities in the area and will provide seamless coverage for this region.

The construction, use, and maintenance of this unmanned wireless telecommunications facility will have no adverse impact to the character of the existing neighborhood. In the general vicinity of this proposed facility are a number of light poles and electrical/telephone poles and their related power equipment. Typically, a monopole at the required technical height should blend in with the existing utility poles in the horizon resulting in a minimal impact to the aesthetics in the area.

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 subject site is of adequate size to accommodate the items listed in *Item B*. The subject site and the existing structure will remain relatively the same with the addition of twelve (12) panel antennas mounted on top of a monopole and six (6) Base Transceiver Station (BTS) electronic equipment cabinets to be located toward the rear of the subject property. The rear of the property is currently used as an excess storage area and to house the guard dog.

The construction, use, and maintenance of this unmanned wireless telecommunications facility will have no adverse impact to the character of the existing neighborhood. In the general vicinity of this proposed facility are a number of light poles and electrical/telephone poles and their related power equipment. Typically, a monopole at the required technical height should blend in with the existing utility poles in the horizon resulting in a minimal impact to the aesthetics in the area.

A. 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 at the subject location will be unmanned, require no parking, have no impact on circulation systems, and generate no noise, odor, smoke, or any other adverse impacts to adjacent land uses. The site is fully served and will be acquiring power and telephone utility connections from the appropriate service providers.

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Project Description

LA296-B: Property Adjacent to 10634 Inez Avenue, Whittier, California 90605

This request is for the construction, use, and maintenance of a Cox Communications PCS, L.P. unmanned wireless telecommunications facility to be located at the property adjacent to 10634 Inez Avenue. The proposed facility will consist of three (3) sectors with four (4) panel antennas per sector equally spaced within an approximately 13' span. The sectors will face North, South-east, and Southwest respectfully. The location and configuration of the antennas has been selected to achieve the functional requirements of the Radio Frequency Engineers. This location has been coordinated with the property manager and owner, so that the unmanned wireless telecommunications facility will not impact the functionality and use of the property. The height of the antenna sectors from ground level will be approximately 55 feet. The proposed Base Transceiver Station (BTS) electronic equipment cabinets and monopole will occupy approximately 400 square feet at the Southeast end of the existing property.

Since their introduction, wireless telecommunications systems have proved to be an invaluable communications tool in the event of emergencies (traffic accidents, fires, etc.) and natural disasters (earthquakes, floods, etc.) where normal land line communications are often disrupted, overlooked or inaccessible during and after an event has occurred. This service and similar technology are utilized by numerous governmental and quasi-governmental agencies that provide emergency service. Wireless telecommunications systems, including cellular telephones, have also proved to be invaluable tools in business communication and everyday personal use. In this sense, wireless telecommunications system networks have proved to be desirable in the interest of public convenience and welfare.

The system requirements, general topography, existing structures, feasible design scenarios, and interested property owners were some of the significant considerations in the selection of this site. This PCS system of wireless telecommunications facilities functions on a line of sight configuration and the requested location is vital to the optimization and coordination of this section of the network. This site is designed to provide coverage for the Los Angeles County Regions and the surrounding communities. Through extensive research and inquiries with the interested property owner, a monopole installation, suitable to the required technical height, was the only design option that the property owner would deem feasible without affecting the valuation, functionality, and use of their property. The RF Engineers, through extensive analysis and consideration of the surrounding topography, concluded that a height of approximately 55' was necessary in order to provide seamless coverage to this region.

Unlike other land uses which can be spatially determined through the General Plan or other land use plans, the location of wireless telecommunication facilities is based on technical require-

ments which include service area, geographical elevations, alignment with neighboring sites and customer demand components. Placement within the urban geography is dependent on these requirements. Accordingly, wireless telecommunication facilities have been located adjacent to and within all major land use categories including residential, commercial, industrial, open space, etc. proving to be compatible in all locations. The proposed facility at the subject location will be unmanned, provide one parking stall, have no impact on circulation systems, and generate no noise, odor, smoke, or any other adverse impacts to adjacent land uses. The proposed facility will allow commuters and residents within the coverage area wireless access to the rapidly expanding communication infrastructure by providing voice and data transmission services not currently available. The location is near the edge of the designated PCS coverage area and will provide for the highest quality transmission and reception throughout this region.

The installation of antenna sectors and transmission equipment will not result in any material changes to the character of the local community. The facility has been proposed to have a height of approximately 55 feet above the existing finished grade and will blend into the environment of existing utility poles and power lines. The proposed wireless communications facility will operate in full compliance with all state and federal regulations including the Telecommunications Act of 1996.

LOS ANGELES COUNTY LETTERGRAM

| | | | |
|-----------|------|-------------|--|
| TO | File | FROM | Andrew Svitek Zoning Permits Section II |
|-----------|------|-------------|--|

**SUBJECT: ENVIRONMENTAL DETERMINATION
PROJECT NO. R2008-00599-(1)
CONDITIONAL USE PERMIT NO. 200800072
ENVIRONMENTAL ASSESSMENT NO. 200800044**

DATE: April 12, 2010

The proposed project consists of the operation and maintenance of an existing wireless telecommunications facility consisting of a 50-foot tall pole with 9 panel antennas at the 50-ft height and 6-panel antennas mounted at the 40-ft height and 4 equipment cabinets, and proposing the addition of 3 dish antennas at the 50-ft height, a new GPS antenna, and a new cabinet on a 3ft x 3ft concrete pad with a clearwire ice bridge from the pole to the cabinets that will add 70sq ft (12ft by 6ft) to the existing 12ft by 35ft (420 SF) lease area.

The subject property located in an urbanized area and is not located near a trail, scenic highway or in a SEA (eNet map attached). The property is surrounded by the following land uses:

North: Industrial
East: Industrial
South: Industrial
West: Mixture of Industrial and 2 nonconforming Single Family Residences

As such, this project qualifies for:
Class 3 Categorical Exemption – New Construction or Conversion of Small Structures.

Staff recommends a Categorical Exemption since it meets the criteria set forth in Class 3 of the State EIR Guidelines (Article 19, Categorical Exemptions) and Class 3 of the County Guidelines (Appendix G, Categorical Exempt Projects). If you have any questions regarding the above determination or the environmental document preparation, please contact Andrew Svitek of the Zoning Permits Section II at (213) 974-6435.

A NOTICE OF EXEMPTION MAY BE FILED WITH THE COUNTY CLERK UPON APPROVAL OF THIS PROJECT.



Existing Site - View from north

New Cingular Wireless
LSANCA0217 Rube's Monopole
10634 Inez Street
Whittier, CA 90605

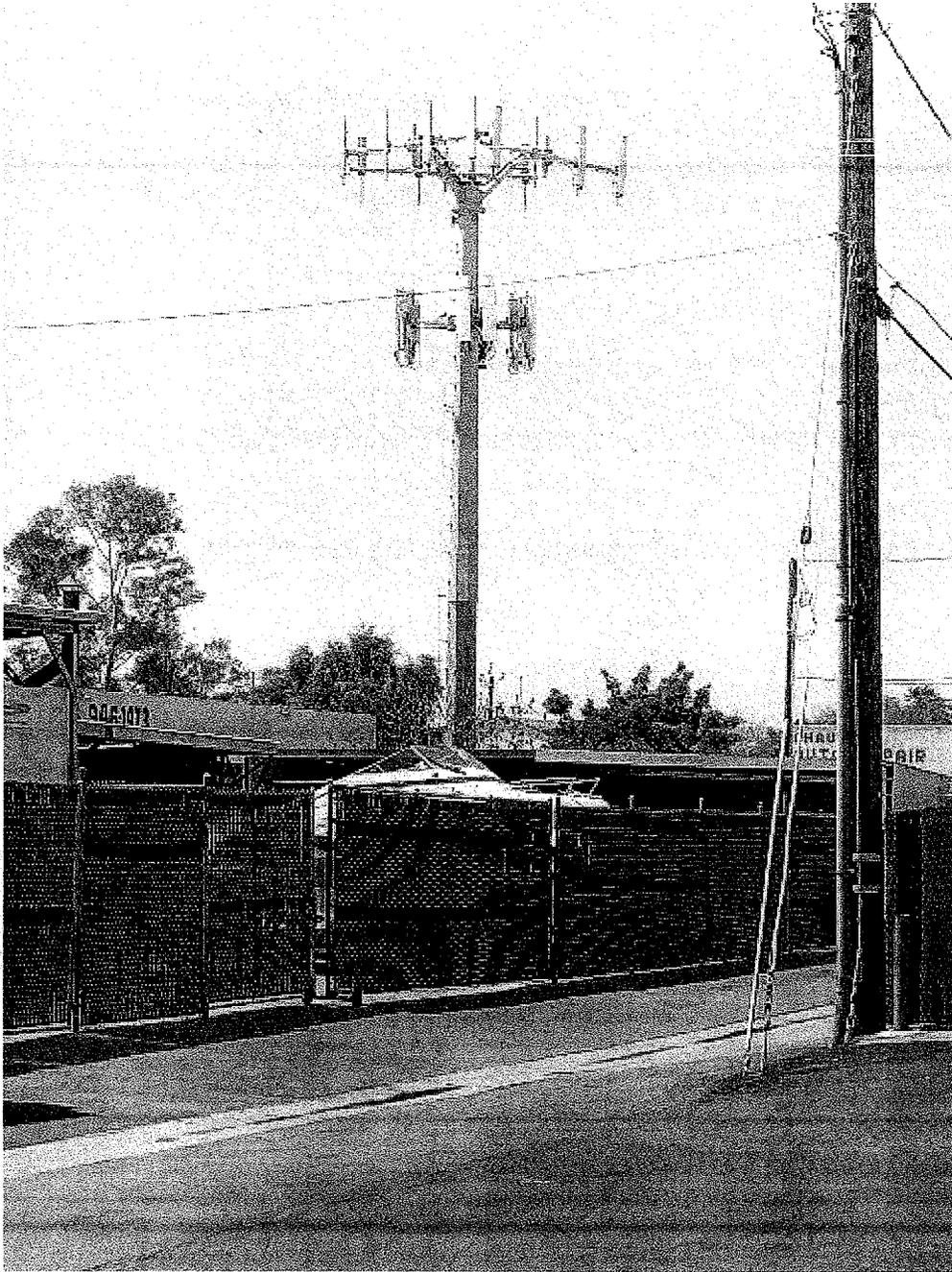
Application for Revised Exhibit A



Existing Site - View from west

**New Cingular Wireless
LSANCA0217 Rube's Monopole
10634 Inez Street
Whittier, CA 90605**

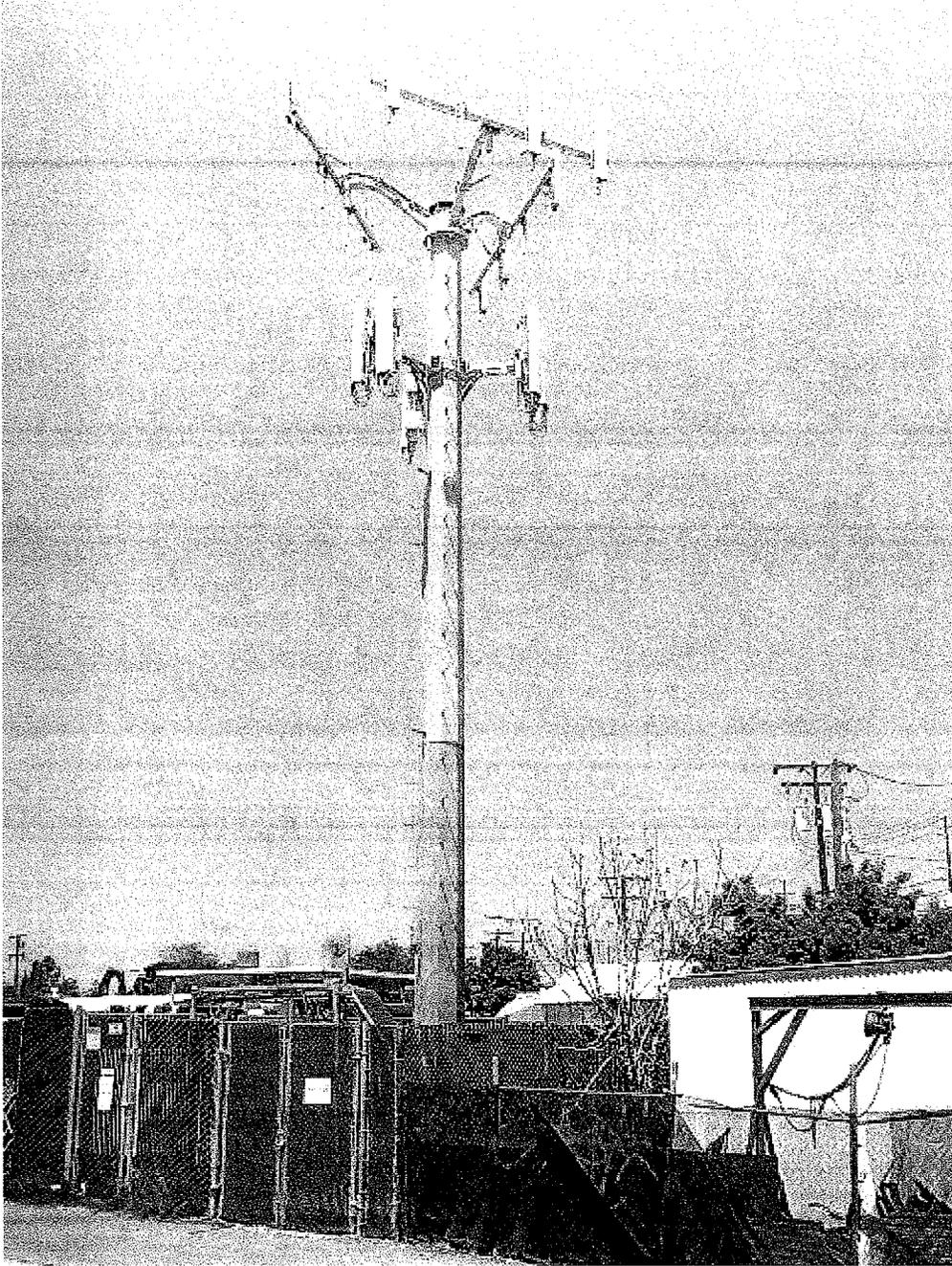
Application for Revised Exhibit A



Existing Site - View from southwest

**New Cingular Wireless
LSANCA0217 Rube's Monopole
10634 Inez Street
Whittier, CA 90605**

Application for Revised Exhibit A



Existing Site - View from southeast

New Cingular Wireless
LSANCA0217 Rube's Monopole
10634 Inez Street
Whittier, CA 90605

Application for Revised Exhibit A



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