

Transmittal Checklist

Hearing Date

08/18/2009

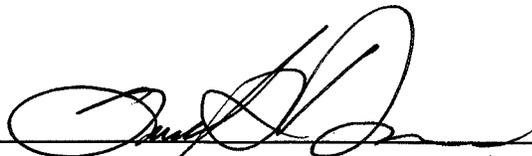
Agenda Item Number

5

Project Number: R2008-01828-(5)
Case(s): CUP No. 200800149-(5)
Contact Person: Maral M. Tashjian

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input type="checkbox"/>	<input checked="" type="checkbox"/>	DPW Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	FD Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Written Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aerial (Ortho/Oblique) Image(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photo Simulations

Reviewed By: _____





Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6433

PROJECT NUMBER R2008-01828-(5)
Conditional Use Permit No. 200800149-(5)

PUBLIC HEARING DATE
8/18/2009

AGENDA ITEM
TBD

HO CONSENT DATE

CONTINUE TO

APPLICANT

Royal Street Communications
California, LLC

OWNER

Sunnyside Farms Mutual Water
Company

REPRESENTATIVE

Wireless 1 Consulting Services (Jerry
Ambrose)

PROJECT DESCRIPTION

The proposed project consists of the installation and maintenance of a wireless telecommunications facility with a 65-foot high "monopine," six (6) panel antennas that will be mounted to the "monopine" at a maximum height of 60 feet, and four (4) ground-mounted equipment cabinets located within a 340 square foot (17'x20') lease area, enclosed within a six-foot high chain link fence.

REQUIRED ENTITLEMENTS

The applicant is requesting a Conditional Use Permit for the construction, operation, and maintenance of a new unmanned Wireless Telecommunications Facility mounted to a "monopine" in the A-2-2 (Heavy Agriculture – 2 acres minimum required lot area) Zone.

LOCATION/ADDRESS

3070 West Avenue N-3, Palmdale

SITE DESCRIPTION

The site plan depicts an existing pump house (12' high, 760 sq. ft. in size), a propane tank (8' high, 270 sq. ft. in size), and a water tank (24' high, 2,618 sq. ft. in size) on the 0.6 acre subject property. The proposed wireless facility is located within a 340 square foot (17'x20') lease area, enclosed by a six-foot high chain link fence, at the southwest corner of the property. Access to the facility is from West Avenue N-3 via a 12-foot wide, unpaved access driveway.

ACCESS

West Avenue N-3

ZONED DISTRICT

Quartz Hill

ASSESSORS PARCEL NUMBER

3001-011-010 & 3001-011-030

COMMUNITY

Antelope Valley

SIZE

0.6 Acres

COMMUNITY STANDARDS DISTRICT

N/A

EXISTING LAND USE

EXISTING ZONING

	EXISTING LAND USE	EXISTING ZONING
Project Site	Water Tank, Pump House, Propane Tank	A-2-2 (Heavy Agriculture– 2 acres min. required lot area)
North	Single-Family Residence, Vacant Property	A-2-2
East	Single-Family Residence	A-2-2
South	Single-Family Residence, Vacant Property	A-2-2
West	Single-Family Residence	A-2-2

GENERAL PLAN/COMMUNITY PLAN

Antelope Valley Areawide General Plan

LAND USE DESIGNATION

N1 (Non-Urban 1)

MAXIMUM DENSITY

0.5 du/ac

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

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

4195

SEE 4105 MAP

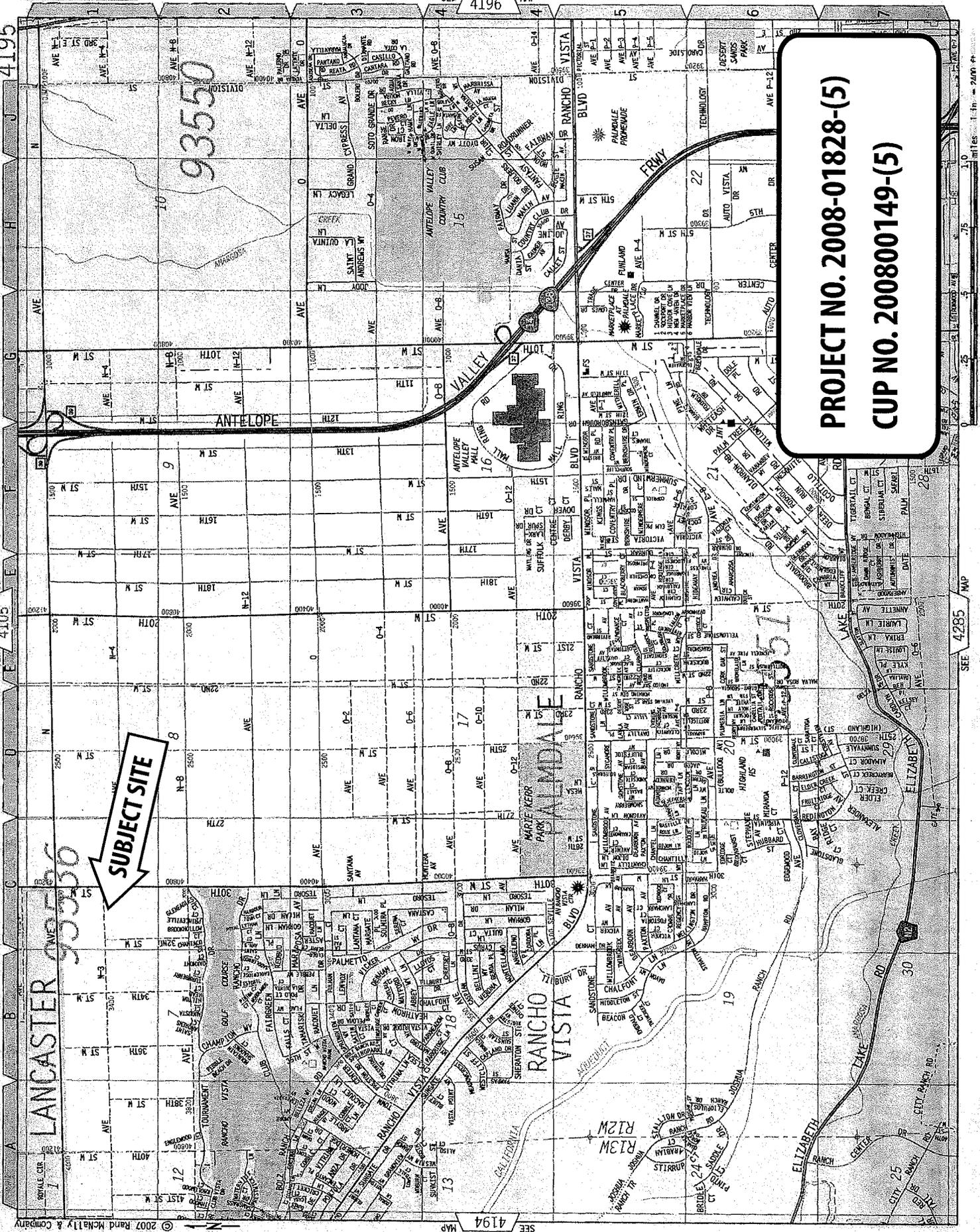
SEE 4194 MAP

93550

SUBJECT SITE

LANCASTER 93530

PROJECT NO. 2008-01828-(5)
CUP NO. 200800149-(5)



1.0 miles 1 in. = 2400 ft.

SEE 4285 MAP

STAFF ANALYSIS

PROJECT NUMBER R2008-01828-(5)

CONDITIONAL USE PERMIT NUMBER 200800149-(5)

PROJECT DESCRIPTION

The applicant, Royal Street Communications, LLC, is requesting a Conditional Use Permit to authorize the construction, operation, and maintenance of an unmanned wireless telecommunications facility in the A-2-2 (Heavy Agriculture – 2 acre minimum required lot area) Zone. The wireless telecommunications facility consists of a 65-foot high “monopine,” six (6) panel antennas that will be mounted to the “monopine” at a maximum height of 60 feet, and four (4) ground-mounted equipment cabinets located within a 340 square foot (17’x20’) lease area, enclosed by a six-foot high chain link fence.

ENTITLEMENT REQUESTED

The applicant is requesting a Conditional Use Permit to authorize the construction, operation, and maintenance of an unmanned wireless telecommunications facility in the A-2-2 (Heavy Agriculture – 2 acres minimum required lot area) Zone.

LOCATION

The subject property is a 0.6 acre, level, rectangular-shaped parcel of land, located at 3070 West Avenue N-3, Palmdale, within the unincorporated community of Antelope Valley, in the Quartz Hill Zoned District. The Assessor Parcel Numbers of the subject property are 3001-011-010 and 3001-011-030.

SITE PLAN DESCRIPTION

The site plan depicts an existing water tank (24’ high, 2,618 sq. ft. in size), pump house (12’ high, 760 sq. ft. in size), and propane tank (8’ high, 270 sq. ft. in size) on the northern portion of the subject property. The proposed wireless facility is located within a 340 square foot (17’x20’) lease area, enclosed by a six-foot high chain link fence, at the southwest corner of the property. Access to the facility is from West Avenue N-3 via a 12-foot wide, unpaved access driveway.

EXISTING ZONING

Subject Property:

The project site is zoned A-2-2 (Heavy Agriculture – 2 acres minimum required lot area).

Surrounding Properties:

Surrounding properties are zoned as follows:

North: A-2-2 (Heavy Agriculture – 2 acres minimum required lot area)

South: A-2-2

East: A-2-2

West: A-2-2

EXISTING LAND USES

Subject Property:

The subject property is developed with a water tank, pump house, and propane tank.

Surrounding Properties:

Surrounding land uses are as follows:

- North: Single-Family Residence, Vacant Land
- South: Single-Family Residence, Vacant Land
- East: Single-Family Residence
- West: Single-Family Residence

ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined this project to be Categorically Exempt (Class 3 Exemption, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the Los Angeles County environmental guidelines.

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 Opinion and the Antelope Valley Press, on July 8, 2009. A total of 68 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 and to local community groups and residents on the Quartz Hill Zoned District courtesy list on July 2, 2009.

Case information materials, including the Notice of Public Hearing, Factual Sheet, Site Plans and environmental documents were forwarded to Quartz Hill County Library located at 42018 N. 50th St. W., on July 2, 2009. The same materials were also posted on the Department of Regional Planning's website.

Pursuant to Section 22.60.175 of the County Code, the applicant shall 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 stating that the Notice of Public Hearing was posted on July 17, 2009, and photos of the posting from the applicant's agent.

PREVIOUS CASES/ZONING HISTORY

A Zoning Conformance Review (Plot Plan Number 32852) was requested by the applicant, R.E. Coonley, to establish the pump house and the existing structures onsite which include the water tank and propane tank. The request was granted on September 22, 1983.

STAFF EVALUATION

General Plan Consistency

The subject property is located within the N1 (Non-Urban 1) land use classification of the Antelope Valley Areawide General Plan. The N1 land use category is intended for residential uses at a density of 0.5 dwelling units per acre.

Wireless telecommunications facilities are not a use that is explicitly referenced in the Antelope Valley Areawide General Plan or the Los Angeles Countywide General Plan (the Plan). While this type of use is not referenced, it may be regarded as a utility, as it provides telecommunication services for the area. The proposed unmanned wireless telecommunications facility, when appropriately conditioned, is compatible with this land use designation of the General Plan.

The following policies of The Plan are applicable to the subject project:

- *Assure that the new development is compatible with the natural and manmade environment by implementing appropriate locational controls and high quality design standards. (Policy No. 7, Page III-12)*

The applicant is proposing a project design and location that enhances the facility's compatibility with the rural residential surroundings. The pole for the wireless facility will be disguised as a pine tree, rather than a mono-pole, in order to avoid introducing a structure that is not a typical feature of the surrounding community. The facility will also be located at the far rear of property, which will minimize the visual intrusion of the structure's height as perceived from the adjacent properties. The facility's location at the rear of the property also enables the existing structures to partially screen the lower portion of the facility.

- *Ensure continuing opportunity for citizen involvement in the land use decision-making process. (Policy No. 28, III-15)*

The applicant presented the project proposal at the Quartz Hill Town Council monthly meeting, on June 16, 2009. The meeting provided another opportunity for the public to participate in the decision-making process in addition to the scheduled hearing to be held on August 18, 2009.

- *Promote the full use of existing service systems in order to gain maximum benefit from previous public investments. (Policy 54, Page I-25)*

The proposed project is located on a developed lot and has access to existing transportation, energy, and utility infrastructure to service the facility. In addition, the site is currently developed with a water tank, pump house, and propane tank, part of the infrastructure system owned and maintained by a mutual water company.

- *Maintain high quality emergency response services. (Policy No. 58, Page I-25).*

The applicant contends that the proposed wireless telecommunications facility will improve cellular telephone service, enhancing safety and standard usage in the area. The addition of this facility to the surrounding network of wireless facilities will improve signal coverage and cell phone reliability in the area, which will result in fewer dropped calls in times of emergency.

Zoning Ordinance and Development Standards Compliance

A wireless telecommunications facility use is not specified in Title 22 of the Los Angeles County Code (Zoning Code). The use that is most closely related to a wireless telecommunications facility specified in the Code is a radio or television tower. Radio and television towers are permitted in Zone A-2 (Heavy Agriculture) under Section 22.24.150 of the Zoning Code, subject to the issuance of a conditional use permit pursuant to the provisions of Part 1 of Chapter 22.56.

For uses where the parking requirements are not specified in the Zoning Code, Section 22.52.1220 authorizes the director to impose an amount of parking spaces that he or she finds adequate to prevent traffic congestion and excessive on-street parking. The proposed wireless telecommunications facility will be unmanned and will require periodic maintenance visits, approximately once per month. There is adequate space on the 0.6 acre subject property to accommodate the maintenance vehicles.

Neighborhood Impact/Land Use Compatibility

The proposed use is visually compatible with the character of development in the surrounding area and not be detrimental to the use, enjoyment, or valuation of properties in the vicinity. Conditions of approval will ensure that the project construction is consistent with the proposed design as presented in the site plans and photo simulations.

BURDEN OF PROOF

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

PUBLIC COMMENTS

Staff received a letter from Doug Burgis, President of the Quartz Hill Town Council, regarding the proposed project (Attachment B). According to the letter, the Quartz Hill town council members were invited to a meeting hosted by the property owner, Sunnyside Farms Mutual Water Company, earlier this year. The water district manager announced the proposed contract with Royal Street Communications, LLC and that the lease revenue would benefit the water company's general fund. The attendees offered no objection to the proposed project.

The Quartz Hill Town Council letter also states that the applicant's agent, Jerry Ambrose, presented the proposed project at a meeting held on June 16, 2009. All five council members voted in support of the project.

FIELD INVESTIGATION

During the site visit, Staff confirmed that a water tank, pump house, and propane tank were located on the subject property, as indicated on the site plan. The existing facilities on the property appeared to be well maintained, however there was outdoor equipment storage along the rear property line which shall be removed as a condition of approval for the requested entitlement.

FEES/DEPOSITS

If approved, the following fees will apply unless modified by the Hearing Officer:

Zoning Enforcement:

Inspection fees of \$750.00 to cover the costs of five (5) recommended biennial zoning enforcement inspections.

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 R2008-01828-(5), Conditional Use Permit Number 200800149-(5), subject to the attached conditions.

Prepared by Maral Tashjian, Regional Planning Assistant II
Reviewed by Samuel Dea, Supervising Regional Planner, Special Projects

Attachments:

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

SD:mt
7/14/2009

**PROJECT NUMBER R2008-01828-(5)
CONDITIONAL USE PERMIT NUMBER 200800149-(5)**

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: The applicant, Royal Street Communications, LLC, is requesting a Conditional Use Permit to authorize the construction, operation, and maintenance of an unmanned wireless telecommunications facility in the A-2-2 (Heavy Agriculture – 2 acres minimum required lot area) Zone. The wireless telecommunications facility consists of a 65-foot high "monopine," six (6) panel antennas that will be mounted to the "monopine" at a maximum height of 60 feet, and four (4) ground-mounted equipment cabinets located within a 340 square foot (17'x20') lease area, enclosed within a six-foot high chain link fence.

PROCEEDINGS BEFORE THE HEARING OFFICER:

August 18, 2009 Public Hearing

To be inserted to reflect hearing proceedings.

Findings

1. The subject property is a 0.6 acre, level, rectangular-shaped parcel of land, located at 3070 West Avenue N-3, Palmdale, within the unincorporated community of Antelope Valley, in the Quartz Hill Zoned District. The Assessor Parcel Numbers of the subject property are 3001-011-010 and 3001-011-030.
2. The subject property is zoned A-2-2 (Heavy Agriculture – 2 acres minimum required lot area). Surrounding properties are zoned as follows:

North: A-2-2 (Heavy Agriculture – 2 acres minimum required lot area)
South: A-2-2
East: A-2-2
West: A-2-2
3. The subject property is currently developed with a water tank, pump house, and propane tank. Surrounding land use is as follows:

North: Single-Family Residence, Vacant Land
South: Single-Family Residence, Vacant Land
East: Single-Family Residence
West: Single-Family Residence
4. The site plan depicts an existing water tank (24' high, 2,618 sq. ft. in size), pump house (12' high, 760 sq. ft. in size), and propane tank (8' high, 270 sq. ft. in size) on the northern portion of the subject property. The proposed wireless facility is located within a 340 square foot (17'x20') lease area, enclosed by a proposed six-foot high chain link fence, at the southwest corner of the property. Access to the facility is from West Avenue N-3 via a 12-foot wide, unpaved access driveway.
5. Previous cases on the subject property include a Zoning Conformance Review (Plot Plan Number 32852) requested by the applicant, R.E. Coonley, to establish the pump

house and the existing structures onsite which include the water tank and propane tank. The request was granted on September 22, 1983.

6. The proposed use complies with Section 22.52.1220 of Title 22 of the Los Angeles County Code (Zoning Code). The proposed wireless telecommunications facility will be unmanned and will require periodic maintenance visits, approximately once per month. There is adequate space on the 0.6 acre subject property to accommodate the maintenance vehicles.
7. The subject property is located within the N1 (Non-Urban 1) land use classification of the Antelope Valley Areawide General Plan. The N1 land use category is intended for residential uses at a density of 0.5 dwelling units per acre.
8. Wireless telecommunications facilities are not a use that is explicitly referenced in the Antelope Valley Areawide General Plan or the Los Angeles Countywide General Plan (the Plan). While this type of use is not referenced, it may be regarded as a utility, as it provides telecommunication services for the area. The proposed unmanned wireless telecommunications facility, when appropriately conditioned, is compatible with this land use designation of the General Plan.
9. The following goals and policies of the Plan are applicable to the subject property:
 - A. *Assure that the new development is compatible with the natural and manmade environment by implementing appropriate locational controls and high quality design standards. (Policy No. 7, Page III-12)*

The applicant is proposing a project design and location that enhances the facility's compatibility with the rural residential surroundings. The pole for the wireless facility will be disguised as a pine tree, rather than a mono-pole, in order to avoid introducing a structure that is not a typical feature of the surrounding community. The facility will also be located at the far rear of property, which will minimize the visual intrusion of the structure's height as perceived from the adjacent properties. The facility's location at the rear of the property also enables the existing structures to partially screen the lower portion of the facility.

- B. *Ensure continuing opportunity for citizen involvement in the land use decision-making process. (Policy No. 28, III-15)*

The applicant presented the project proposal at the Quartz Hill Town Council monthly meeting, on June 16, 2009. The meeting provided another opportunity for the public to participate in the decision-making process in addition to the scheduled hearing to be held on August 18, 2009.

- C. *Promote the full use of existing service systems in order to gain maximum benefit from previous public investments. (Policy 54, Page I-25)*

The proposed project is located on a developed lot and has access to existing transportation, energy, and utility infrastructure to service the facility. In addition, the site is currently developed with a water tank, pump house, and propane tank, part of the infrastructure system owned and maintained by a mutual water company.

D. Maintain high quality emergency response services. (Policy No. 58, Page I-25).

The applicant contends that the proposed wireless telecommunications facility will improve cellular telephone service, enhancing safety and standard usage in the area. The addition of this facility to the surrounding network of wireless facilities will improve signal coverage and cell phone reliability in the area, which will result in fewer dropped calls in times of emergency.

10. A wireless telecommunications facility use is not specified in Title 22 of the Los Angeles County Code (Zoning Code). The use that is most closely related to a wireless telecommunications facility specified in the Code is a radio or television tower. Radio and television towers are permitted in Zone A-2 (Heavy Agriculture) under Section 22.24.150 of the Zoning Code, subject to the issuance of a conditional use permit pursuant to the provisions of Part 1 of Chapter 22.56.
11. For uses where the parking requirements are not specified in the Zoning Code, Section 22.52.1220 authorizes the director to impose an amount of parking spaces that he or she finds adequate to prevent traffic congestion and excessive on-street parking. The proposed wireless telecommunications facility will be unmanned and will require periodic maintenance visits, approximately once per month. There is adequate space on the 0.6 acre subject property to accommodate the maintenance vehicles.
12. The proposed use as designed is visually compatible with the character of development in the surrounding area and not be detrimental to the use, enjoyment, or valuation of properties in the vicinity. Conditions of approval will ensure that the project construction is consistent with the proposed design as presented in the site plans and photo simulations.
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, property posting, library posting and DRP website posting.
14. Staff received a letter from the Quartz Hill Town Council indicating support for the proposed project. The letter stated that all five council members voted in favor of the project at a meeting held on June 16, 2009.
15. During the site visit, Staff confirmed that a water tank, pump house, and propane tank were located on the subject property, as indicated on the site plan. The existing facilities on the property appeared to be well maintained, however there was outdoor equipment storage along the rear property line which shall be removed as a condition of the requested entitlement.

16. The Department of Regional Planning has determined this project to be Categorically Exempt (Class 3 Exemption, New Construction or Conversion of Small Structures) pursuant to the California Environmental Quality Act (CEQA) and the Los Angeles County environmental guidelines.
17. Staff finds the project to be consistent with the Los Angeles Countywide General Plan, Antelope Valley Areawide General Plan, and the provisions of the Zoning Code.
18. 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** with **five (5) biennial inspections**.
19. The location of documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is 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 Section, Los Angeles County Department of Regional Planning.

BASED ON THE FORGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area;
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;
- C. 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, of 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 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. The Hearing Officer finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of

projects, which have been determined not to have a significant effect on the environment in that it meets the criteria set forth in section 15303 of the State CEQA Guidelines and Class 3 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.

2. In view of the findings of facts presented above, Conditional Use Permit Number 200800149 is **APPROVED**, subject to the attached conditions.

Attachments: Conditions
Affidavit

- c: Each Commissioner, Zoning Enforcement, Building and Safety

This grant authorizes the use of the subject property for the construction, operation and maintenance of an unmanned wireless telecommunications facility as depicted on the approved Exhibit "A", subject to all of 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 No. 7, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this condition (No. 2), and Condition Nos. 3, 4, and 5 shall be effective immediately upon final approval of this grant by the County.
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 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten (10) 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 in accordance with Los Angeles County Code Section 2.170.010.

5. This grant shall expire unless used within two (2) years from the date of final approval by the county. A single one-year time extension may be requested in writing and with payment of the applicable fee.

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. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
8. **This grant will terminate on August 18, 2019.** 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, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six (6) months prior to the termination date of this permit, whether or not any modification of the use is requested at that time.
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. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$750.00. These monies 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, including adherence to development in accordance with the approved site plan on file. The fund provides for five (5) biennial (once every two years) inspections. Inspections shall be unannounced.
10. 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 inspections and for any 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 the amount equal to the recovery cost at the time of payment (currently \$150 per inspection).
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 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.

12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as 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. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
15. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit four (4) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
16. The maximum height of the proposed "monopine" is to not exceed 65 feet.
17. The equipment cabinets and apparatus shall be painted to match the color of the existing structures on site (water tank and pump house) and shall be enclosed within an equipment shelter, such as a six-foot high chain link fence enclosing the lease area.
18. Facility lighting shall be low intensity, activated by motion sensors, and directed away from the adjacent residential properties. No pole-mounted lighting is permitted.
19. 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 facility 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.
20. 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.
21. 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 as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight.
22. 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.

23. The permittee shall provide written verification upon request that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted 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. Upon request, the permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning.
24. Any proposed wireless telecommunications facility that will be co-locating on the proposed facility will be required to submit the same written verification and include the cumulative radiation and emissions level of all such facilities.
25. The permittee shall maintain a current contact name, address, and phone number with the Department of Regional Planning at all times.
26. The operator shall ensure that maintenance vehicles shall not block access to driveways or garages and shall obey all applicable on-street parking regulations.
27. An annual maintenance report verifying the continued operation and maintenance of the said facility shall be made available to the Department of Regional Planning upon request.
28. Said facility shall be removed if in disuse for more than six months.
29. As agreed, the existing storage of equipment located along the rear property line shall be removed prior to the approval of the Exhibit "A". Storage of equipment and construction materials on the subject property shall be subject to the provisions in Sections 22.24.080 and 22.24.100.

SD:mt
8/10/09

CUP-Burden of Proof
Site # LA3727-A
3070 West Avenue N-3, LA County-Palmdale Area, CA 93551

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**

After comparison of other potential site locations in the surrounding area, the project site at 3070 West Ave N-3 offered the most desirable location in the interest of public convenience and welfare. The proposed project design and location will have only positive effects on the community in that the project will provide access to reliable wireless telecommunications services. Reliable access to wireless services is necessary in times of emergencies, for business use, and convenient for personal and family use. The proposed use of a stealth design will allow the facility to provide reliable wireless services without being unsightly or causing adverse impacts to persons residing or working in the surrounding area.

- 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or**

The proposed project will not be detrimental to the site or areas surrounding the site in that the proposed facility structures and equipment will be located, designed and screened to blend with the existing facilities in the area so as to alleviate any adverse impacts to adjacent uses and structures in the vicinity. The proposed project will be located at the far southwest corner of the property away from the primary use(s) of the property.

- 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.**

The proposed project will not endanger or otherwise constitute a menace to the public health, safety or welfare in that the project will be unmanned and will not generate any smoke, odor, noise, or other adverse impacts to the surrounding properties. The proposed use will also have no impact on parking, traffic, circulation or density in the area. The proposed project will also not adversely affect existing viewsheds nor will it adversely affect any scenic or natural vistas.

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 project will occupy only about 300 square feet of a 2600 square foot parcel. The facility will be located at the far southwest corner of the property away from the primary use(s) of the property. The size and shape of the property in relation to the small size of the proposed project, will allow sufficient area for required yards, walls, parking, etc.

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**

The proposed project is unmanned so it generates no traffic above and beyond existing traffic in the area. The project will be accessed via an existing improved driveway off West Ave N-3.

- 2. By other public or private service facilities as are required.**

The proposed project will need connections to existing electrical and telephone services in the area. There is adequate electrical and landline telephone service to accommodate the project needs.

Tashjian, Maral

Subject: QHTC wireless tower Sunnyside Farms

----- Forwarded Message -----

From: DOUG BURGIS <doug_b_93536@yahoo.com>

To: Norman Hickling <nhickling@lacbos.org>

Sent: Monday, June 22, 2009 7:26:18 AM

Subject: QHTC wireless tower Sunnyside Farms

Quartz Hill Town Council

42263 50TH Street West

Suite 726

Quartz Hill Ca. 93536

(661)943-9726

QHTCOUNCIL@GMAIL.COM

Los Angeles Regional Planning Commission

Hall of Records, 320 West Temple Street

Los Angeles, California 90012

June 18, 2009

Re: Case # R2008-01828

Sunnyside Water Company

Construction of Wireless communication tower

Dear Regional Planning:

At the regular monthly Quartz Hill Town Council public meeting we addressed the request of Mr. Jerry Ambrose of Wireless 1 Consulting Services, Inc. Regarding the construction and the erection of a (65 foot) wireless transmission tower (to be designed to look like a fir tree) to be placed on the property of Sunnyside Mutual Water Company, 3070 West Ave. N-3, Quartz Hill Ca. When the matter of the transmission tower was addressed at the council meeting there was not any public opposition to the project.

The Quartz Hill Town Council members were invited to a sunnyside home owners meeting earlier this year, and at this meeting the water district manager announced that they were contracting to have the transmission tower placed on the water companies property at 3070 West Ave. N-3. The attendees did not offer any objection to the building of the tower, the general feeling was that the monies received would go into the water companies general fund.

The council spoke with homeowners association President Vickie Davies and Secretary Shelia Hood on at least two different occasions after the association meeting we attended and we were informed that they did not have any public opposition to the construction of the tower.

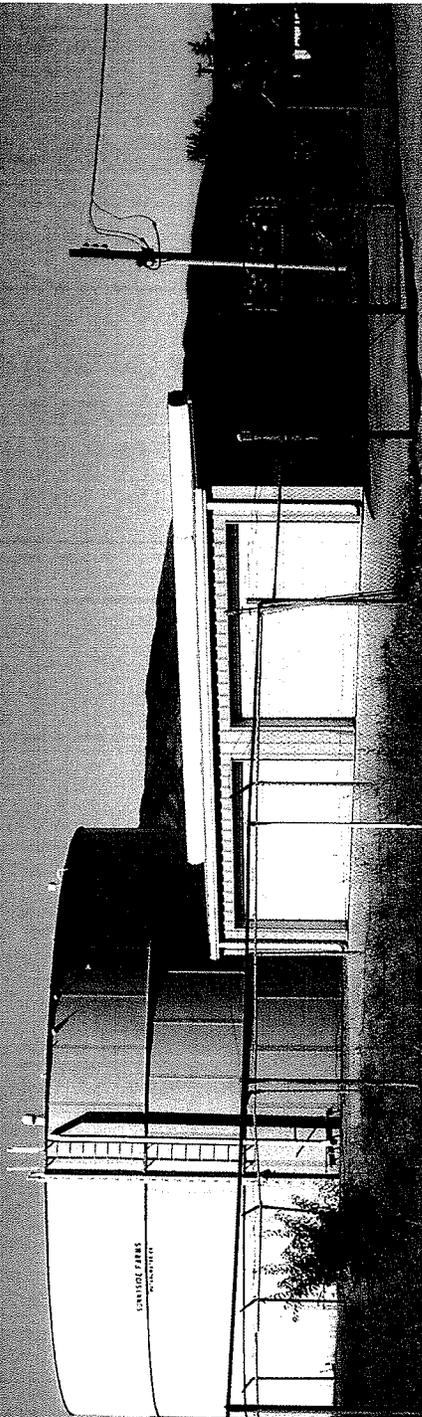
On June 16, 2009 at the public council meeting the town council's five members board voted unanimously to support the project.

Very truly yours,

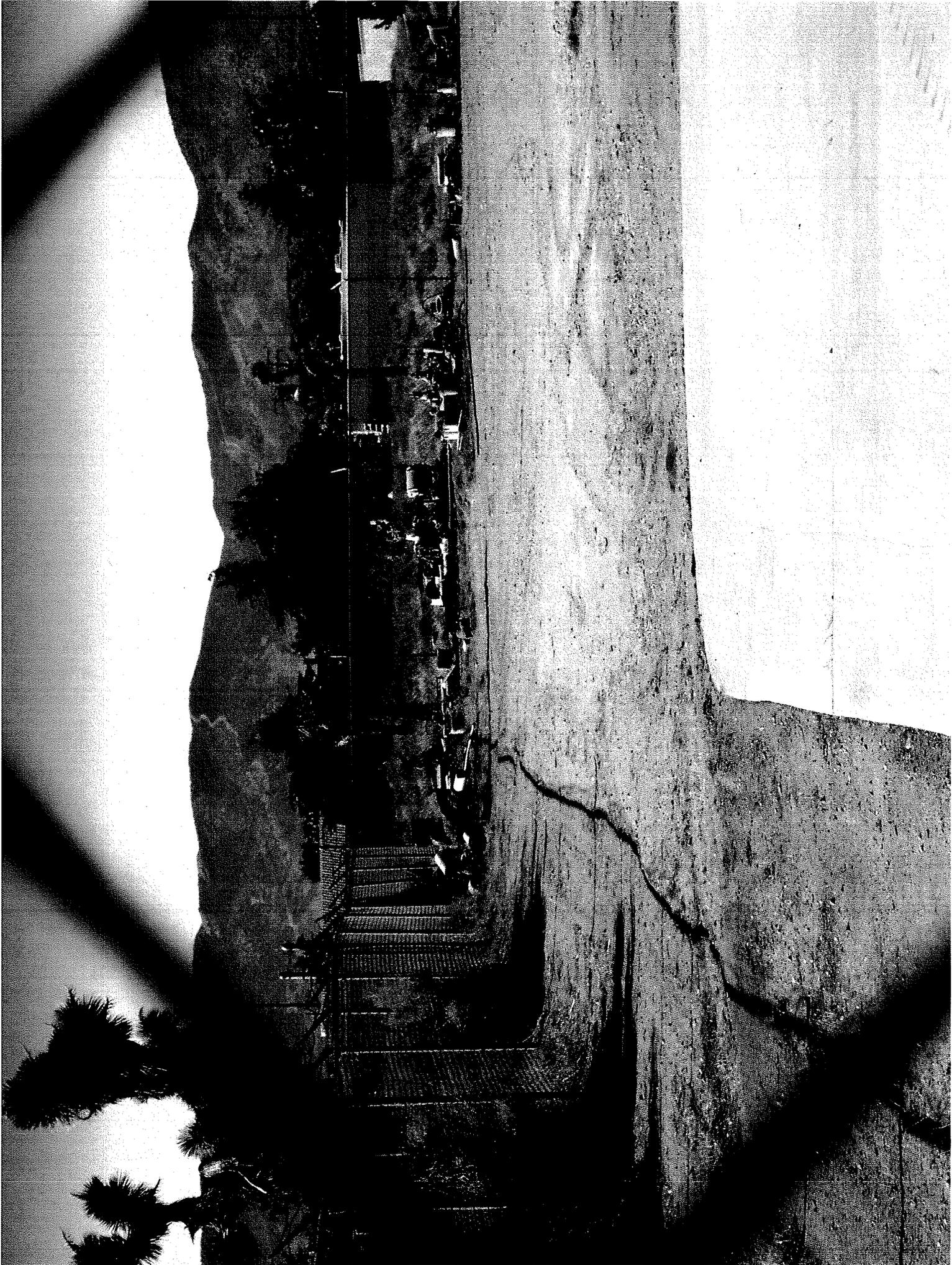
Doug Burgis, President

Quartz Hill Town Council

doug_b_93536@yahoo.com



UNIVERSITY PARK





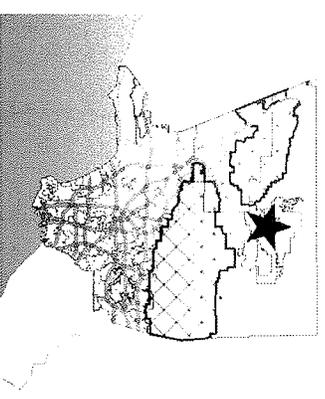
W AVENUE N-3

Antelope Valley

Legend

- Parcel Boundary
- X-axis Street
- Highway
- Master Plan of Highways
- Expressway - (S)
- Highway - (S)
- 1st Secondary Highway - (S)
- Parkway - (S)
- Major Highway - (S)
- Secondary Highway - (S)
- Street
- Railroad or Rapid Transit
- Rapid Transit
- Underground Rapid Transit
- Significant Ridges/Lines
- Castele CSD Primary
- Castele CSD Secondary
- SAMA Significant
- Census Tract (2000)
- Assessor Map Book (AMB) Bdy
- Zoning Map
- 1999 Map Sheet Grid
- The Thomas Guide Grid
- TB Internal Page Grid
- VERY High Fire Hazard Severity
- Community Standards District
- CSD Area Specific Boundary
- Significant Ecological Area (SEA)
- Section Line
- Township of Range
- Elevation District (EOD)
- Transit Oriented District (TOD)
- Street District (SD)
- Supervenioral District Boundary
- Safety Related Stations (From TB)
 - Fire Station
 - Police Station
 - Ranger Station
 - Sheriff Station
- Zoning (Boundary)
 - Zone A-1
 - Zone A-2
 - Zone B-1
 - Zone B-2
 - Zone C-1
 - Zone C-2
 - Zone C-3
 - Zone C-4
 - Zone C-5
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- Land Use Policy (Not in Comm/ Area Plan)
 - 1. Low Density Residential
 - 2. Low/Medium Density Residential (6 to 12 d.u/s)
 - 3. Medium Density Residential
 - 4. High Density Residential (22 or more d.u/s)
 - C - Major Commercial
 - M - Major Industrial
 - P - Public and Semi-public Facilities
 - RC - Rural/Communities
 - TC - Transportation Corridor
- Inland Waterbody
- Perennial
- Intermittent
- Dry

Note: This is a static legend which includes only a portion of layers. To view all layers, please use Display All or Legend on the top left side of screen.



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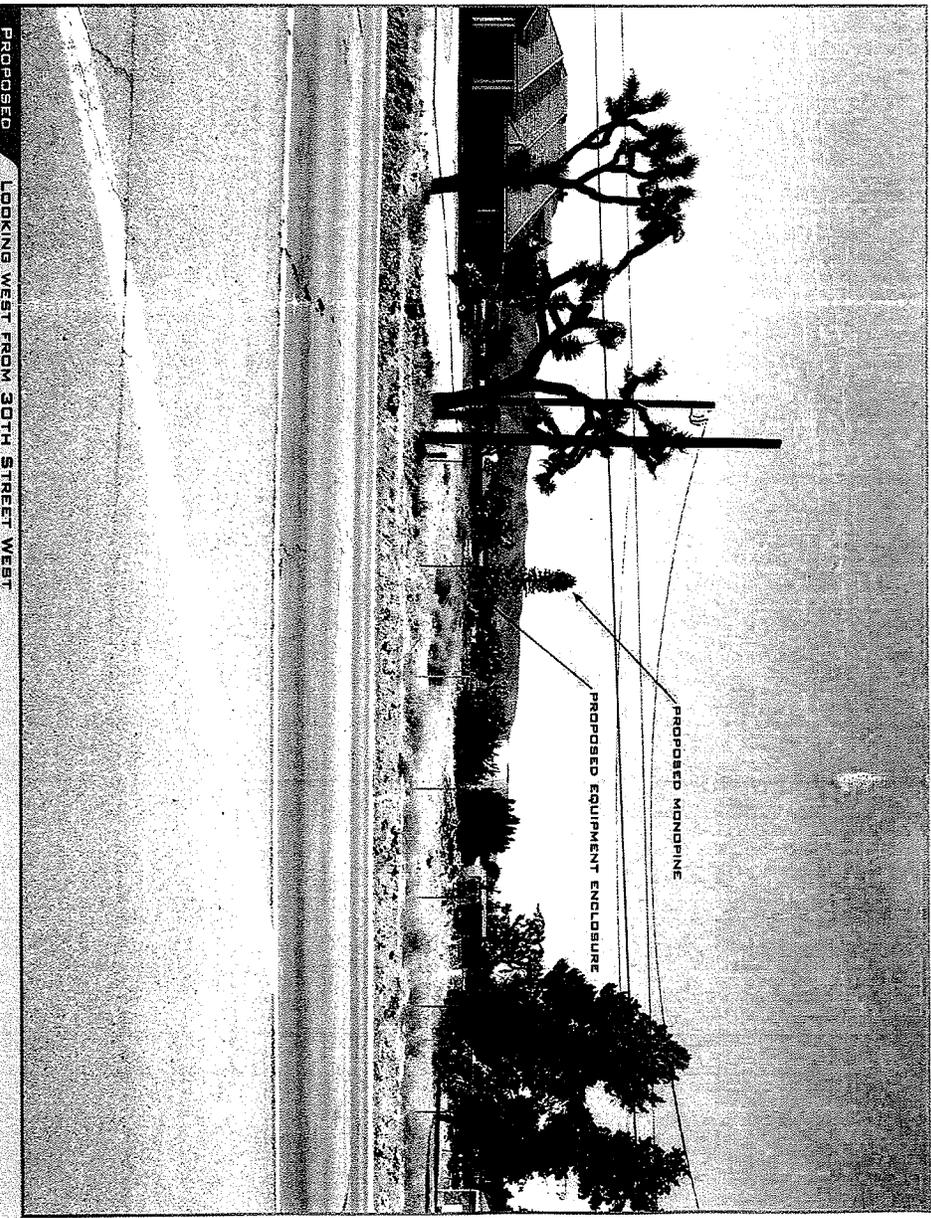
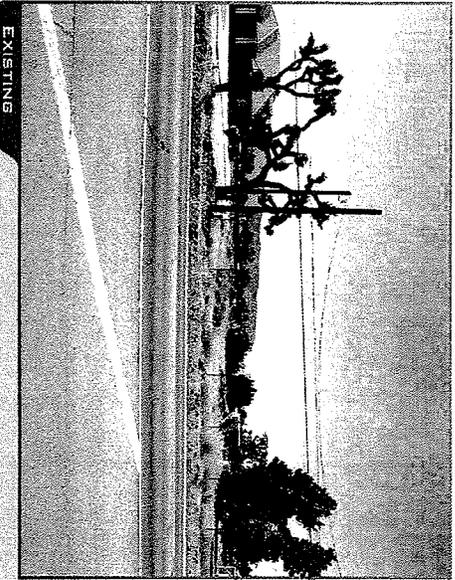


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Royal Street
Communications
California, L.L.C.

LA 3727A
SUNNYSIDE WATER COMPANY
3070 WEST AVENUE N-3 PALMDALE, CA 93551

ARTISTIC
engineering
AESims.com
8739AE.SIMS



PROPOSED LOOKING WEST FROM 30TH STREET WEST

ASURANCE OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

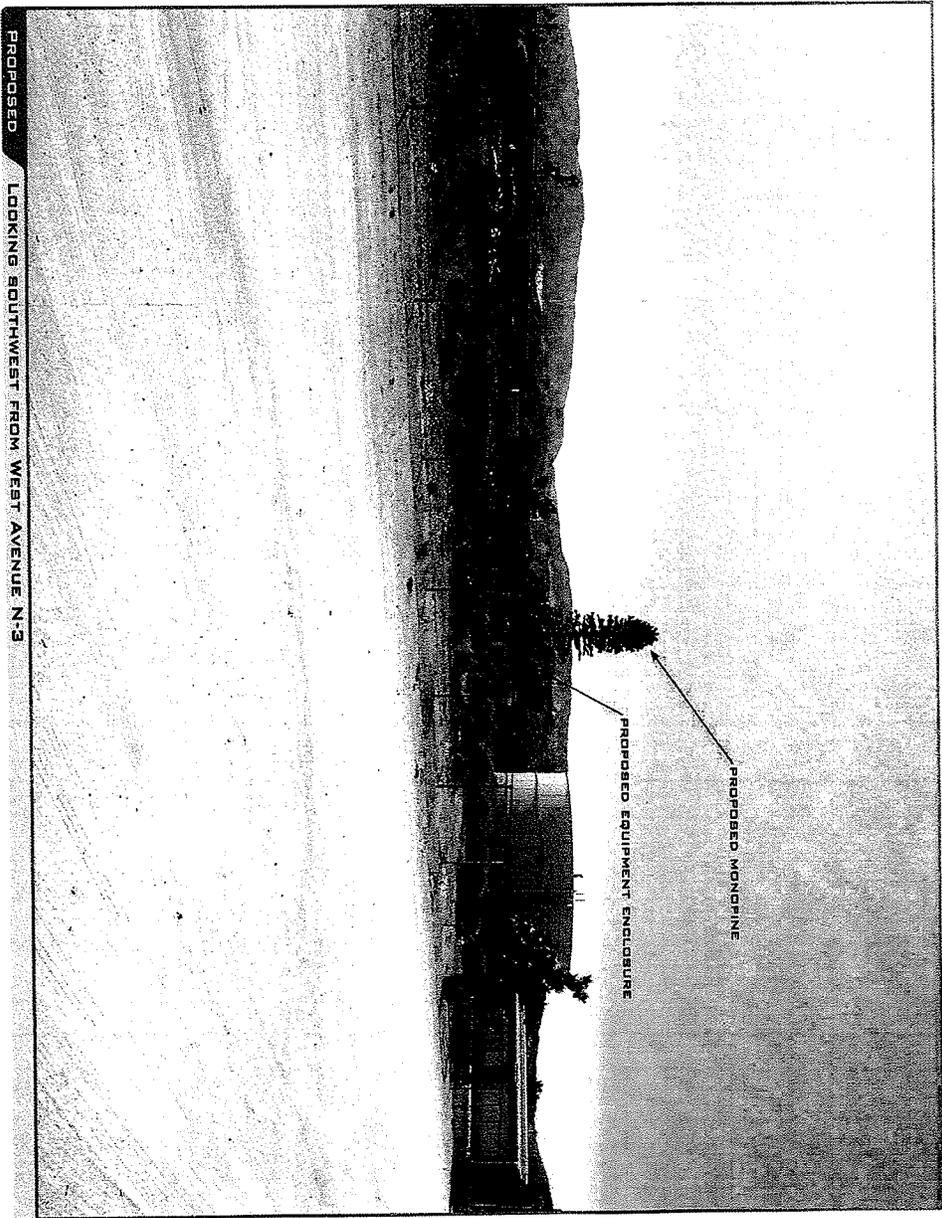
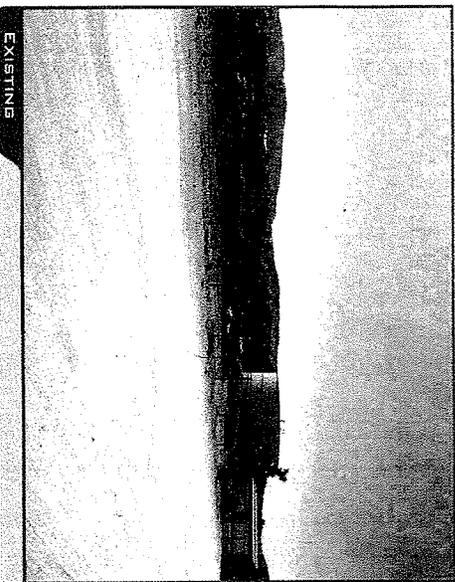
VIEW 1

Royal Street
Communications
California, L.L.C.

LA3727A
SUNNYSIDE WATER COMPANY
3070 WEST AVENUE N-3 PALMDALE, CA 93551

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engineering
ASims.com
877.9AE.Sims

VIEW 2



ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.