



# CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

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

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed project will be unoccupied, only require a single maintenance visit per quarter and utilize existing roads for access. The project will make negligible noise that is most often less than the ambient noise level of the area surrounding the equipment. The BTS radio equipment will be located within a secure enclosure to prevent public access and avoid creating an attractive nuisance.

The proposed tower will be disguised as a palm tree. Palm trees are the predominant tall elements in the surrounding area and are being planted in mass as street trees. Wireless facilities disguised as palm trees have been located in all zoning districts and adjacent to and within all land use types without detrimental effects.

The proposed facility will be engineered to and operate within all applicable codes and ordinances to ensure it will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.

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

The proposed project site is open and undeveloped land bordered on two sides by roads and a third by a public alley. There is sufficient space on the subject property for the proposed use and future potential SCE uses. The roads adjacent to the site to the east and north will not be impacted. Access will be obtained from the alley to the west. Care was taken to ensure that the proposed site location complied with all required setbacks and was sufficiently set back from surrounding roads to not impact the future circulation patterns or uses surrounding the subject property.

The proposed location on the subject property maintains the potential future use of the property by locating the proposed facility away from the roads along the south property line adjacent to a commercial structure. By doing this access to the remaining open area of the parcel is maintained.

**C. That the proposed site is adequately served:**

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

The proposed project site is located on a property bordered by Centinela Avenue to the east, Juniette Street to the north, and a public alley to the west. Access is obtained from the alley to avoid traffic impacts on the adjacent roads. The proposed project is unoccupied. After construction the proposed project will generate approximately one vehicular trip per quarter for a technician in a light truck or van. The surrounding streets are capable of supporting this minimal traffic along with the traffic generated by the uses in the surrounding area. without impeding the public right-of-way.

The proposed use requires an electrical and land line telephone interconnection. These utilities are located in the public right-of-way adjacent to the subject property and are adequate to serve the needs of the facility.