

Regional Planning Commission Transmittal Checklist

Hearing Date
07/17/2012
Agenda Item No.
4

Project Number: R2005-01889-(3)
Case(s): Conditional Use Permit No. 201100158
Planner: Rudy Silvas

- Factual
- Property Location Map
- Staff Report
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Correspondence (DPW, Fire, Health, Parks)
- Environmental Documentation (MND – Initial Study & MMP)
- Burden of Proof Statement(s)
- Photographs
- Aerial Image(s)
- Land Use Radius Map
- Tentative Tract / Parcel Map
- Site Plan
- Exhibit Map
- Landscaping Plans (Preliminary)
- Applicant Correspondence (Alternate location, propagation plots, AT&T letter)
- Previous CUP 2005-00106 Findings and Conditions of Approval

Reviewed By: 



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6462
PROJECT NUMBER R2005-01889-(3)
RCUPT 201100158

PUBLIC HEARING DATE
 July 17, 2012

AGENDA ITEM
 4

RPC CONSENT DATE

CONTINUE TO

APPLICANT

Black & Veatch Corporation

OWNER

AT&T Mobility

REPRESENTATIVE

Rob Searcy

PROJECT DESCRIPTION

Conditional Use Permit (CUP) application for the replacement of an unmanned existing wireless telecommunication facility (WTF) within the public right of way on Kanan Road. The new WTF will consist of a 52 foot pole with street light, two 10 foot composite arms with 6 mounted panel antennas at 51.5 inches in length, replacing an existing 47 foot – 6 inch 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.

REQUIRED ENTITLEMENTS

The applicant requests a CUP pursuant to Los Angeles “County” Code Section 22.24.100, which is pursuant to Part 1 of Chapter 22.56, for the replacement of a wireless telecommunication facility in the public right of way on Kanan Road, located technically in the A-1-20 (Light Agricultural – 20 acre min. size lot area required) 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. Radio and Television stations and towers are uses subject to conditional use permits within the A-1 zone.

LOCATION/ADDRESS

Located in the public right of way, adjacent to 1100 Kanan Road (APN 2058-011-018), Agoura Hills

SITE DESCRIPTION

The location of the replacement WTF pole/street light, existing below ground vault for equipment placement, and existing 200 amp power meter 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.

ACCESS

Kanan Road

ZONED DISTRICT

The Malibu

ASSESSORS PARCEL NUMBER

Adjacent parcel APN 2058-011-018

COMMUNITY

Agoura Hills

SIZE

N/A

COMMUNITY STANDARDS DISTRICT

Santa Monica Mountains North Area CSD

	EXISTING LAND USE	EXISTING ZONING
Project Site	Public right of way	A-1-20
North	Vacant	A-1-20
East	Vacant	A-1-20
South	Vacant	A-1-20
West	Vacant	A-1-20

GENERAL PLAN/COMMUNITY PLAN

Santa Monica Mountains North Area Plan

LAND USE DESIGNATION

N 20 – Mountain Lands 20

MAXIMUM DENSITY

1.0 dwelling units per 20 acres

ENVIRONMENTAL DETERMINATION

Class 3 Categorical Exemption- New Construction of Small Structures (Construction of new small facilities/structures, installation of small new equipment and facilities in small structures)

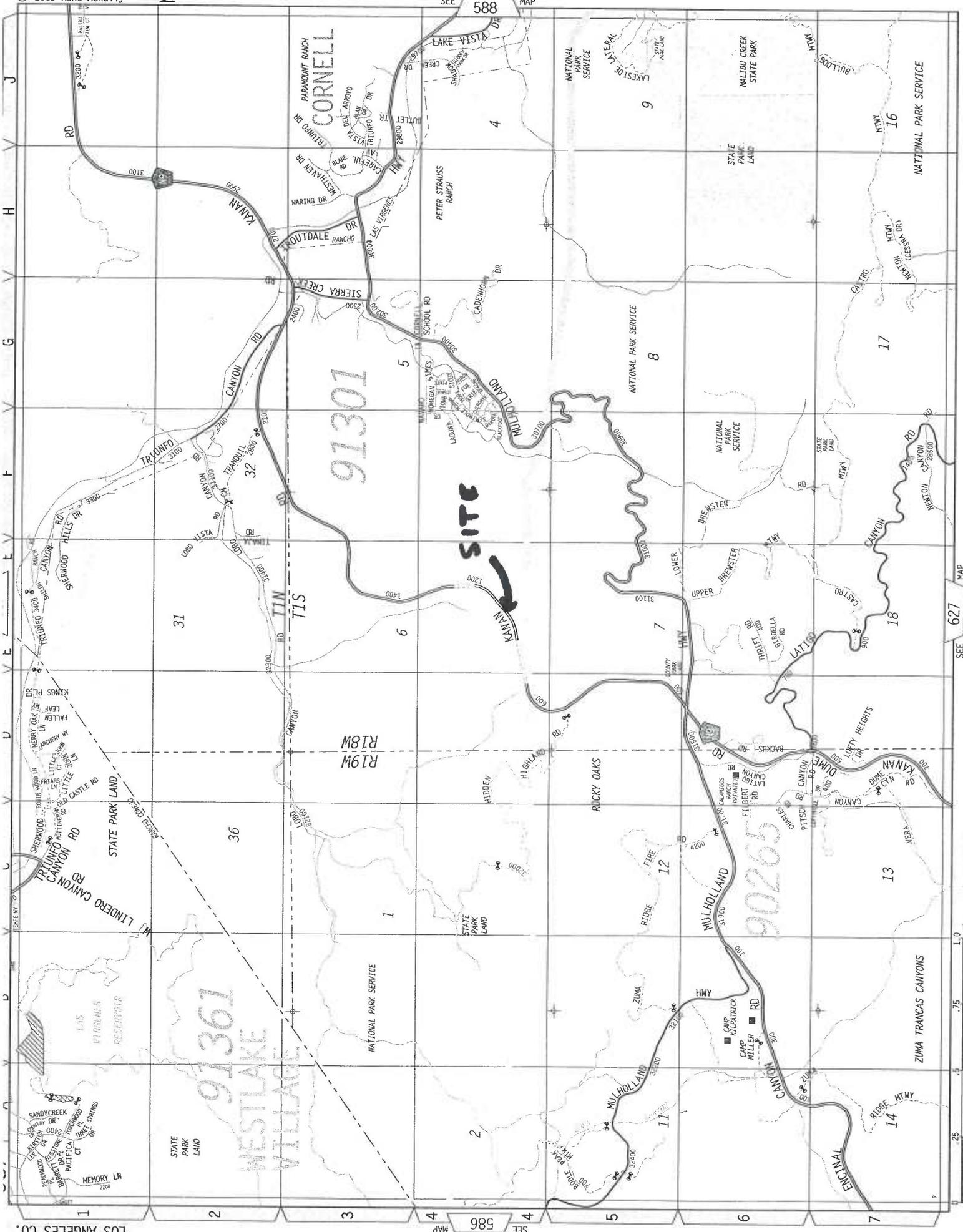
RPC LAST MEETING ACTION SUMMARY

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: Rudy Silvas		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) 0 (F) 0	PETITIONS (O) 0 (F) 0	LETTERS (O) 0 (F) 0

(O) = Opponents (F) = In Favor



SEE 588 MAP

SEE 627 MAP

1.0 miles 1 in. = 2400 ft.

STAFF ANALYSIS
PROJECT NO. 2005-01889-(3)
CONDITIONAL USE PERMIT NO. 201100158

PROJECT DESCRIPTION

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 composite arms mounted to the pole at 23 feet 6 inches above grade, and each composite hold 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.

REQUIRED ENTITLEMENTS

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 an 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 A-1 development standards.

LOCATION

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 Hills, Third Supervisorial District, and within the Malibu Zone District.

EXISTING ZONING

Subject Property

The subject site is technically zoned A-1-20 (Light Agricultural – 20 acre min. size lot area required) to the centerline of the road.

Surrounding Zones

Surrounding properties are zoned:

North: A-1-20

South: A-1-20

East: A-1-20

West: A-1-20

EXISTING LAND USES

Subject Property

Public right of way, dirt parkway.

Surrounding Properties

Surrounding land uses consist of:

North: Vacant land

South: Vacant land

East: Vacant land

West: Vacant land

SITE PLAN DESCRIPTION

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.

ENVIRONMENTAL DETERMINATION

Staff of the Los Angeles County Department of Regional Planning (DRP) 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 (CEQA) reporting requirements. The project is to remove an existing WTF and replace it with a new WTF/utility pole, with appurtenant equipment remaining below ground or on an electrical pedestal in the lease area of the public right-of-way.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

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

In order to ensure notification 30 days before the scheduled hearing date of July 17, 2012, in accordance with the above provisions, a total of 38 public hearing notices were mailed out on June 11, 2012 to all property owners within a 500 foot radius of the subject property.

Also to ensure notice of the hearing 30 days before the hearing date, the Notice of Public Hearing was published and advertised in the *Daily News* newspaper on June 13, 2012, and *La Opinion* newspaper on June 12, 2012. The notice and a factual sheet were also sent on June 11, 2012 to the Agoura Hills Library located at 29901 Ladyface Court in Agoura Hills..

Staff also received the Certificate of Posting from the applicant stating that the Notice of Public Hearing was posted at the site 30 days before the hearing date in accordance with Section 22.60.175 of the County Code.

PREVIOUS CASES/ZONING HISTORY

- 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 4 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.
- The adjacent property was zone designated 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 Santa Monica Mountains North Area Plan on October 24, 2000.

STAFF EVALUATION

General Plan Consistency

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)

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 the Kanan Road Scenic Corridor.

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 equipments was found not to be feasible.

Zoning Ordinance and Development Standards Compliance

The zoning of the public right-of-way where the replacement WTF will be located is technically zoned 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.

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.

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.

The existing above ground 200 amp power meter box shall be camouflaged with an earth tone color.

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.

Neighborhood Impact/Land Use Compatibility

The proposed replacement pole and wireless facility has been designed to eliminate the potential for visual blight upon the Kanan Road Scenic Corridor. 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.

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, which 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.

Due to vertical separation requirements between communications services and power distribution, the height of the pole is necessary to be at 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.

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.

The project appears to be subtle in its design and is not a visual impact in its proposed location. The modification to the height of the structure for 52 feet 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.

RELATED ZONING ENFORCEMENT CASES

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.

Burden of Proof

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.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Staff did not solicit any comments from other County Departments as this is a replacement WTF

PUBLIC COMMENTS

Staff has not received any comments from the public regarding the replacement WTF.

FEES/DEPOSITS

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

STAFF RECOMMENDATION

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

Staff recommends that the Hearing Officer close the public hearing and approve Conditional Use Permit No. 201100158, Project No. 2005-01889-(3) subject to the attached Findings and Conditions.

SUGGESTED MOTION

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND APPROVE CONDITIONAL USE PERMIT CASE NO. 201100158, SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Rudy Silvas, Principal Regional Planning Assistant
Reviewed by Mi Kim, Supervising Regional Planner

Attachments:

Draft Findings and Conditions of Approval
Applicant's Burden of Proof statement
Site Photographs
Site Plan/Elevation Plan
Land Use Map

MKK:RS 07/05/2012

DRAFT 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 composite arms mounted to the pole at 23 feet 6 inches above grade, and each composite hold 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 11, 2012

PROCEEDINGS:

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 an 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 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 Hills, Third Supervisorial District, and within the Malibu Zone 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 zone designated 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 Santa Monica Mountains North Area Plan on October 24, 2000.
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 4 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 the Kanan Road Scenic Corridor.
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 equipments was found not to be feasible.
11. The zoning of the public right-of-way where the replacement WTF will be located is technically zoned 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 upon the Kanan Road Scenic Corridor. 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, which 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, the height of the pole is necessary to be at 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 the height of the structure for 52 feet 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. Staff recommends that the applicant, the Black and Veatch Corporation, be allowed to proceed with the project under the attached conditions of approval. The 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 new 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 7 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 at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits 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 (CEQA) reporting requirements, as the project is to erect a new wireless telecommunications facility (WTF) 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: Hearing Officer, Zoning Enforcement, Building and Safety

MKK:RS
07/05/2012

**DRAFT 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 pole with street light, two 10 foot composite arms mounted on the pole at 23 feet – 6 inches above grade with 6 mounted panel antennas at 51.5 inches in length, replacing an existing 47 foot – 6 inch 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 11, 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 **\$1,400.00**. 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 **seven (7) 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 East 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 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 FAA.
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 East 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 blends in with the 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 East 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 lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.

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. Above ground equipment cabinet, power meter, 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 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 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 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 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.

MKK:RS

07/05/2012



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.

As the proposed use is an unmanned facility, and does not require water, sewer, or additional public utility infrastructure, there should be no impact on the health, peace, comfort, or welfare of persons residing or working in the area. As the proposed use and location will provide enhanced communications and information access it should increase enjoyment and property values in the surrounding area. As the proposed use and location will provide enhanced communications and information access, it should enhance and promote public health, safety and the general welfare of the community.

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 site on which the proposed development is to take place is an existing Public Right-of-Way fully developed and improved to LA County Department of Public Works standards. None of the proposed development will inhibit or restrict the use of the right-of-way. As such; the site is adequate to support the proposed development which should easily integrate 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.

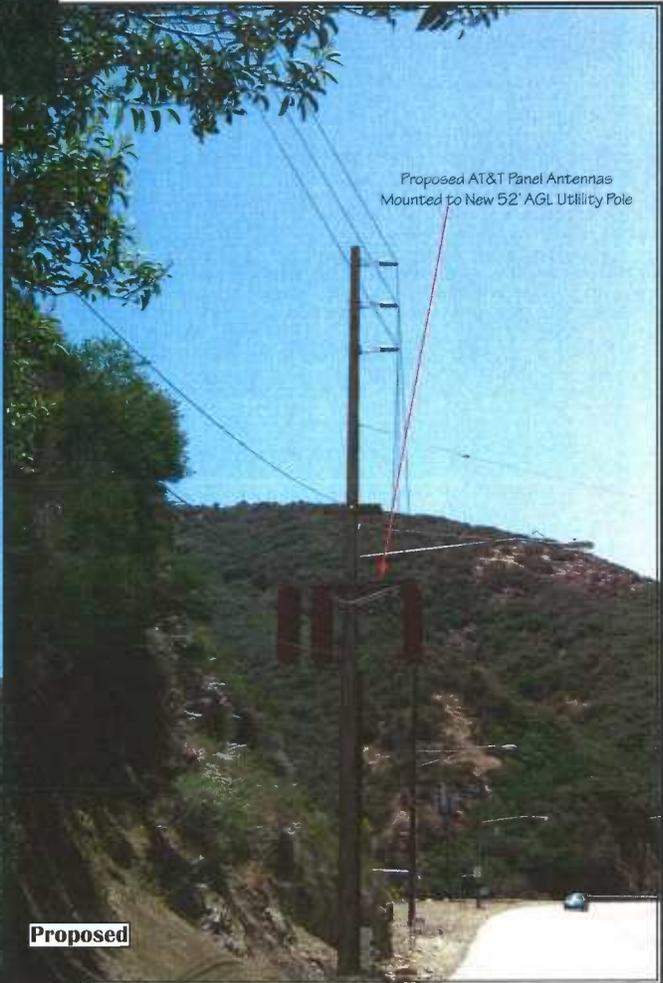
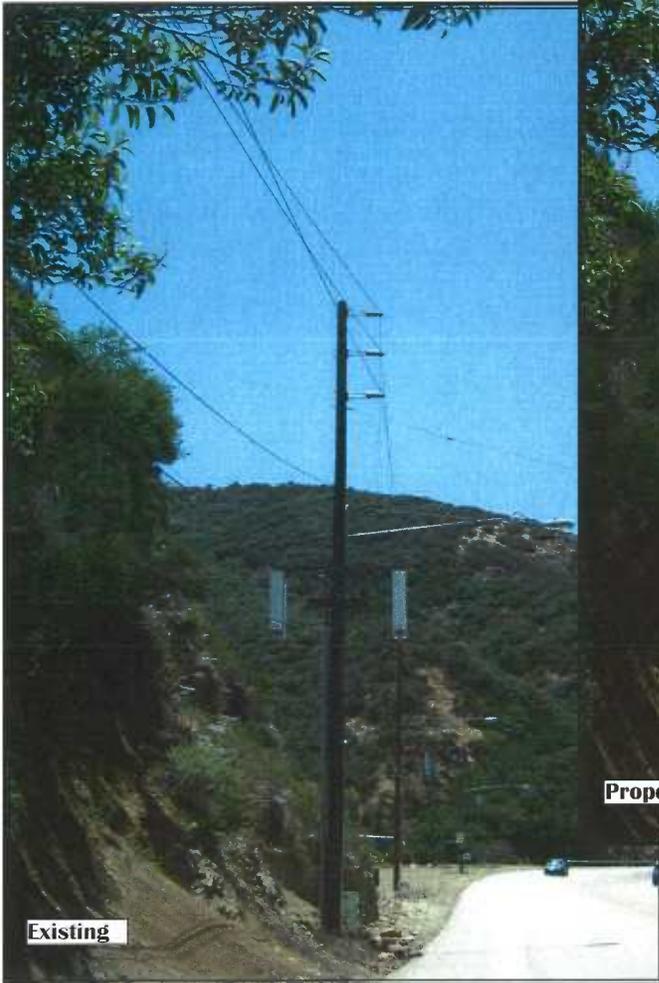
The proposed use will generate one maintenance vehicle trip per month on a regular basis and emergency maintenance vehicle trips as needed. The highways and streets are of sufficient width and fully improved so they should easily accommodate this additional traffic. The proposed use is an unmanned facility which only requires electricity and fiber optic cable connections to function. The needed utilities are currently available at the proposed site with sufficient capacity to adequately service the proposed use.

NL0087-LTE

1100U Kanan Rd., Agoura Hills, CA 91301



at&t



View 1

*View Notes:
Looking south at proposed project*

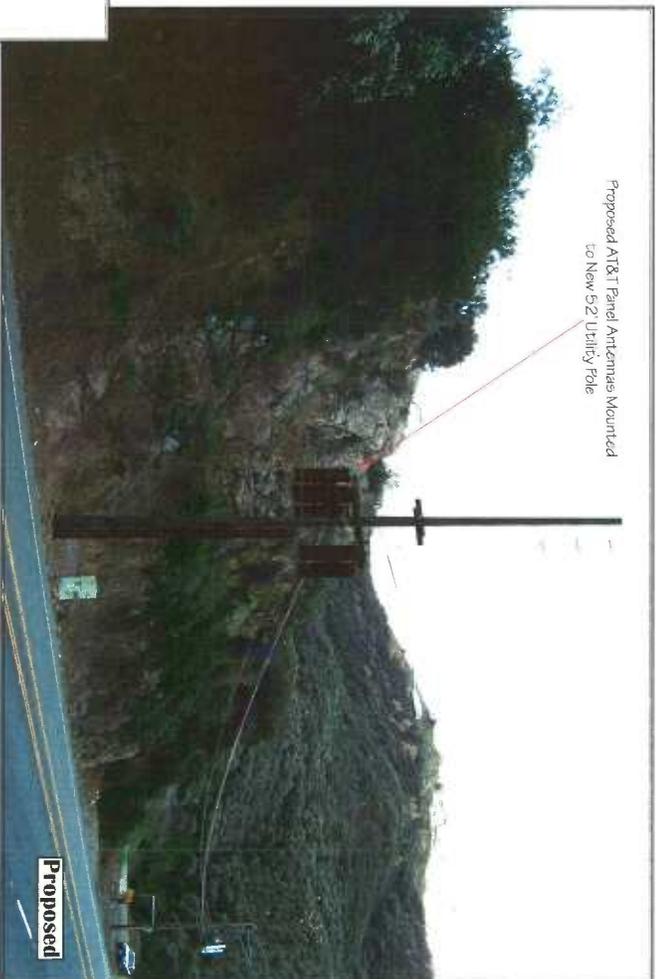
CeS cable
engineering
services

PRESCOTT COMMUNICATIONS INC.

10640 SEPULVEDA BLVD. SUITE 1
MISSION HILLS, CA 91345
(818) 898-2352 FAX (818) 898-9186

NL0087 LTE

1100 U Kanan Rd, Agoura Hills, CA 91301



View 2

View Notes:
Looking south east at proposed project



Applicant



PRESCOTT COMMUNICATIONS INC.
10640 SEPULVEDA BLVD, SUITE 1
MISSION HILLS, CA 91345
(818) 898-2352 FAX (818) 898-9186

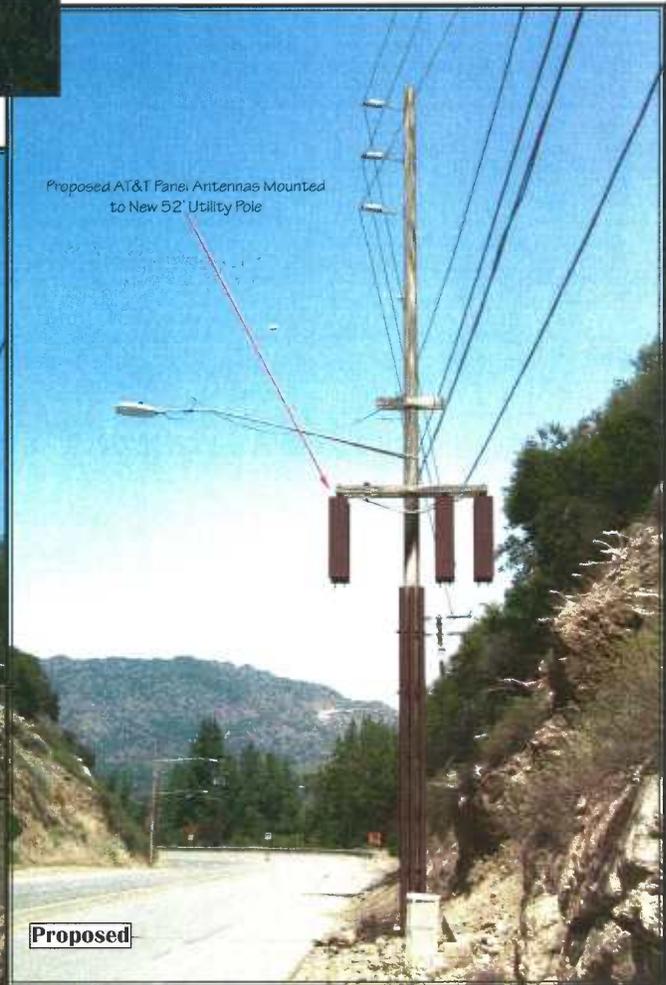
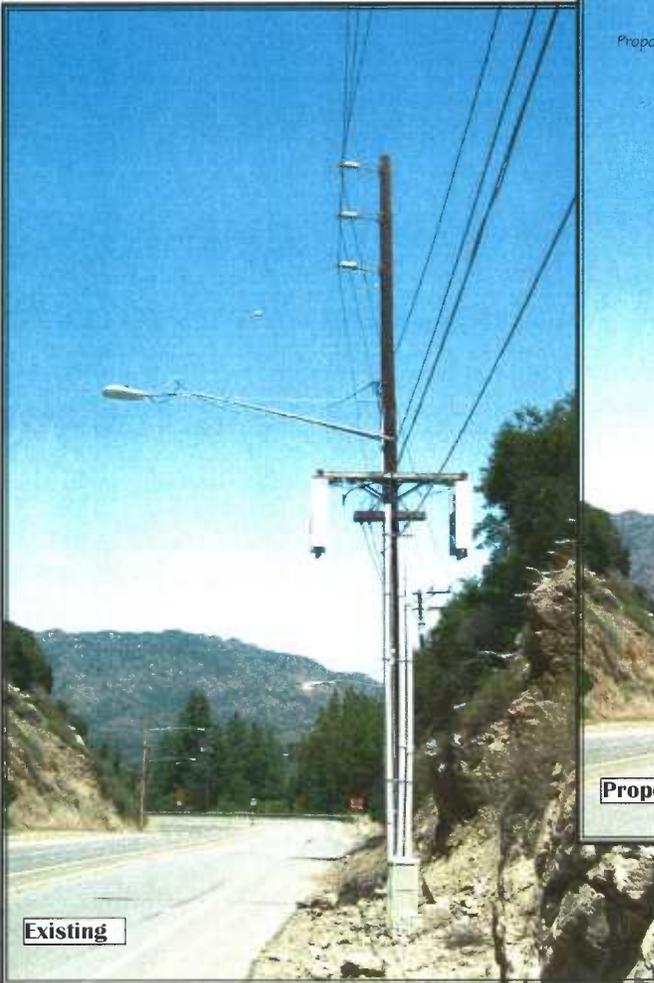
Contact

NL0087-LTE

1100U Kanan Rd., Agoura Hills, CA 91301



at&t



View 3

View Notes:
Looking north at proposed project

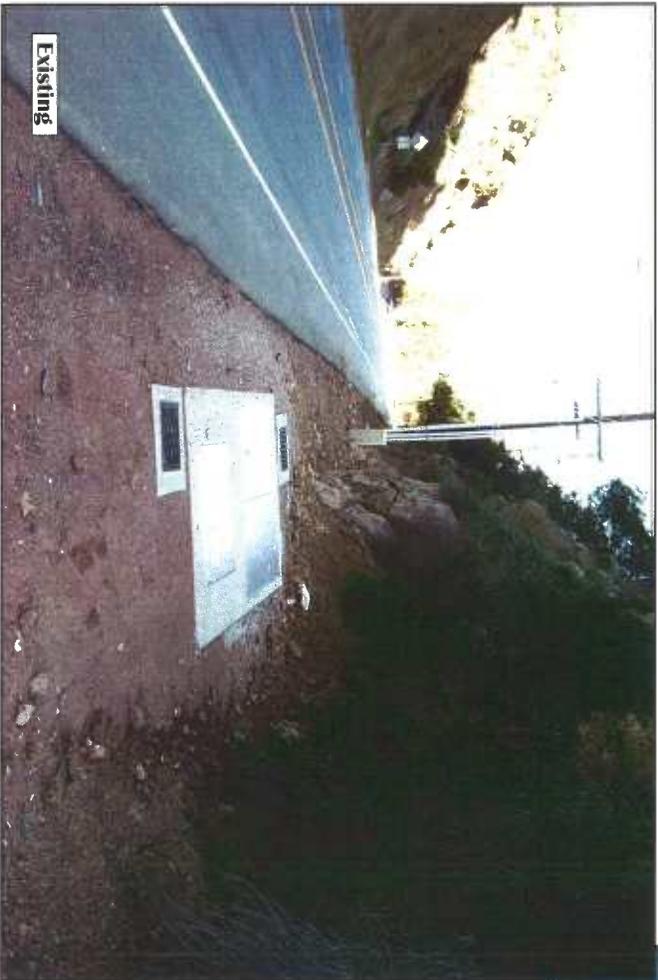
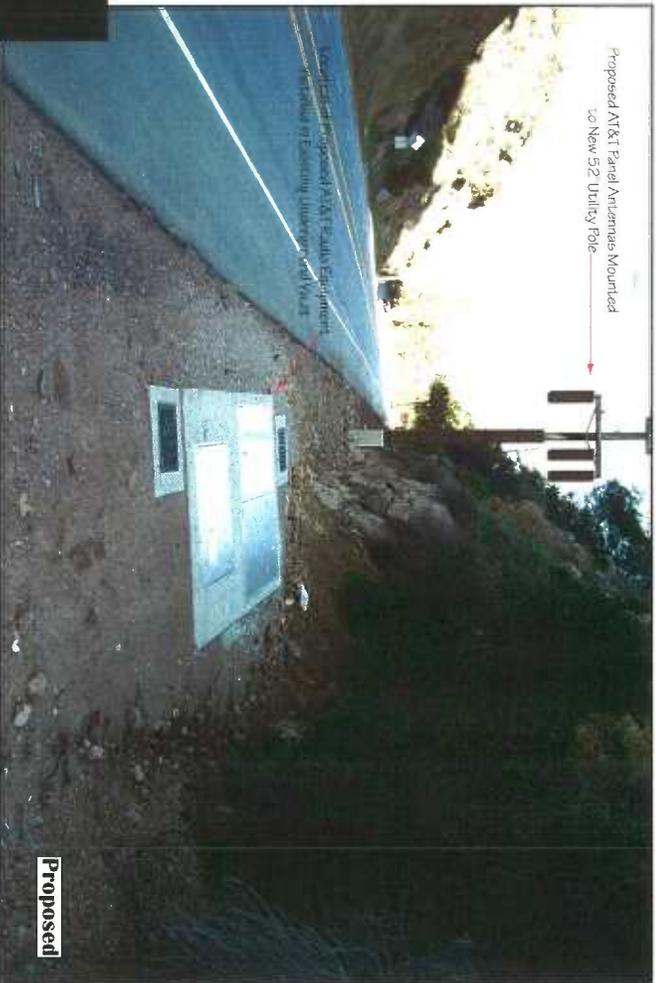
Ces cable
engineering
services

PRESCOTT COMMUNICATIONS INC.

10640 SEPULVEDA BLVD. SUITE 1
MISSION HILLS, CA 91345
(818) 898-2352 FAX (818) 898-9186

NL0087 LTE

1100U Kanan Rd., Agoura Hills, CA 91301



View 4

View Notes:
Looking north at proposed project



Applicant



PRESCOTT COMMUNICATIONS INC.
10640 SEPULVEDA BLVD, SUITE 1
MISSION HILLS, CA 91345
(818) 898-2352 FAX (818) 898-9186

Contact



- Legend**
- ▬ Parcel Boundary
 - ▬ Highway
 - ▬ Freeway
 - ▬ Master Plan of Highways
 - ▬ Expressway - (4)
 - ▬ Expressway - (3)
 - ▬ Secondary Highway - (5)
 - ▬ Parkway - (6)
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Land Use Policy (Not in Comm / Area Plan)

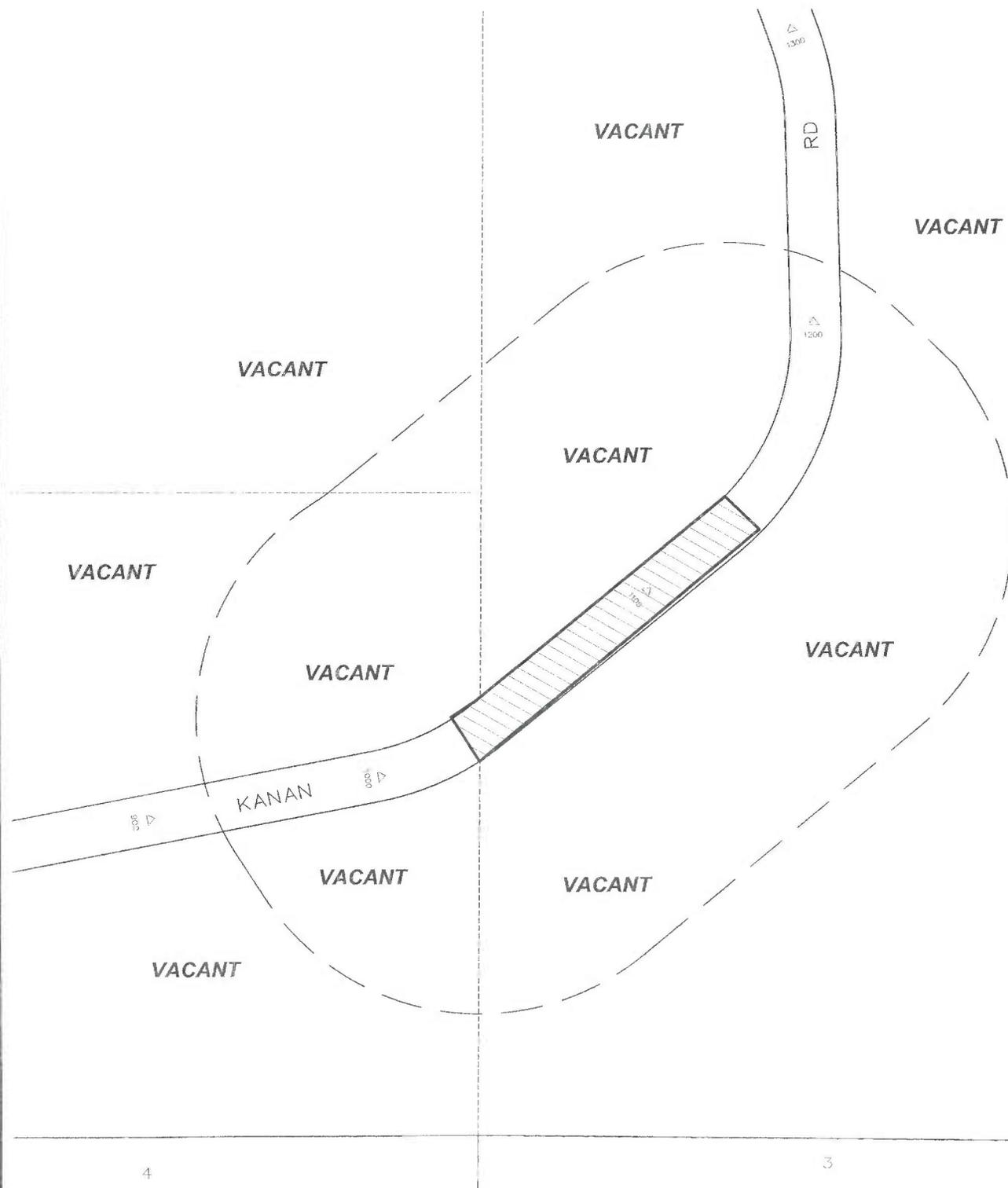
- 1 - Low Density Residential
- 2 - Low/Medium Density Residential (8 to 12 units)
- 3 - Medium Density Residential
- 4 - High Density Residential (22 or more units)
- C - Major Commercial
- O - Major Office
- P - Public and Semi-Public Facilities
- RC - Retail Communities
- TC - Transportation Corridor



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COUNTY OF LOS ANGELES



500' RADIUS MAP



GC MAPPING SERVICE, INC.

3055 WEST VALLEY BOULEVARD
ALHAMBRA CA 91803
(626) 441-1080 FAX (626) 441-8850

LEGEND

ALL USES AS SHOWN.

CASE NO.

DATE: 09 - 02 - 2011

SCALE: 1" = 100'

LAND USE MAP

SITE NUMBER: NL0087
SITE NAME: R.O.W. (ORANGE LA806) LOBO



PROJECT: LTE
ADDRESS: 1100U KANAN RD.
(UNINCORPORATED)
AGOURA HILLS, CA 91301

GENERAL NOTES

LOCATION MAPS

VICINITY MAP

LOCAL MAP

SITE INFORMATION

PROPERTY OWNER: ...
 ADDRESS: ...
 CITY: ...
 COUNTY: ...
 ZIP: ...

PROJECT TEAM

ENGINEERING: ...
 SURVEYING: ...
 DESIGN: ...

DRAWING INDEX

SHEET NO.	SHEET TITLE
A-1	...
A-2	...
A-3	...
A-4	...
A-5	...
A-6	...
A-7	...
A-8	...
A-9	...
A-10	...

PROJECT DESCRIPTION

...

APPROVALS

DATE: _____
 SIGNATURE: _____

ENGINEERING

...

DO NOT SCALE DRAWINGS

...



12600 PARK PLACE DRIVE
 GERRITUS, CA 90703

BLACK & VEATCH

12750 CENTER COURT DRIVE
 GERRITUS, CA 90703

Cgs cable
 engineering services
 PROJECT COMMUNICATIONS INC.

12750 CENTER COURT DRIVE
 GERRITUS, CA 90703

PROJECT NO: 28300141-10
 DRAWN BY: VA
 CHECKED BY: RB

11 IS A DIVISION OF LAW 224 AND DESIGN,
 ONLY APPROVED SIGNATURES AND STAMPS
 ARE VALID FOR DOCUMENTS.

NL0087-LTE
 1100U KANAN RD.
 (UNINCORPORATED)
 AGOURA HILLS, CA 91301

SHEET TITLE
 TITLE SHEET

SHEET NUMBER
 T-1

SYMBOL	DESCRIPTION
DLB	DEEP OF BENT
W/L	WHITE LINE
R.O.M.	RIGHT OF WAY
E.O.P.	EDGE OF ROADWAY
CL	CENTER LINE
C/F	CURBFACE
P/L	PROPERTY LINE
	EXISTING CUT
	FENCE
	WALL
	RAILROAD
	ALLEYS
	TREE
	UTILITY POLE
	PROPOSED STREET PAVE
	STREET LIGHT
	RAISING INTERSECTION SIGN
	DOWN GUT
	PIPE TRENCH
	UTILITY VAULT
	UTILITY MANHOLE
	SEWER MANHOLE
	SQUARE HOLE
	ROAD HOLE
	DEE ALLEYS
	HANDICAP RAMP

GENERAL NOTES AND CONDITIONS

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES AND AGENCIES OF THE CITY AND COUNTY OF LOS ANGELES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES AND AGENCIES OF THE CITY AND COUNTY OF LOS ANGELES.

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CODE COVERAGE

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES AND AGENCIES OF THE CITY AND COUNTY OF LOS ANGELES.

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12000 PARK BLVD. SUITE 200
CERRITOS, CA 90703



BLACK & VEATCH
12750 CENTER HOLLOW DRIVE
CERRITOS, CA 90703



Cgs cable
PRESIDENT COMMUNICATIONS INC.
11000 PARK BLVD. SUITE 200
CERRITOS, CA 90703

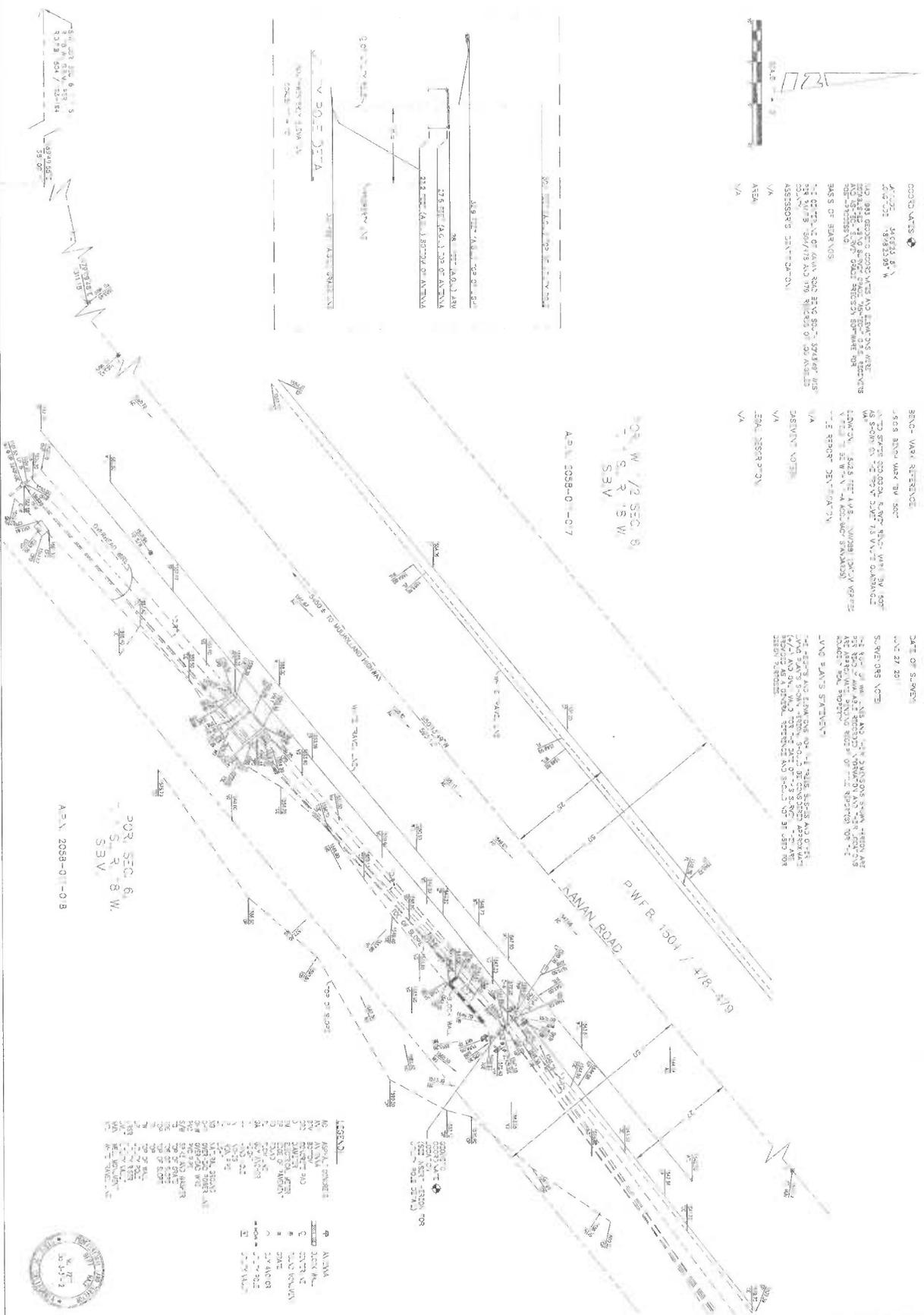
PROJECT NO: 28800141-13
DRAWN BY: WI
CHECKED BY: RB

IT IS A VIOLATION OF LAW FOR ANY PERSON TO REPRODUCE OR TRANSMIT THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF THE AUTHOR.

NLD097-LTE
11000 KANAN RD.
(UNINCORPORATED)
AGOURA HILLS, CA 91301

SHEET TITLE
ABREVIATIONS, SYMBOLOGY
AND GENERAL NOTES

SHEET NUMBER
T-2



GOOD NOTES

1. ALL DATA IS TO BE CHECKED FOR ACCURACY AND CONSISTENCY. ANY DISCREPANCIES SHOULD BE REPORTED IMMEDIATELY TO THE SURVEYOR.

2. ALL MEASUREMENTS SHOULD BE MADE TO THE CENTER OF THE ROAD OR THE CENTER OF THE PROPERTY LINE, UNLESS OTHERWISE SPECIFIED.

3. ALL DISTANCES SHOULD BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR THE CENTERLINE OF THE PROPERTY LINE, UNLESS OTHERWISE SPECIFIED.

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RENO - WALK REFERENCE

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DATE OF SURVEY

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LEGEND

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TOPOGRAPHIC SURVEY

NI 0087

1100 KAHAN RD
ACQUIRA HILLS, CA 91301

DATE: 10/27/81

BY: [Signature]

SCALE: 1" = 40'

PROJECT NO: 2058-01-08

18-1



BURT BASS

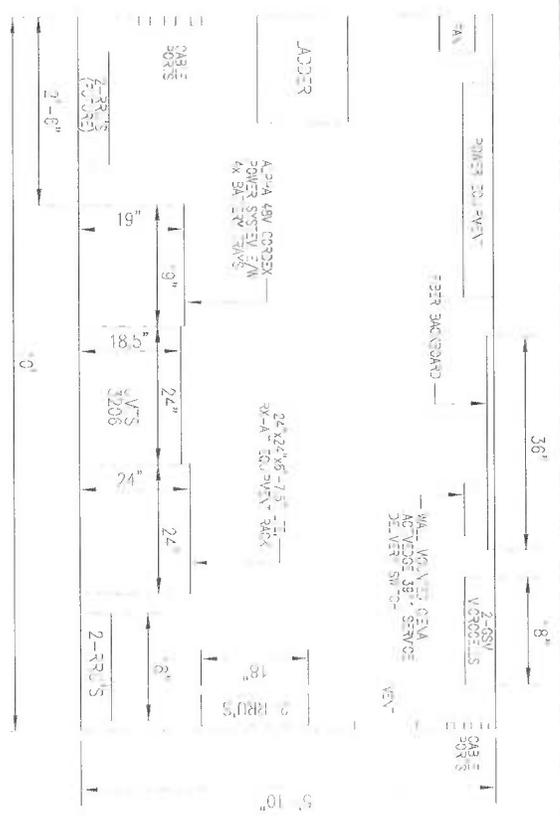
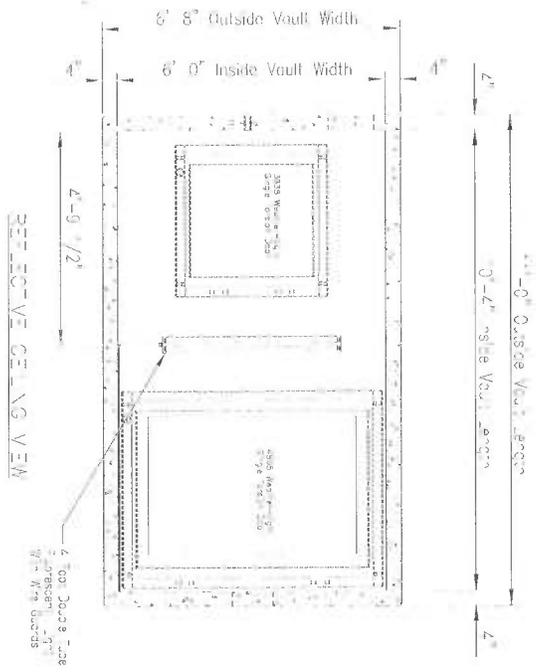
AND ASSOCIATES, INC.

LAND SURVEYING & MAPPING

1000 W. 10TH AVENUE, SUITE 100
DENVER, CO 80202

TEL: 303-733-1122

NO.	DATE	REVISION
1	10/27/81	INITIALS
2		
3		
4		
5		
6		
7		
8		
9		
10		



NOTE TO CONTRACTOR:
PROPOSED RRU LAYOUT AS SHOWN IS FOR MAXIMUM
LTE & UMTS DEPLOYMENT, TOTAL OF 6 RRUS.



1290 PARK PLAZA DRIVE
CENTERTON, CA 90703



BLACK & VEATCH
12750 CENTER COURT DRIVE
CENTERTON, CA 90703



Cgs engineering
PRESIDENT COMMUNICATIONS INC.
1000 SHAW BLVD STE 200
DUBLIN, CA 94568

PROJECT NO.: 28900141-1B
DRAWN BY: VJ
CHECKED BY: RB

NO.	DATE	DESCRIPTION
1	2012-01-11	PROJECT FOR RRU REPLACEMENT
2	2012-01-11	ISSUED FOR PERMITS
3	2012-01-11	CONSTRUCTION

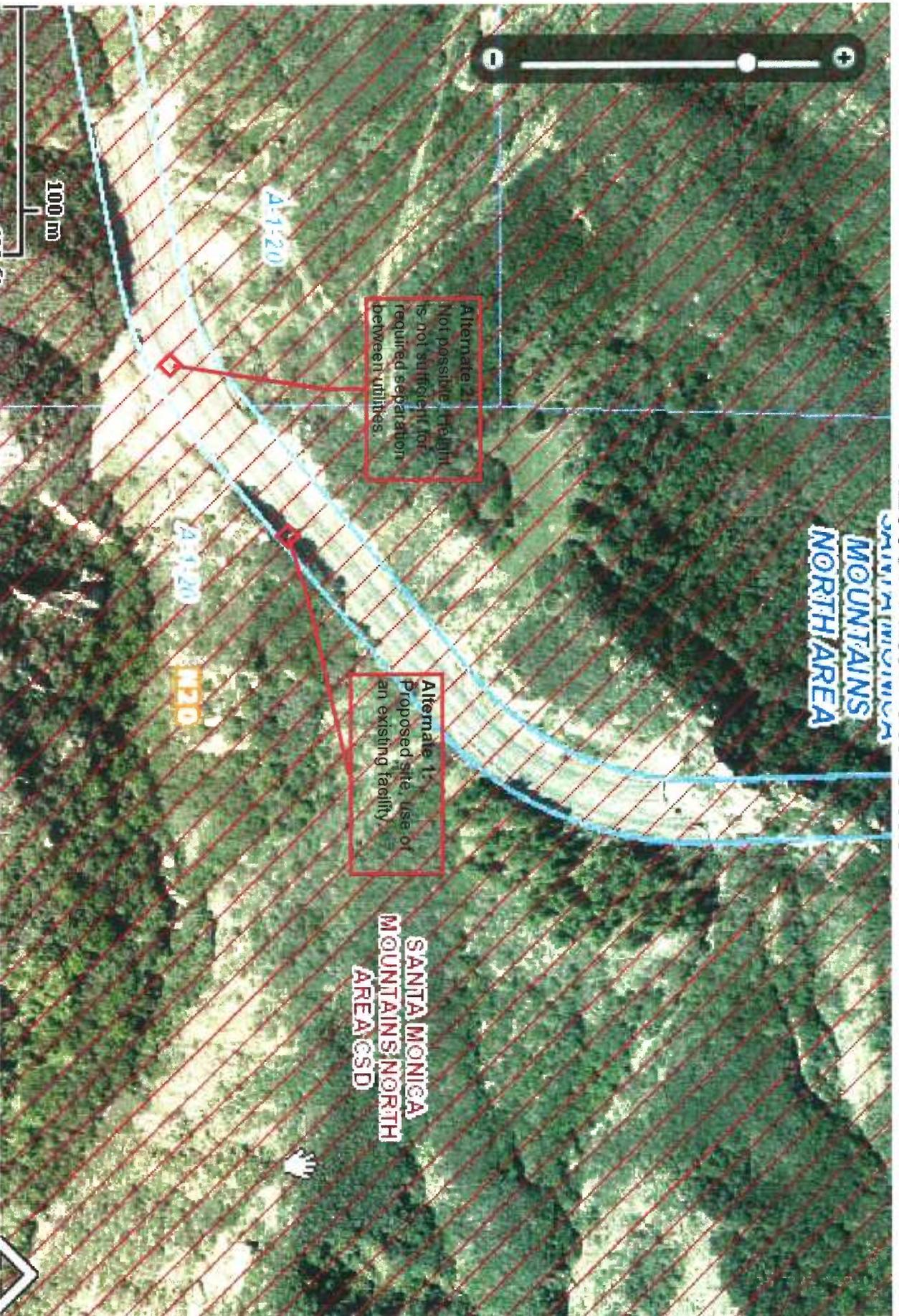
IT IS A MANDATE OF LAW FOR ANY PERSON, COMPANY OR ENTITY PROVIDING PROFESSIONAL SERVICES TO A CLIENT TO SIGN AND SEAL ANY SUCH DOCUMENT.

NL0087-LTE
11000 KANAN RD
(UNINCORPORATED)
AGOURA HILLS, CA 91301

SHEET TITLE
MEV FLOOR LAYOUT

SHEET NUMBER
D-3

NL0087 Alternate Sites



LTE Justification Plots

Market Name: Los Angeles

Site ID: CLL02079 (NL0087)

Site Name: ROW (LA806) LoBo

ATOLL Plots Completion Date: 07/11/2011



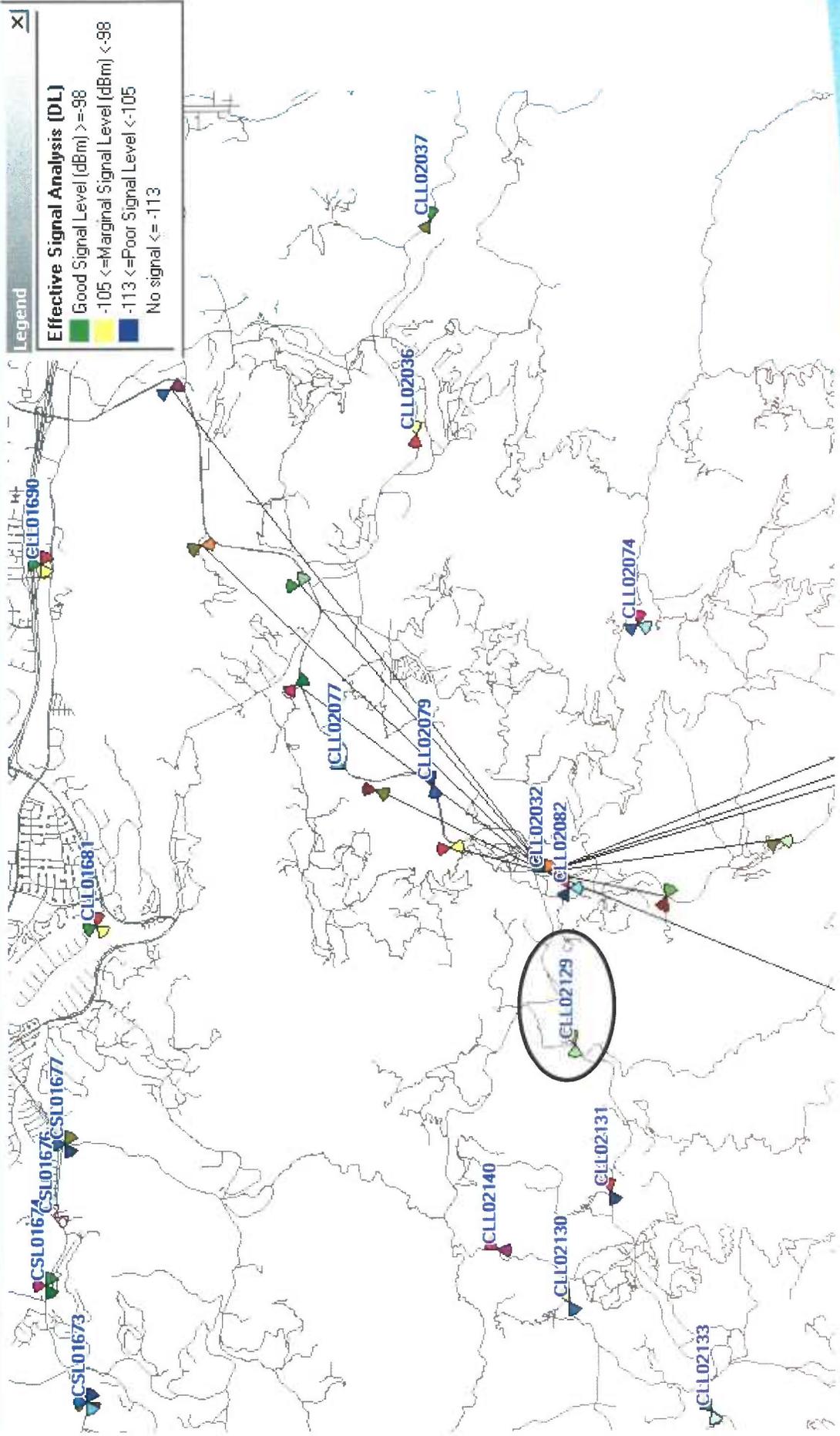
Assumptions

- Propagation of the site plots are based on our current Atoll (Design tool) project tool that shows the preferred design of the AT&T **4G-LTE** network coverage.
- The propagation referenced in this package is based on proposed LTE coverage of AT&T users in the surrounding buildings, in vehicles and at street level . For your reference, the scale shown ranges from good to poor coverage with gradual changes in coverage showing best coverage to marginal and finally poor signal levels.
- The plots shown are based on the following criteria:
 - **Existing:** Since LTE network modifications are not yet **On-Air**. The first slide is a snapshot of the area shows the existing site without LTE coverage in the AT&T network.
 - **The Planned LTE Coverage with the Referenced Site:** Assuming all the planned neighboring sites of the target site are approved by the jurisdiction and the referenced site is also approved and **On-Air**, the propagation is displayed with the planned legends provided.
 - **Without Target site:** Assuming all the planned neighboring sites are approved by the jurisdiction and **On-Air** and the referenced site is **Off-Air**, the propagation is displayed with the legends provided.
 - **Clutter Classes:** Morphology of the area is added at the end of the document with the legend displaying different colors for the different topography of the area.

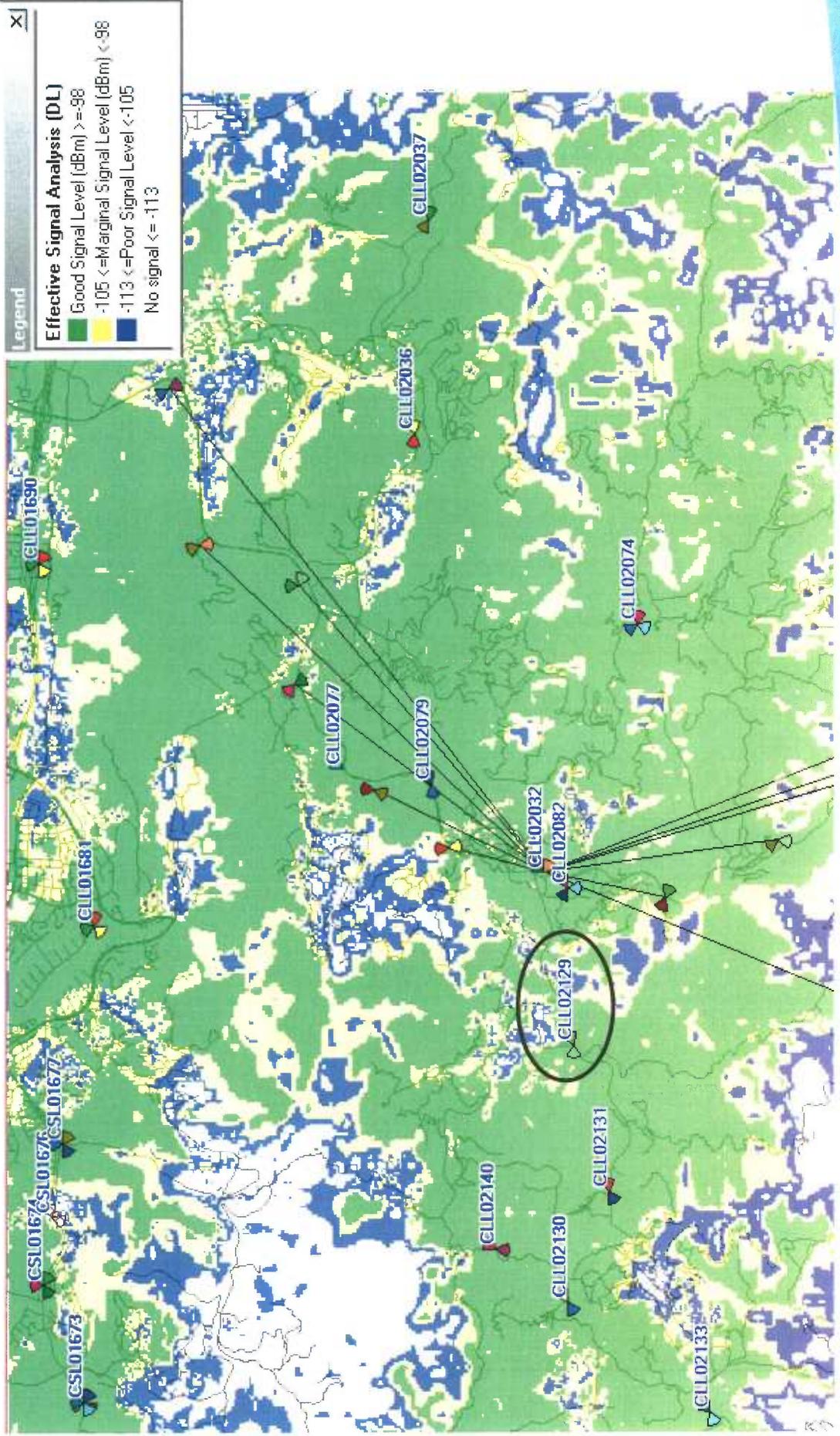
PROPAGATION PLOTS



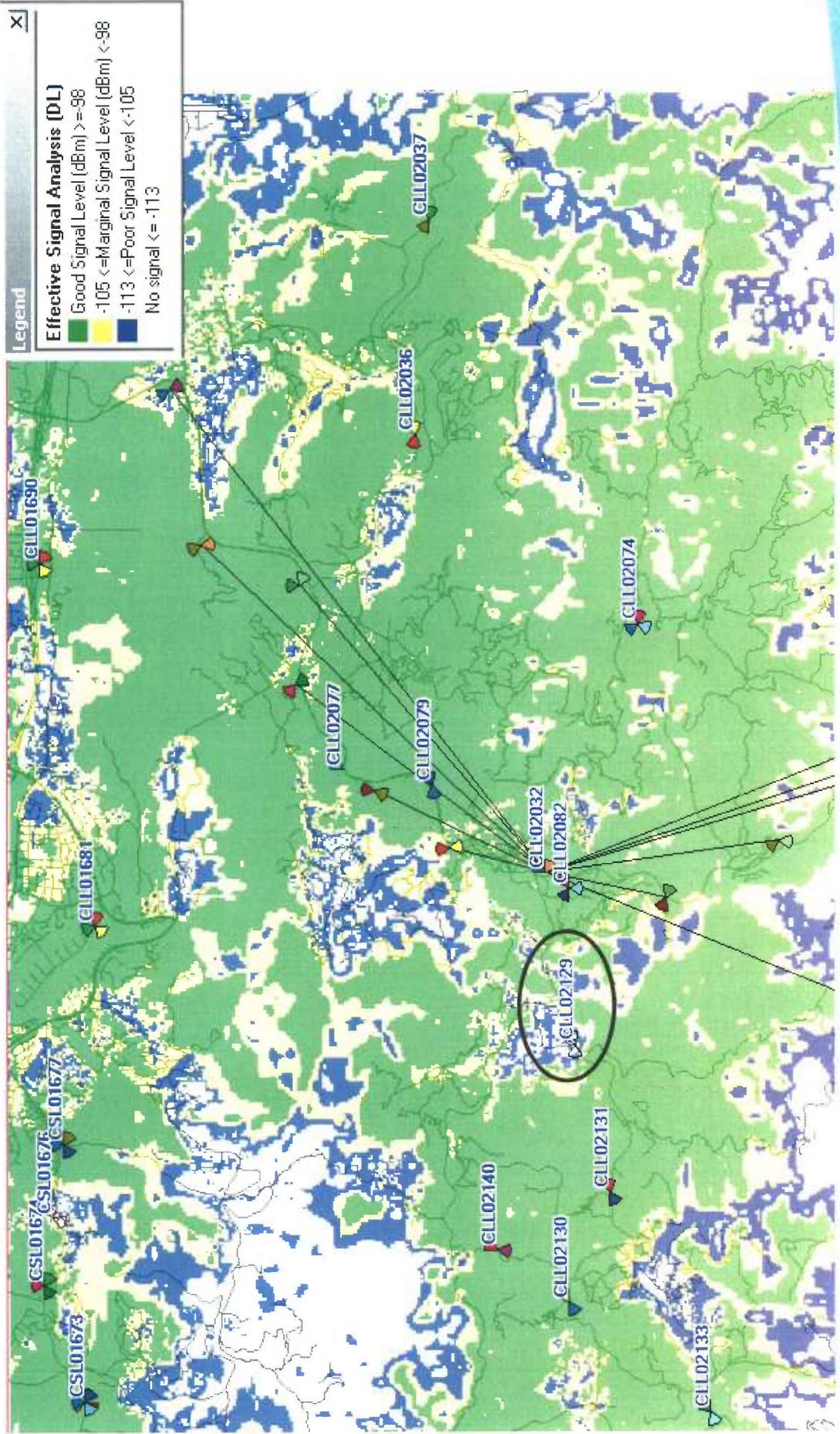
LTE Coverage - Existing



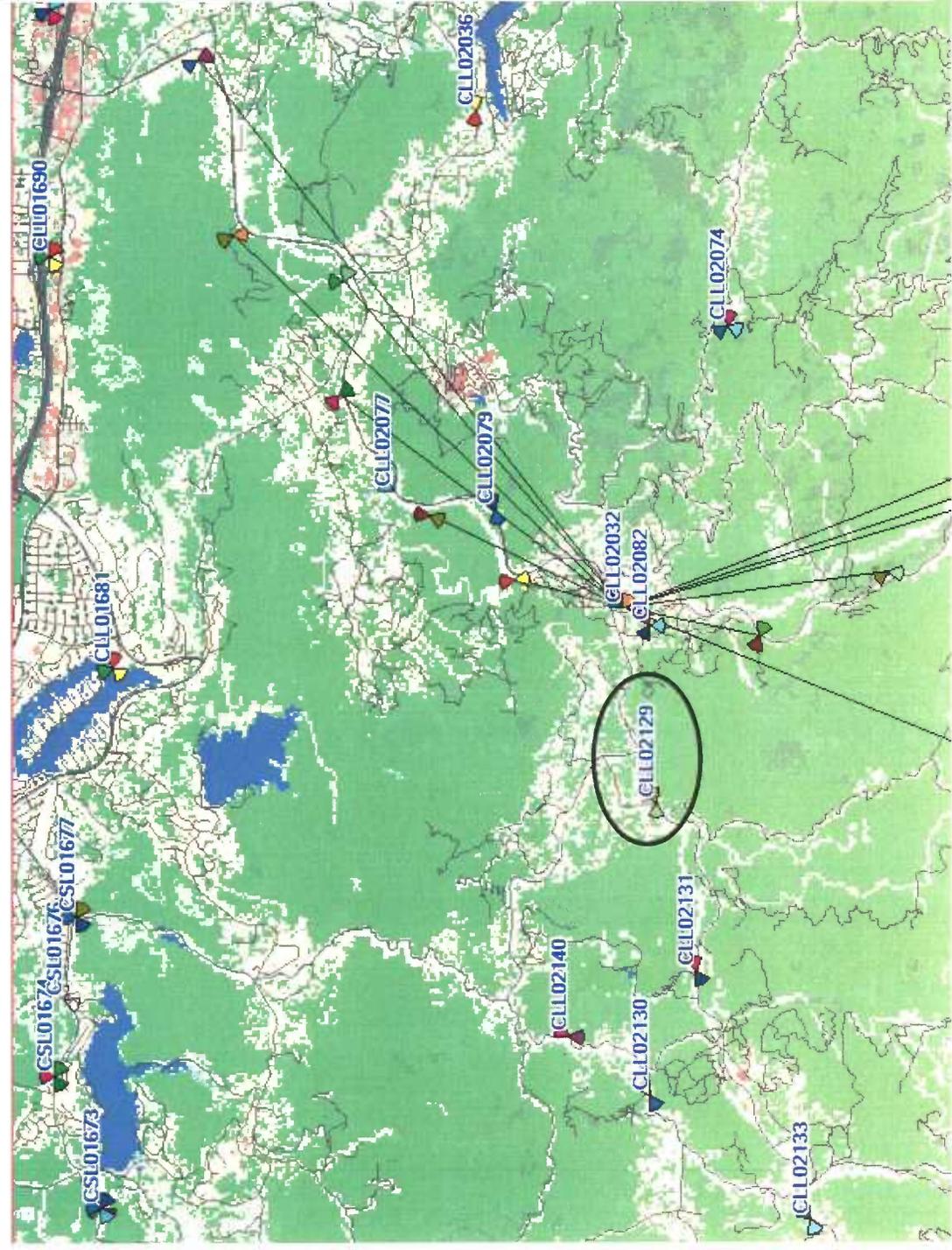
LTE Coverage – Planned LTE coverage with the referenced site and other proposed sites. RSRP Plots with CLL02079(dBm)



LTE Coverage – Planned LTE Coverage without referenced site RSRP Plots without CLL02079 (dBm)



Clutter Classes



Legend

Clutter Classes
1 - Core Urban
2 - Dense Urban
3 - Urban
4 - Commercial/Industrial
5 - Suburban few Trees
6 - Suburban with Trees
7 - Residential few Trees
8 - Residential with Trees
9 - Rural few Trees
10 - Rural with Trees
11 - Convention Center
12 - Major Stadium
13 - Minor Stadium_ Theme Park_ Fairgrounds
14 - High School Building
15 - University_ College Building
16 - Airport Runway
17 - Airport Terminal
18 - Airport Building
19 - Airport Rural
20 - Primary Road
21 - Secondary Road
22 - Tertiary Road
23 - Other Paved_ Impervious
24 - Golf Course_ Park_ Urban Recreation
25 - Open In Urban
26 - Open Suburban Residential
27 - Open Rural
28 - Grassland_ Rangeland
29 - Cultivated Cropland
30 - Scrub Vegetation
31 - Shrubland_ Woodland
32 - Deciduous Forest
33 - Coniferous Forest
34 - Mixed Forest
35 - Forested Wetland
36 - Wetland
37 - Inland Water
38 - Sea Water





25 August 2011

RE: NI.0087 - ROW (LA806) LoBo
1100U KANAN RD
AGOURA HILLS, CA. 91301

LETTER OF COMPLIANCE

The following states AT&T's site compliance with the FCC rules covering RF exposure.

The facility will operate within ATT Mobility's FCC licensed frequencies and these are as follows:

Receive freq. (MHz): 824-835, 845-846.5, 1865-1885 and 710-716

Transmit freq. (MHz): 869-880, 890-891.5, 1945-1965 and 740-746

RF Exposure to Persons Near the Site

The FCC states in 47 CFR § 1.1310 that the maximum permissible exposure level from RF radiation for the general population is between 0.6 and 1 milliwatts per centimeter squared (mW/cm²) depending upon the frequency of the transmitter. This is a measure of the RF power density at or below which there are no harmful effects.

The antenna that AT&T is using on this site is designed to transmit most of the signal in a horizontal direction (parallel to the ground). This is necessary to provide a useable signal level around the site. Within the first 600 feet from the site the transmitted signal does not need to be as strong consequently the antenna is designed to limit the signal level towards the ground to approximately ½ Watt of power. When this power reaches the ground its energy has been greatly reduced to the point where the RF exposure level is less than 2/10,000th of a percent of the maximum allowable exposure level permitted by the FCC. These calculations are based on a typical antenna patterns for the type of antenna that AT&T is using on their sites.

AT&T Mobility operates its wireless network in compliance with its FCC license and FCC rules and regulations concerning radio frequency emissions and/or radio frequency interference.

If AT&T can be of further assistance in this matter please do not hesitate to contact me at (562) 924-0000.

Sincerely,

A handwritten signature in cursive script, appearing to read "Essie Polard".

Essie Polard
Market RF Safety Coordinator



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

January 3, 2006

James E. Hartl, AICP
Director of Planning

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Patti Ringo
BMS Communications, Inc.
990 Enchanted Way, Suite 101
Simi Valley, CA 93065

RE: **PROJECT NOS.** R2005-01800-(3), R2005-01888-(3), R2005-01889-(3), R2005-01890-(3),
R2005-01972-(3), R2005-01973-(3), R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE PERMIT NOS. T200500099-(3), T200500105-(3), T200500106-(3), T200500107-(3),
T200500115-(3), T200500116-(3), T200500159-(3), T200500168-(3)

To authorize construction, operation and maintenance of eight (8) unmanned wireless telecommunications facilities within the Malibu/Santa Monica Mountains areas. Seven (7) wireless telecommunications facilities are proposed to be mounted onto six (6) existing utility poles and one (1) replacement pole at seven (7) separate sites within the public road right-of-way. One (1) wireless facility is proposed to be mounted onto one (1) new proposed utility pole within a private property.

Dear Applicant:

PLEASE NOTE: This document contains the Hearing Officer's findings and order and conditions relating to **APPROVAL** of the above referenced case. **CAREFULLY REVIEW EACH CONDITION.**

Condition three requires that the permittee must file an affidavit accepting the conditions before these grants become effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Hearing Officer's decision to the Regional Planning Commission at the office of the commission's secretary, Room 170, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Contact the commission's secretary for the necessary forms and the amount of the appeal fee at (213) 974-6409. The appeal must be postmarked or delivered in person within 15 calendar days after this notice is received by the applicant. The Hearing Officer's decision may also be called up for review by the Regional Planning Commission during the appeal period.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Kanika Kith in the Zoning Permits Section II at (213) 974-6435.

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE PERMIT NOS. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: The applicant is requesting a total of eight (8) Conditional Use Permits to authorize establishment, operation and maintenance of wireless telecommunications facilities within the Malibu/Santa Monica Mountains areas. Seven (7) wireless telecommunications facilities are proposed to be mounted onto six (6) existing utility poles and one (1) replacement pole at seven (7) separate sites within the public road right-of-way. One (1) wireless facility is proposed to be mounted onto one (1) new proposed utility pole within a private property.

PROCEEDINGS BEFORE THE HEARING OFFICER:

November 29, 2005 Public Hearing

A duly noticed public hearing was held on November 29, 2005 before the Hearing Officer. The applicant's representatives were sworn in and testified in favor of the request. The applicant's representatives confirmed that they had reviewed the staff report and conditions recommended by staff and concurred with all conditions of approval. No other testimony was presented.

The Hearing Officer discussed the possibility of requiring the panel antennas to be redesigned such that the panel antennas are smaller than six (6) inches long and be placed at a shorter distant to the pole. The Hearing Officer also discussed the possibility of co-location with other existing wireless telecommunications facilities.

Issues discussed included redesigning the two (2) 3-foot ventilation towers at each project site such that they will be mounted to the ground surface height without any protruding towers. Also, all above ground equipment should be hidden with artificial boulder coverings or vegetative screenings.

There being no further testimony, the Hearing Officer closed the public hearing, expressed his intent to approve the subject projects, subject to the conditions recommended by staff, and directed staff to prepare the findings and conditions for approval, including changes to the conditions as discussed and as agreed to by the applicant.

Findings

1. The applicant is requesting eight (8) Conditional Use Permits to authorize establishment, operation and maintenance of eight (8) wireless telecommunications facilities mounted onto six (6) existing utility poles and one (1) replacement pole at seven (7) separate sites in the public right-of-way, and one (1) new proposed pole within a private property. All eight (8) project sites are located within the Malibu/Santa Monica Mountains areas and the Malibu Zoned District. The sites are located at the following locations:

PROJECT NOs. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE PERMIT NOs. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

- Project No. R2005-01800: Front of 28756 Mulholland Highway, Santa Monica Mountains North Area Plan
- Project No. R2005-01888: Block of 29000 Mulholland Highway, Santa Monica Mountains North Area Plan
- Project No. R2005-01889: Front of 950 Kanan Road, Santa Monica Mountains North Area Plan
- Project No. R2005-01890: Front of 4000 Topanga Canyon Blvd., Santa Monica Mountains North Area Plan
- Project No. R2005-01972: Block of 25000 Mulholland Highway, Malibu Local Coastal Plan
- Project No. R2005-01973: Front of 4017 Topanga Canyon Blvd., Santa Monica Mountains North Area Plan
- Project No. R2005-02276: Front of 26074 Mulholland Highway, Malibu Local Coastal Plan
- Project No. R2005-02286: Front of 2400 Kanan Road, Santa Monica Mountains North Area Plan

2. Zoning on the sites are as follows:

- Project No. R2005-01800: O-S (Open Space)
- Project No. R2005-01888: R-1-1 (Single-Family Residential -1-acre minimum lot size)
- Project No. R2005-01889: A-1-20 (Light Agricultural - 20-acre minimum lot size)
- Project No. R2005-01890: O-S (Open Space)
- Project No. R2005-01972: A-1-1 (Light Agricultural - 1-acre minimum lot size)
- Project No. R2005-01973: A-1-2 (Light Agricultural - 2-acre minimum lot size)
- Project No. R2005-02276: O-S-DP (Open Space - Development Program)
- Project No. R2005-02286: A-1-20 (Light Agricultural - 20-acre minimum lot size)

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE PERMIT NOS. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

Wireless telecommunications facilities are not defined uses in the Zoning Ordinance; however, the defined use, "radio and television stations and towers," is a comparable use. Pursuant to Sections 22.24.100, 22.20.100, and 22.40.430 of the Los Angeles County Code, radio and television stations and towers are permitted in the A-1, R-1, and O-S Zones, respectively, provided a conditional use permit is first obtained.

3. The surrounding properties are zoned as follows:

Project No. R2005-01800:

Project site is surrounded by O-S (Open Space) zone in every direction.

Project No. R2005-01888:

North: R-1-20 & OS (Single-Family Residential - 20-acre minimum lot size & Open Space)

South: R-1-1 & OS (Single-Family Residential - 1-acre minimum lot size & Open Space)

East: R-R-1 (Resort and Recreation - 1-acre minimum required area)

West: A-1-10 & A-1-5 (Light Agricultural - 10-acre minimum lot size & Light Agricultural - 5-acre minimum lot size)

Project No. R2005-01889:

North: A-1-20 (Light Agricultural - 20-acre minimum lot size)

South: A-1-20 (Light Agricultural - 20-acre minimum lot size)

East: A-1-20 (Light Agricultural - 20-acre minimum lot size)

West: O-S (Open Space)

Project No. R2005-01890:

North: R-1-10 & R-1-13,000 (Single-Family Residential - 10-acre minimum lot size & Single-Family Residential - 13,000 sq. ft. minimum lot size)

South: A-1-10 (Light Agricultural - 10-acre minimum lot size)

East: A-1-10 (Light Agricultural - 10-acre minimum lot size)

West: A-1-10 (Light Agricultural - 10-acre minimum lot size)

Project No. R2005-01972:

Project site is surrounded by A-1-1 (Light Agricultural - 1-acre minimum lot size) in all directions.

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE PERMIT NOS. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

Project No. R2005-01973:

North: RPD-0.5-2U & A-1-10 (Residential Planned Development - 0.5-acre minimum lot size with 2 dwelling units/acre & Light Agricultural - 1-acre minimum lot size)

South: A-1-2 & A-1-10 (Light Agricultural - 2-acre minimum lot size & Light Agricultural - 1-acre minimum lot size)

East: R-1-13,000 (Single-Family Residential - 13,000 sq. ft. minimum lot size)

West: A-1-2 (Light Agricultural - 2-acre minimum lot size)

Project No. R2005-02276:

North: O-S-DP (Open Space, Development Program)

South: O-S-DP & A-1-1 (Open Space - Development Program & Light Agricultural - 1-acre minimum lot size)

East: O-S-DP & A-1-1 (Open Space - Development Program & Light Agricultural - 1-acre minimum lot size)

West: O-S-DP & A-1-1 (Open Space - Development Program & Light Agricultural - 1-acre minimum lot size)

Project No. R2005-02286:

Project site is surrounded by A-1-20 (Light Agricultural - 20-acre minimum lot size) in all directions.

4. The subject properties are currently used as public rights-of-way including paved roadways and utility infrastructure with the exception of Project No. R2005-02286. The proposed wireless telecommunications facility for Project No. R2005-02286 will be located within a private property.
5. Surrounding lands consist of the following uses:

Project No. R2005-01800:

Project site is surrounded by open space in all directions.

Project No. R2005-01888:

North: Vacant Residential Acreage

South: Single Family Residential, Malibou Lake Club

East: Vacant Land & Residential

West: Single Family Residential

Project No. R2005-01889:

Project site is surrounded by vacant land in all directions.

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE T200500099-(3), T200500105-(3), T200500106-(3),
PERMIT NOS. T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

Project No. R2005-01890:

North: Restaurant building, Single-Family Residential, & Vacant Land
South: Vacant Land
East: Vacant Land
West: Vacant Land

Project No. R2005-0101972:

Project site is surrounded by Single-Family Residential in all directions.

Project No. R2005-01973:

North: Single-Family Residential & Vacant Land
South: Single-Family Residential & Vacant Land
East: Single-Family Residential
West: Vacant Land

Project No. R2005-02276:

North: Vacant Land
South: Vacant Land & Santa Monica Mountains National Recreation Area
East: Vacant Land
West: Vacant Land

Project No. R2005-02286:

Project site is surrounded by vacant land in all directions.

6. The following are the land use designations for those of the proposed facilities that are located within the boundaries of the Santa Monica Mountains North Area Plan:

Project No. R2005-01800: Open Space parks

Project No. R2005-01888: Rural Residential 1 (maximum density: 1 dwelling unit/1 acre) and Mountain Land 20 (maximum density: 1 dwelling unit/20 acres)

Project No. R2005-01889: Mountain Lands 20 (maximum density: 1 dwelling unit/20 acres)

Project No. R2005-01890: Open Space

Project No. R2005-01973: Rural Residential 2 (maximum density: 1 dwelling unit/2 acres)

Project No. R2005-02286: Mountain Lands 20 (maximum density: 1 dwelling unit/20 acres)

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE PERMIT NOS. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

Wireless telecommunications facilities are not uses that are explicitly discussed in the Santa Monica Mountains North Area Plan. However, if they are not obtrusive, Staff is of the opinion that they are not inconsistent with the land use designations listed above.

The following goals and policies of the Plan are applicable to the subject properties and serve as guidelines for development:

- “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.” (Santa Monica Mountains North Area Plan, Goal VI-3, pg. IV-23)
- “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.” (Santa Monica Mountains North Area Plan, Policy VI-31, pg.53)

Comment: The applicant has stated that the proposed projects cannot be co-located with other wireless carriers due to the antenna separation required between carriers and the room available on the utility poles.

- “Require that structures within hillside development areas be sited in a manner that will: a) fit into the hillside’s contour and relate to the form of the terrain; b) retain outward views from the maximum number of units while maintaining the natural character of the hillside; and c) preserve vistas of natural hillside areas and ridgelines from designated public places, including streets and highways.” (Santa Monica Mountains North Area Plan, Policy IV-15, pg. IV-22)
- “Maintain and enhance the visual quality of vistas along the unincorporated portions of identified scenic routes and routes with scenic qualities.” (Santa Monica Mountains North Area Plan, Policy IV-29, pg. IV-26)

Comment: Mulholland Highway and Kanan-Dume Road are classified as scenic routes and Topanga Canyon Boulevard is classified as a route with scenic qualities.

PROJECT NOs. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE T200500099-(3), T200500105-(3), T200500106-(3),
PERMIT NOs. T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

The proposed facilities will be attached to existing utility poles and placed underground and, as such, will not significantly detract from the visual qualities of the roadways and views within the area. Two (2) ventilation towers, one (1) Myers power pedestal, and one (1) Telco pedestal will be placed on the ground level, due to their limitation of not being mountable to utility poles or being placed underground. Therefore, Staff has proposed that all above ground equipment for all proposed projects should be painted to blend in with the surrounding landscape and should be screened with native landscaping for each project site.

7. The following are the land use designations for those of the proposed facilities that are located within the boundaries of the Malibu Local Coastal Plan:

Project No. R2005-01972: Rural Land III

Project No. R2005-02276: Rural Land III

Similar to the Santa Monica Mountains North Area Plan, the Malibu Local Coastal Plan does not specifically discuss wireless telecommunications facilities and would not be inconsistent with the above land use designations. Similar policies related to visual qualities are included in the Malibu Local Coastal Plan and the proposed conditions will ensure the compatibility of the facilities with these policies.

8. Project No. R2005-01972 is located within environmentally sensitive areas and, as such, was required to be reviewed by the Environmental Review Board (ERB). The project site is located within the Cold Creek Tributary Significant Oak Woodland, which has the same characteristic as the Malibu/Cold Creek Resource Management Area.
9. The ERB was concerned about the fire fuel clearance around above-ground or mounted equipment adjacent to sensitive resources, collision hazards, and the cumulative visual impact of wireless facilities within scenic resources areas. Therefore, the ERB recommended that the equipment cabinets for the proposed wireless facility should be vaulted underground.
10. The applicant redesigned the project to place the equipment cabinets underground in a vault, with the exception of the two (2) 3-foot high ventilation towers and one (1) Myers electrical pedestal that cannot be placed underground or mounted to the existing utility pole.
11. The applicant's representatives agreed to redesign the two (2) 3-foot high ventilation towers for each project site such that they will be mounted to the ground surface height without any protruding towers.

PROJECT NOs. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE PERMIT NOs. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

12. All above-ground equipment will be painted in earth-tone colors of the local area and will be hidden with native landscaping or artificial boulder coverings to minimize potential visual impacts to the viewshed.
13. The followings are the description of the submitted site plans for each proposed project presented at the public hearing:

Project No. R2005-01800:

The site plan depicts the proposed wireless telecommunications facility consisting of four (4) panel antennas, one (1) GPS antenna, and two (2) 10-foot cable arms mounted at 36 feet above grade to an existing 66-foot high utility pole (subject pole, pole no. 843970E). Proposed project includes constructing a 2'X2' concrete pad to the west of the subject pole to place one (1) RLH pedestal and a 2'X2' concrete pad approximately 310 feet to the west of the subject pole to place one (1) Myers Meug 16 electrical pedestal (48"X16.25"X17.25") above ground. A 7'X11' vault will be excavated to place two (2) RBS 2109 cabinets, one (1) RBS 3303 cabinet, and one (1) 50A cabinet underground, construct a 5-foot 3-sided retaining wall to the south of the proposed vault, and place two (2) 3-foot high ventilation towers to the west of the proposed vault. The two ventilation towers will be redesigned such that they will be at ground surface height without any protruding towers. Telecommunications and power cables will be placed in a trench in the road right-of-way that will be excavated from the vault to an existing pole (pole no. 843971E) located to the west of the subject pole.

Project No. R2005-01888:

The site plan depicts the proposed wireless telecommunications facility consisting of four (4) panel antennas, one (1) GPS antenna, and two (2) 10-foot cable arms mounted at 40 feet above grade to an existing 43-foot high utility pole (subject pole, pole no. 488517H). The proposed project will include excavating a 7'X11'X7' vault to place two (2) RBS 2109 cabinets, one (1) RBS 3303 cabinet, and one (1) 50A cabinet underground and construct two (2) 3-foot high ventilation towers above ground, across the road from the subject pole. The two ventilation towers will be redesigned such that they will be at ground surface height without any protruding towers. Telecommunications and power cables will be placed in a trench that will be excavated from the proposed underground vault to the subject pole. Another trench will be excavated from the subject pole to 225 feet west of the subject pole to connect the proposed wireless facility to an existing electrical meter (meter no. 29300 ½). At 225 feet west of the subject pole, a 2'X2' concrete pad is proposed to be constructed to place one (1) meter pedestal above ground. At 15 feet to the west of the proposed meter pedestal, a 17"X30" hand hole for interception of an existing 3" conduit from pole number 488185H to an existing T-mobile meter is proposed.

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

FINDINGS
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CONDITIONAL USE PERMIT NOS. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

Project No. R2005-01889:

The site plan depicts the proposed wireless telecommunications facility consisting of four (4) panel antennas, one (1) GPS antenna, and two (2) 10-foot cable arms mounted at 28 feet above grade to an existing 48-foot high utility pole (subject pole, pole no. 2240102E). Proposed project includes constructing a 2'X2' concrete pad at 11.5 feet west of the subject pole to place one (1) Myers Meug 16 electrical pedestal (16.25"X48"X17.25"), excavate a 7'X11' vault to place two (2) RBS 2109 cabinets, one (1) RBS 3303 cabinet, and one (1) 50A cabinet underground, and excavate a 2'X3' splice box between the electrical pedestal and vault. Two (2) 3-foot high ventilation towers will be placed next to the proposed vault. The two ventilation towers will be redesigned such that they will be at ground surface height without any protruding towers. Telecommunications cables will be placed in a 138-foot long trench in the road right-of-way that will be excavated from the splice box to an existing Tesco Telco Pedestal (10"X43.1"X20") located to the southwest of the subject pole.

Project No. R2005-01890:

The site plan depicts the proposed wireless telecommunications facility consisting of four (4) panel antennas, one (1) GPS antenna, and two (2) 10-foot cable arms mounted at 31 feet above grade to a new replacement pole (subject pole, pole no. 50157LAC). The new pole will replace an existing pole no. 501157LAC. Proposed project includes constructing a 3'X2' concrete pad to place a Myers Meug 28 pedestal (28.6"X54"X24") above ground, construct a four (4)-foot high three (3)-sided block wall around the meter pedestal, and install a splice box (2'X3'X3') next to the subject pole. An underground vault (7'X11') will be excavated at approximately 65 feet to the southeast of the subject pole to place two (2) RBS 2109 cabinets, one (1) RBS 3303 cabinet, and one (1) 50A cabinet underground. Two (2) 3-foot high ventilation towers will be placed next to the proposed vault and seven (7) barrier post bollards will be placed along the north and west sides of the proposed vault. The two ventilation towers will be redesigned such that they will be at ground surface height without any protruding towers. Telecommunications and power cables will be placed in a trench that will be excavated from the subject pole to the vault.

Project No. R2005-01972:

The site plan depicts the proposed wireless telecommunications facility consisting of four (4) panel antennas, one (1) GPS antenna, and two (2) 10-foot cable arms mounted at 29 feet above grade to an existing 61-foot high utility pole (subject pole, pole no. 4401053E). Proposed project includes constructing a 2'X2' concrete pad across the road from the subject pole to place one (1) Myers electrical pedestal (48"X16.25"X17.25") above ground, excavate a 7'X11'X7' vault to the east of the Myers pedestal to place two (2) RBS 2109 cabinets, one (1) RBS 3303

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE PERMIT NOS. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

cabinet, and one (1) 50A cabinet underground, and place two (2) 3-foot high ventilation towers above ground next to the proposed vault. The two ventilation towers will be redesigned such that they will be at ground surface height without any protruding towers. Telecommunications and power cables will be placed in a trench that will be excavated from the proposed vault to an existing utility pole (pole no. 1001807H) located approximately 45 feet to the northeast of the proposed vault for the placement of telecommunications service cables.

Project No. R2005-01973:

The site plan depicts the proposed wireless telecommunications facility consisting of four (4) panel antennas, one (1) GPS antenna, and two (2) 10-foot cable arms mounted at 32 feet above grade to an existing 41-foot high utility pole (subject pole, pole no.1451477E). The proposed project will include excavating a 7'X11' vault to the north of the subject pole to place two (2) RBS 2109 cabinets, one (1) RBS 3303 cabinet, and one (1) 50A cabinet underground. Two (2) 3-foot high ventilation towers will be placed above ground, next to the proposed vault. The two ventilation towers will be redesigned such that they will be at ground surface height without any protruding towers. Telecommunications cables will be placed in a trench from the proposed underground vault that will be excavated approximately 189 feet to the northeast to an existing wireless facility. A proposed 2'X2' concrete pad will be located to the south of the vault to place a Myers Meug 16 power pedestal (16.25"X48"X17.25").

Project No. R2005-02276:

The site plan illustrates the proposed wireless telecommunications facility consisting of four (4) panel antennas, one (1) GPS antenna, two (2) 10-foot cables, and one (1) transformer mounted to an existing utility pole (subject pole, pole no. 4239795E). Two (2) RBS 2109 cabinets, one (1) RBS 3303 cabinet, one (1) 50A cabinet, and a disconnect box will be attached to the subject pole. The proposed project consists of excavating and constructing an 8'X6'X8" concrete pad to place one (1) Myers electrical pedestal (16.25"X17.25"X48") and a 2'X2'X8" concrete pad to place one (1) Telco pedestal (10"X20"X43.1"). Trenching will be conducted to place telecommunications and power cables underground.

Project No. R2005-02286:

The site plan illustrates the proposed wireless telecommunications facility consisting of four (4) panel antennas and two (2) 10-foot cable arms mounted at 27 feet above grade to a new proposed 34-foot high utility pole (subject pole, pole no. 501163LAC). Two (2) RBS 2308 cabinets, one (1) 50A cabinet, and a disconnect box will be attached to the new subject pole. Proposed project includes constructing a 3'X4' concrete pad at 10 feet to the west of the subject pole to place one (1) Myers Meug 16 electrical pedestal (16.25"X48"X17.25") and one (1) Telco pedestal (10"X43.1"X20"). A trench will be excavated from the subject pole to an

PROJECT NOs. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE PERMIT NOs. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

existing pole that is located to the northwest of the subject pole to place telecommunications and power cables underground.

14. All excavated materials will be used as backfill materials within each project site.
15. Projects Nos. R2005-01889, R2005-01972, and R2005-01973 are located in the A-1 Zone. The development standards are related to setbacks, residential developments, and required area. The properties on which the proposed facilities are to be located are public roads right-of-way and setback requirements do not apply to developments in the right-of-way. In addition, the facilities are not residential in nature and the right-of-way all exceed the area requirements.
16. Project No. R2005-01800, R2005-01890, and R2005-02276 are located in the O-S Zone. The development standards are related to parking, height, and oil and gas drilling. As these facilities are located within the public right-of-way, there is sufficient parking along the roadway for the monthly maintenance vehicle.
17. Project No. R2005-01888 is located in the R-1 Zone. The development standards are related to single-family residential projects, height limitation, setbacks, parking and required area. Adequate parking is available in the right-of-way for the monthly maintenance visits and the setback requirements do not apply to the developments in the right-of-way.
18. Project No. R2005-02286 is located within the A-1 Zone and within a private property. The development standards are related to setbacks, residential developments, and required area. The proposed facility is not residential in nature and the new proposed pole does not exceed the height limit of a residential development.
19. Four (4) Initial Studies were prepared for all eight (8) projects to be in compliance with the California Environmental Quality Act (CEQA) and the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Studies showed that there is no substantial evidence, in light of the whole record before the Hearing Officer, that the projects may have a significant effect on the environment. Based on the Initial Studies, the Department of Regional Planning has prepared Negative Declarations for these projects.
20. Public hearing notices were mailed out to all property owners located within the 500-foot radius of the subject properties on October 25, 2005 regarding the subject requests.
21. For all eight (8) proposed projects, 35 public hearing notices were sent out to the local community groups and residents of the Malibu Zone District courtesy list. The

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE PERMIT NOS. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

notices were published in the Malibu Times and the La Opinion newspaper on October 27, 2005. Case-related materials, including the hearing notices, factual data sheets, burden of proofs, and environmental documents were sent on October 25, 2005 to Malibu Library located at 23519 West Civic Center Way, in Malibu. The hearing notices were posted on each of the eight subject poles for 30 days prior to the public hearing.

22. Staff received one (1) telephone call related to Project No. R2005-01890. The caller is a resident who was concerned about the potential interference of the proposed antennas in front of his residence and his existing satellite antenna dish. Staff has referred the caller to contact the applicant's agent, BMS Communications, Inc. to request information and explanation on why the proposed wireless facility will not interfere or decrease the reception of his satellite dish.
23. The projects are needed to provide a service to the local community by allowing wireless communication where very little service currently exists. This will be especially important in the event of an emergency or natural disaster.
24. Conditions of approval will ensure the projects will be compatible with the surrounding environment.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. The proposed uses are consistent with the adopted general plan for the areas;
- B. The requested uses at the proposed locations will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding areas, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the sites, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. The proposed sites are adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed sites are adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required.

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONAL USE PERMIT NOS. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for conditional use permits 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 has considered the Negative Declarations for all eight (8) projects together with any comments received during the public review process, finds on the basis of the whole record before the Hearing Officer that there is no substantial evidence the projects will have a significant effect on the environment, finds that the Negative Declarations reflect the independent judgment and analysis of the Hearing Officer, and adopts the Negative Declarations.
2. In view of the findings of facts presented above, Projects Nos. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3), R2005-01890-(3), R2005-01972-(3), R2005-01973-(3), R2005-02276-(3), and R2005-02286-(3) / Conditional Use Permit Cases Nos. T200500099-(3), T200500105-(3), T200500106-(3), T200500107-(3), T200500115-(3), T200500116-(3), T200500159-(3), and T200500168-(3) are **APPROVED**, subject to the attached conditions.

BY:  DATE: 12/27/05

DAVID COWARDIN, HEARING OFFICER
Department of Regional Planning
County of Los Angeles

Attachments: Conditions
Affidavit

c: Each Commissioner, Zoning Enforcement, Building and Safety

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONS
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**CONDITIONAL
USE PERMIT NOS.** T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

1. These grants authorize the use of the subject properties for the construction, operation, and maintenance of eight (8) unmanned wireless telecommunications facilities at seven (7) separate sites located along the road right-of-way of Mulholland Highway, Kanan Road, and Topanga Canyon Blvd., and one (1) site within a private property at 2400 Kanan Road as depicted on the approved Exhibits "A." These grants are subject to all of the following conditions of approval.
 - a. Within thirty (30) days of the approval date of these grants, the permittee shall submit to the Director for review and approval of three (3) copies of a revised Exhibit "A" for each project site, similar to that presented at the public hearing, that clearly depicts all required project changes, and the following: 1) Elevation drawings of the new ventilation enclosure that will be install at ground surface height without any protruding towers; and 2) Landscape plan or artificial boulder coverings drawings that will depict all hidden above-ground equipment. The landscape plan shall show the size, shape, type, and location of all plants, trees, and water facilities.
 - b. Conditional Use Permit No. T2005-00168 (Project No. R2005-02286) requires a letter of authorization from the property owner at 2400 Kanan Road. The letter of authorization shall state that it authorizes Cingular Wireless to establish and maintain a wireless telecommunications facility at the subject property.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of these grants.
3. These grants shall not be effective for any purpose until the permittee, and the owner of the subject properties 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 these grants and that the conditions of these grants have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Conditions No. 10 and 11.
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. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
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 pay the Department of

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

CONDITIONS
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CONDITIONAL USE PERMIT NOS. T200500099-(3), T200500105-(3), T200500106-(3),
T200500107-(3), T200500115-(3), T200500116-(3),
T200500159-(3), T200500168-(3)

Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

6. These grants will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing and with payment of the applicable fee, at least six months before the expiration date.
7. If any provision of these grants are held or declared to be invalid, the permits shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of these grants, the property owners or permittee shall record the terms and conditions of these grants in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of these grants, the property owners or permittee shall promptly provide a copy of these grants and the conditions to the transferee or lessee of the subject properties.
9. **These grants will terminate on November 29, 2015** except as otherwise provided in condition no. 30. Entitlements to the use of these properties 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 months prior to the expiration of these permits, whether or not any modification of the use is requested at that time.
10. The subject properties shall be maintained and operated in full compliance with the conditions of these grants and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject properties. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los

PROJECT NOS. R2005-01800-(3), R2005-01888-(3), R2005-01889-(3),
R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
R2005-02276-(3), R2005-02286-(3)

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T200500159-(3), T200500168-(3)

Angeles the sum of **\$6,000.00**. Funds may be deposited in increments of \$750.00 per site. 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. The fund provides for **5 biennial inspections** of each site. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of these grants, or if any inspection discloses that the subject properties are being used in violation of any condition of these grants, 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 properties into compliance. Inspections shall be made to ensure compliance with the conditions of these grants as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the amount equal to the current recovery cost at the time of payment, if that amount is different.

11. Within fifteen (15) days of the approval date of these grants, the permittee shall remit a fee of **\$10,200.00** payable to the County of Los Angeles in connection with issuing of the Negative Declarations and filing of eight (8) Notices of Determination. The Notices of Determination will not be filed until the appropriate fees required by the California Department of Fish and Game are paid.
12. Notice is hereby given that any person violating any provision of these grants 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 these grants, if the Commission or hearing officer finds that these conditions have been violated or that these grants have been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
13. Upon approval of these grants, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine whether the eight (8) project sites require a fuel modification plan approval and what facilities may be necessary to protect the properties from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.
14. Prior to the issuance of any building permit for Conditional Use Permits Nos. T200500115 and T200500159 (Projects Nos. R2005-01972 and R2005-02276), which are located within the coastal zone, the permittee shall contact the California Coastal Commission to obtain all permits and approvals required for work which necessitates

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R2005-01890-(3), R2005-01972-(3), R2005-01973-(3),
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T200500159-(3), T200500168-(3)

the development or provide proof from said agency that such development is except pursuant to the California Coastal Act.

15. The permittee shall ensure that vegetation outside of the fuel modification zone is not damaged during construction activities.
16. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
17. The applicant shall agree to suspend construction in the vicinity of a cultural resource encountered during ground-disturbing activities at the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures.
18. All requirements of the Zoning Ordinance and of the specific zoning of the subject properties must be complied with unless specifically modified by these grants, as set forth in these conditions or shown on the approved plans.
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 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.
20. In the event such extraneous markings occur, 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. The subject facilities shall be developed and maintained in compliance with requirements of Los Angeles County Department of Health Services.
22. The subject properties shall be developed and maintained in substantial compliance with the approved Exhibits "A." All revised plot plans must be accompanied by the written authorization of the property owner.
23. The facilities shall be operated in accordance with regulations of the State Public Utilities Commission and in accordance with the emissions standards of the Federal Communications Commission.

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24. The permittee shall provide written verification that the proposed facilities 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 these conditional use permits. The permittee/operator shall submit a copy of the initial reports on the said facilities radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning.
25. Said facilities shall be removed if in disuse for more than six (6) months.
26. 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.
27. The operators shall submit an annual maintenance report for each facility to the Department of Regional Planning by January 1, verifying the continued operation and maintenance of the said facilities.
28. All structures, including the antennas and above-ground equipment, shall be a neutral, earth-tone color, excluding black, to blend into and harmonize with the surroundings; it shall not be glossy or reflective in nature and shall be maintained in good condition at all times. It is preferred that the outer, visible material of the antennas and cabinets be permanently colored consistent with this condition; however, they may be painted.
29. All above-ground equipment such as the power and Telco pedestals for each project site shall be hidden with artificial boulder coverings or screen with native vegetation to blend in with the surrounding environment.
30. The two ventilation enclosures adjacent to the equipment bays for each project site shall be mounted to the ground surface height without any protruding towers.
31. These grants entitle the permittee to install a total of eight (8) wireless telecommunications facilities within the Santa Monica Mountains area. Six (6) wireless telecommunications facilities will be established onto existing utility poles in the public road right-of-way, one (1) facility will be established onto a replacement pole that is within the road right-of-way, and one (1) facility will be established onto a new proposed utility pole that will be within a private property. New or replacement poles may be installed for Conditional Use Permit Nos. T200500107 and T200500168 (Project No. R2005-01890 and R2005-02286) at the time of establishment of these two (2) facilities. These grants do not entitle the permittee to retain the existing poles for its sole use or to install new poles for these eight (8) facilities in the event an

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existing pole is removed, such as to accommodate the undergrounding of utilities. Notwithstanding the termination date provided in condition no. 9, if an existing pole is removed prior to the termination date of these grants, the applicant will be required to obtain a new conditional use permit to relocate its facility or to install a new pole 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.

32. The permittee shall maintain the subject properties in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
33. Upon termination of these grants as provided in condition 9 or 31 or, if after the construction of these facilities, any of the facilities has ceased to operate, the permittee shall remove such facilities and clear the sites of all equipment. The permittee shall restore the sites as nearly as practicable to its condition prior to the installation of the subject facilities. Failure to remove such facilities as required herein shall constitute a public nuisance. Prior to installation of its facilities, the permittee shall post a performance security, satisfactory to the Director of Public Works, in an amount and form sufficient to cover the cost of removal of the facilities as provided herein. In the event the facilities are not so removed within 90 days after the permittee's receipt of notice requiring removal, the county may itself cause the facilities to be removed.
34. Construction and maintenance of the facilities shall take place between the hours of 9:00 A.M. to 5:00 P.M., Monday through Friday only.

RJF:KK
12/19/05