



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

July 18, 2012

Rob Searcy
Cable Engineering Services
10640 Sepulveda Blvd., Ste. 1
Mission Hills, CA 91345

**REGARDING: PROJECT NO. 2005-01889-(3)
CONDITIONAL USE PERMIT NO. 201100158
RIGHT OF WAY, ADJACENT TO 1100 KANAN RD., AGOURA HILLS**

Hearing Officer Gina Natoli, by her action of July 17, 2012, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **July 31, 2012. Appeals must be delivered in person.**

Appeals: **To file an appeal, please contact:**
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Rudy Silvas of the Zoning Permits West Section at (213) 974-6462, or by email at rsilvas@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Mi Kim, Supervising Regional Planner
Zoning Permits West Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: Board of Supervisors; DPW (Building and Safety); Fire (Fire Prevention Bureau), Zoning Enforcement West

MKK:RS

FINDINGS AND ORDER OF THE HEARING OFFICER COUNTY OF LOS ANGELES

**PROJECT NUMBER R2005-01889-(3)
CONDITIONAL USE PERMIT NUMBER 201100158**

REQUEST

The applicant, Black and Veatch Corporation, requests a new conditional use permit (CUP) application for the replacement of an existing unmanned wireless telecommunication facility (WTF) within the public right-of-way on Kanan Road. The new WTF will consist of a new 52-foot-high utility pole with streetlight, with two 10-foot long composite arms mounted to the pole at 23 feet 6 inches above grade, and each composite arm will hold three 51.5-inch-long panel antennas. The new pole will be replacing an existing 47-foot-6-inch pole. New appurtenant equipment will also be installed inside an existing below-ground vault. Both WTF/utility pole and vault will continue to be located in the dirt parkway portion of the right-of-way. Service vehicle parking will continue to be within the dirt parkway area. The WTF is being proposed to improve signal quality and service.

HEARING DATE: JULY 17, 2012

PROCEEDINGS:

A duly noticed public hearing was held on July 17, 2012, before Hearing Officer Gina Natoli. Staff gave a presentation recommending approval for the new CUP application to allow for the continued use, replacement and expansion of the existing WTF located in the A-1-20 zone within the Malibu Zone District. There were no outstanding issues or complaints to report.

The Hearing Officer questioned Staff as to whether it was infeasible to co-locate new WTF equipment on an existing utility pole located 173 feet south of the subject utility pole was due to vertical separation requirements, or due to prohibition of flush mounted equipment on a jointly used pole. Staff responded by deferring the technical aspect of the question to the applicant's representative who was present, but stated Staff's understanding was that the new equipment could not be mounted on the pole to the south due to vertical and horizontal separation requirements per Government Order 95, Rule 94 from the Public Utility Commission Regulations, in order to ensure separation of frequency between equipment and to ensure accessibility from one level of equipment to the next for service. The Hearing Officer questioned if it was known how many facilities were located on the pole to the south, to which Staff responded that the answer to that question was unknown. The Hearing Officer also questioned for confirmation that the pole to the north was being replaced with a taller pole. Staff confirmed that the replacement pole was to be four feet taller than the existing pole. The Hearing Officer subsequently opened the public hearing.

The applicant's representative provided testimony before the Hearing Officer. The first question from the Hearing Officer to the representative was why co-location on the utility pole to the south was infeasible, and asked if it was due to vertical separation or flush mounted equipment, or both. The applicant's representative responded that both factors were an issue for the infeasibility of co-location on the pole to the south. The representative also stated that based on the photo simulation provided, it showed that the proposal was to currently locate onto an existing facility which currently has two pairs of antennas. The representative stated that the

proposal would just add an additional pair of antennas. The proposal, according to the representative, would be a co-location facility onto an existing AT&T structure that currently provides GSM 2nd generation technology service, UMTS 3rd generation technology service, and the new proposal will provide LTE 4th generation technology service. It is being planned under a master service plan to provide new service in the area which will implement different frequencies and technology. The representative stated that new equipment is being added to the below ground vault to accommodate new service in the area, and that if required to move farther away the company could not provide the same location equipment for the existing vault. New ground equipment would then have to be provided. The representative stated that the proposal was the most diminutive and least obtrusive method of applying for this design. The second question posed by the Hearing Officer to the representative for confirmation was whether the two new panel antennas were to be placed on the existing cross arms, to which the representative responded that the older four panel antennas are to be replaced and two new additional panel antennas are to be installed. The representative also stated that the new panel antennas and conduit are to be painted brown to blend in with the rustic background of the surrounding area.

The applicant's agent also requested that the Hearing Officer modify Condition No. 24 to allow 24 hour maintenance access to the WTF for technicians. The Hearing Officer did not grant the request and stated that the condition already allows 24 hour access for emergency purposes only.

The Hearing Officer instructed Staff to make editorial corrections to the finding and conditions for the project. Finding No. 6 must state that the correct date of adoption of the Zoning Consistency Program for the Santa Monica Mountains North Area Plan is August 20, 2002. Finding No. 21 must have its first sentence deleted which is not a finding. Condition 10 is to state that eight (8) biennial inspections are required and that the sum of the deposit with the County is to be \$1,600. Condition Nos. 19, 21, 27, 36 and 39 must be changed to clarify that Zoning Enforcement West is to enforce the conditions. Condition No. 28 must state that color "matches immediately surrounding environment". Condition No. 31 must have the phone number to Zoning Enforcement West indicated. Condition No. 35 must clarify the exact type of above-ground equipment to be camouflaged. Condition No. 39 must clearly state when the removal of the facility is required.

The applicant's agent found all conditions with their changes for approval presented as acceptable.

The Hearing Officer closed the public hearing, and determined that the project was categorically exempt under California Environmental Quality Act (CEQA) reporting requirements, under a Class 3 Categorical Exemption for new construction or conversion of small structures, and approved Conditional Use Permit No. 201100158, Project No. 2005-01889-(3); subject to the attached findings and conditions of approval.

FINDINGS

1. The applicant requests a CUP pursuant to Los Angeles County Code Section 22.24.100, which requires a conditional use permit for radio and television stations and towers in the A-1 (Light Agricultural) Zone. A wireless telecommunications facility is not a defined use in the County Code; however, Staff has traditionally utilized the defined use of "radio and television stations and towers" as a comparable use, and radio and television stations

and towers are uses subject to conditional use permits within the A-1 zone. The project is located in the public right-of-way, but zoning extends to the centerline of the public right-of-way on Kanan Road; therefore, the project was subject to Zone A-1 development standards.

2. The subject property is located in the public right-of-way, adjacent to private property to the east at 1100 Kanan Road (APN 2058-011-018), within the unincorporated Los Angeles County community of Agoura, Third Supervisorial District, and within the Malibu Zoned District.
3. Surrounding land uses consist of:
 - North: Vacant land
 - South: Vacant land
 - East: Vacant land
 - West: Vacant land
4. Surrounding Zoning consists of:
 - North: A-1-20
 - South: A-1-20
 - East: A-1-20
 - West: A-1-20
5. The location of the replacement WTF, existing below-ground equipment vault, and existing 200-amp power meter mounted on a concrete pad with small retaining wall are in the existing dirt parkway of the public right-of-way. The site is surrounded by steep hillsides, with Significant Ridgelines further to the northwest and southeast. Surrounding hillsides are undisturbed and covered with native vegetation, but no native vegetation exists within the dirt parkway surrounding the proposed replacement pole.
6. The adjacent property was zoned A-1-1 (Light Agricultural – 1 acre min. lot size) under Ordinance No. 7310, which was adopted by the County Board of Supervisors on March 11, 1958. The property was later rezoned to its current A-1-20 zone with the adoption of the Zoning Consistency Program for the Santa Monica Mountains North Area Plan, on August 20, 2002.
7. Previous cases on site:
 - R2005-01889-(3)/RCUP 2005-00106 was approved on November 29, 2005 for a new unmanned WTF on an existing utility pole with streetlight in public right-of-way. Project approved four panel antennas, a new concrete pad for a power meter box, and new below-ground equipment vault. A negative declaration under Case No. RENV 200500118 was adopted for the approved project. The previously-approved CUP was due to expire on November 29, 2015. This conditional use permit application is for the continuation, replacement and expansion of an existing wireless facility.
8. The project is within the public right-of-way within the Santa Monica Mountains North Area Plan (SMMNAP) Category N20 (Mountain Lands 20) and the Los Angeles Countywide General Plan Land Use Category R (Non-Urban). The replacement of the existing wireless facility does not conflict with the Mountain Lands category of the SMMNAP, which is consistent with the Countywide General Plan for this specific area.

The Mountain Lands category accommodates telecommunications facilities and other local-serving commercial and public facilities if the project meets applicable goals and policies of the area plan. The project meets the following goals and policies in Chapter VI of the Land Use and Housing Element of the area plan.

- “A well-regulated telecommunications network that serves the needs of the general public, limits damage to the environment, and avoids contributing to visual and unsightly blight.” (Goal VI-3 of Chapter VI)
 - “Wireless telecommunication facility sites shall preserve the character and aesthetics of areas chosen for such uses by limiting the visual and safety impacts of such facilities through careful design, screening, and mitigation requirements. The co-location and clustering of wireless telecommunication facilities and structures shall be encouraged, wherever possible, to help avert unnecessary proliferation of such facilities in public and private property.” (Policy VI-31 of Chapter VI)
9. The project is consistent with the above SMMNAP goal and policy in that the location of the WTF in the public right-of-way on a utility pole does not create additional visual impacts as it utilizes existing infrastructure elements. The attachment of the antennas to a replacement utility pole and the undergrounding of the equipment cabinet minimize visual impacts along Kanan Road which is a designated Scenic Route in the SMMNAP.
 10. The project is also consistent with Policy VI-31 of SMMNAP in that the consideration for co-location of a wireless facility on another existing utility pole 173 feet to the south was considered as an alternative, but due to separation requirements for equipment was found not to be feasible.
 11. The zoning of the public right-of-way where the replacement WTF will be located is A-1-20 because the adjacent parcel, identified as 1100 Kanan Road (APN 2058-011-018), is zoned A-1-20. Per County Code Section 22.16.020, zoning designation extends to the centerline of the street.
 12. The proposed replacement pole is 52 feet above grade, necessary per the applicant for vertical separation requirements for equipment, but inconsistent with the Department’s Subdivision & Zoning Ordinance Policy No. 01-2010 for Wireless Telecommunications Facilities. The Policy limits the height of such structures in the public right-of-way to 50 feet. Modification to the height restriction in this policy is being requested with this CUP under County Code Section 22.56.200 for Building Bulk Provisions to allow for a 52-foot-tall utility pole. The proposed undergrounding of the new equipment cabinets is consistent with the Policy.
 13. Because the WTF is within the public right-of-way, the applicant will be required to obtain an encroachment permit from the Los Angeles County Department of Public Works. This requirement will be contained in the conditions for approval.
 14. The existing above-ground 200-amp power meter box shall be camouflaged with an earth tone color.
 15. Section 22.52.1220 of the County Code determines parking requirements for uses that are not specified. The Director may impose an amount of parking spaces that he or she

finds to be adequate to prevent traffic congestion and excessive on-street parking. The proposed wireless telecommunications facility will be unmanned and will require periodic maintenance visits only. Maintenance vehicles shall continue to access the site directly from Kanan Road, and shall continue to use the existing dirt parkway for parking of a service vehicle. The designated parking area in the dirt parkway for maintenance, south of a second utility pole, located 70 feet south of the existing underground equipment vault, is not anticipated to interfere with the existing traffic flow on Kanan Road.

16. The proposed replacement pole and wireless facility has been designed to eliminate the potential for visual blight along Kanan Road, a designated Scenic Route in the SMMNAP. There are no residences immediately adjacent to the proposed wireless facility, and only motorists, bicyclists and hikers come upon the site as they traverse north and south on Kanan Road or on adjacent property.
17. As mentioned previously, the new replacement utility pole will be at a maximum height of 52 feet above grade, which is inconsistent with the Department's Subdivision & Zoning Ordinance Policy No. 01-2010 for Wireless Telecommunications Facilities that limits the height of such structures in the public right-of-way to 50 feet. Also, the new composite cross-arms mounted on the new utility pole will be at 10 feet in length, which is the same length as the previously-approved cross-arms on the pole that is to be removed. The six panel antennas and one GPS antenna are to be mounted onto the composite cross-arms. The need for the 10 feet of length in the design of the cross-arms is so that the wireless facility operator can meet requirements for diversity between the antennas in order to operate at different frequencies, and to provide climbing space requirements in accordance with Government Order 95 (Geo 95), Rule 94. Geo 95, Rule 94, requires access to other utility components at different levels on the pole. The other utilities on the pole are power distribution lines at the top of the pole and secondary power related to the streetlight element. Vertical separation between each of the levels/tiers, and the users at each level/tier, is mandated.
18. Due to vertical separation requirements between communications services and power distribution, it is necessary for the height of the pole to be 52 feet, and the cross-arms at 10 feet for horizontal separation. The horizontal separation required for climbing access between utility services is measured from the face of the utility pole to the panel antennas attached to the cross-arms.
19. Geo 95, Rule 94 regulation requirements are also why flush-mounted antennae cannot be placed on a jointly-used pole, thus ruling out the possibility of mounting such antennae and other related equipment on the utility pole 173 feet to the south because flush mounting precludes access above the cross-arms attachment to utility services located above. The plan for such co-location was identified as Alternative 2 in this application.
20. The project appears to be subtle in its design and is not a visual impact in its proposed location. The modification to 52 feet for the height of the structure in lieu of the required 50 feet will also not create further visual impacts. It is not anticipated that the project proposal will create any type of negative impacts for the surrounding community and is compatible with the land use policies and goals of SMMNAP.
21. The attached conditions of approval will ensure that the property is maintained in a clean and orderly manner, and that the use itself will be community-compatible.

22. Zoning Enforcement West staff reported no current violations on the site as of July 3, 2012, and the site has passed four of the five scheduled site inspections since 2006 for the previously-approved CUP.
23. Staff has not received any comments from the public regarding the CUP application for the new wireless telecommunication facility and utility pole.
24. The applicant is required to substantiate all facts identified by County Code Section 22.56.040. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the Burden of Proof.
25. Staff did not solicit any comments from other County Departments on this proposed WTF facility; therefore, no comments were received.
26. 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.
27. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to 15 years, with eight biennial inspections.
28. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is 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 West Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- 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.
- 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 described in this Ordinance, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- 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.

HEARING OFFICER ACTION:

1. Staff of the Department of Regional Planning has recommended that a Categorical Exemption, Class 3 – New Construction or Conversion of Small Structures, is the appropriate environmental documentation under California Environmental Quality Act reporting requirements, as the project is to erect a new wireless telecommunications facility and utility pole. The Hearing Officer has considered the Categorical Exemption for this project and certifies 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. 201100158, Project No. 2005-01889-(3), is APPROVED subject to the attached findings and conditions.

c: Zoning Enforcement West, Building and Safety

MKK:RS
07/18/2012

**CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. R2005-01889-(3)
CONDITIONAL USE PERMIT NO. 201100158**

PROJECT DESCRIPTION

A conditional use permit (CUP) application for the replacement of an existing wireless telecommunication facility (WTF) within the public right-of-way on Kanan Road. The new facility will consist of a 52-foot-high pole with street light, two 10-foot composite arms mounted on the pole at 23 feet – 6 inches above grade with six mounted panel antennas at 51.5 inches in length, replacing an existing 47-foot – 6-inch-high pole. New equipment will also be installed inside an existing below-ground vault. Both pole and vault will continue to be located in the dirt parkway portion of the right-of-way. Service vehicle parking will continue to be within the dirt parkway area. The new wireless facility is to improve signal quality and service.

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term “permittee” shall include the applicant, owner of the property, 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 Los Angeles County (County) Department of Regional Planning (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. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term “date of final approval” shall mean the date the County’s action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning’s cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee’s counsel.

If during the litigation process, actual costs or expenses 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 \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk (Recorder). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on July 17, 2027.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the **permittee** to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The **permittee** shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) biennial inspections (one every other year) for fifteen years**. 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 Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall

be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

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 ("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, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All requirements of Title 22 of the County Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
14. All development pursuant to this grant shall conform with the requirements of County Department of Public Works.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

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 notification 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.

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, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) 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(s) and applicable fee for such revision.

PERMIT-SPECIFIC CONDITIONS

18. The facility shall be operated in accordance with all applicable regulations of the State Public Utilities Commission and the Federal Communications Commission.
19. Upon completion of construction of the facility, the permittee shall submit to the Zoning Enforcement West Section of the Department of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal

- Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
20. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless telecommunications 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 WTF that will be co-locating on the proposed facility will be required to submit the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Permits West Section of the Department of Regional Planning.
 22. All structures shall conform to the requirements of the Division of Building and Safety of the Department of Public Works or other appropriate agency and the permittee shall obtain an encroachment permit if deemed necessary.
 23. With the exception of the pole-mounted cobra head street light, external lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences or property, and beacon lights are prohibited unless required by the Federal Aviation Administration.
 24. Construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the facility may occur at any time.
 25. The project shall be developed and maintained in substantial compliance with the approved plans marked Exhibit "A". Placement and height of all pole-mounted equipment shall be in substantial conformance with that shown on said Exhibit "A". The facility shall be built as depicted in the photo simulations presented at the public hearing.
 26. One parking space for maintenance vehicles shall continue to be provided in location depicted on Exhibit "A". Maintenance vehicles shall not block the Kanan Road paved right-of-way.
 27. Within 30 days of change in service provider ownership, the permittee shall provide the Zoning Enforcement West Section of the Department of Regional Planning the name and contact information of the new property owner or service provider.
 28. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that matches immediately-surrounding environment.
 29. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced within 30 days of notice. Any and all graffiti shall be removed by the operator or property owner within 48

hours. Landscaping shall be maintained at all times and shall be promptly replaced if needed.

30. Upon request, the permittee/operator shall submit annual reports to the Zoning Enforcement West Section of the Department of Regional Planning to show compliance with the maintenance and removal conditions.
31. The Department of Regional Planning project number, conditional use permit number and leaseholder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level. The phone number of Zoning Enforcement West, (213) 974-6453, shall also be displayed.

PROJECT SITE-SPECIFIC CONDITIONS

32. New equipment, or co-located WTFs added to the facility shall not compromise the stealth design of the facility.
33. The height of the facility/utility pole shall not exceed 52 feet above grade.
34. Native drought-tolerant/fire-retardant type landscaping is required around the perimeter of the electrical pedestal/power meter location, and other appurtenant WTF equipment, unless precluded by the County Fire Department for fire safety reasons or by the County Department of Public Works. The wireless facility owner shall install/restore and maintain the drought-tolerant/fire retardant landscaping. Maintenance of the landscaping shall be the responsibility of the applicant and lease holder for equipment. The installed or restored landscaping shall be consistent with the existing landscaping in the immediate vicinity, fire retardant and native to the Santa Monica Mountains North Area. Landscaping is for the camouflage of the facility.
35. The above ground power meter equipment cabinet shall be camouflaged with an earth tone color which blends in with the earthen color of the bluff adjacent to the power meter pedestal.

PUBLIC RIGHT-OF-WAY STANDARD CONDITIONS

36. Prior to the construction of the project, the permittee shall obtain an encroachment permit from the Los Angeles County Department of Public Works and provide a copy of the permit to the Zoning Enforcement West Section of the Department of Regional Planning.
37. Ventilation enclosures for the project site shall continue to be mounted to the ground surface with no projection above ground.
38. This grant entitles the permittee to install the wireless telecommunications facilities on the replacement utility pole but does not entitle the permittee to retain the pole for its sole use or to install a new pole for its facilities in the event the existing pole is removed, such as to accommodate the undergrounding of utilities. Notwithstanding the provision of Condition No. 8, if the existing pole is removed prior to the termination date of this grant, this grant shall thereupon terminate. The applicant will be required to either obtain a new conditional use permit to relocate its facilities or to install a new pole or poles and continue the use at the present location. Application for a conditional use permit at such time shall be subject to the regulations then in effect.

39. Upon termination of this grant or after the construction of this facility the facility has ceased to operate, the permittee shall remove such facility and clear the site of all equipment within six months of the cease-of-operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility. Failure to remove such facility as required herein shall constitute a public nuisance and be subject to appropriate enforcement actions by the Zoning Enforcement West Section of the Department of Regional Planning and any other government agency. Prior to installation of its facility, the permittee shall post a performance security, satisfactory to the Director of Public Works and provide a copy to the Zoning Enforcement West Section of the Department of Regional Planning, in an amount to sufficiently cover the cost of removal of the facility as provided herein. In the event the facility is not so removed within 90 days after the permittee's receipt of notice requiring removal, the County may itself cause the facility to be removed at the permittee's expense.
40. No additional meter boxes outside the existing facility shown in approved Exhibit "A," are authorized by these grants.
41. The placement of the facility shall not interfere with the public's unobstructed use of highways, sidewalks or trails, or unobstructed access from private property to highways and other public access.
42. If the Department of Public Works requires the facility to relocate due to street improvement projects and undergrounding of utilities, the cost of relocation of wireless facilities due to such projects shall be fully borne by the owner, operator, or permittee of the wireless facilities involved.
43. If street parking is prohibited on the street where the facility is located and on nearby side streets, the permittee shall obtain an approved traffic plan for the parking of maintenance vehicles from the Department of Public Works.

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07/18/2012