



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

February 22, 2012

Justin Robinson  
1750 E. Ocean Blvd., #906  
Long Beach, CA 90802

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**REGARDING: PROJECT NO. R2010-00517-(2)  
CONDITIONAL USE PERMIT NO. 201000049  
ROOF-MOUNTED (SPRINT) WIRELESS TELECOMMUNICATIONS FACILITY AT  
11102 SOUTH LA CIENEGA BOULEVARD, LENNOX**

Dear Applicant:

Hearing Officer Gina Natoli, by her action of February 21, 2012, **APPROVED** the above described project and entitlements. The attached documents contain the Hearing Officer's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 2 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

The applicant or and other interested person may appeal the Hearing Officer's decision to the Regional Planning Commission at the office of the Commission secretary, Room 1350, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Please contact the Commission secretary for the appeal procedures and fee at (213) 974-6409. **The appeal period for this project will end at the 5:00 p.m. on March 6, 2012.** Any appeal must be delivered in person to the commission secretary by this time. If no appeal is filed during the specified period, the Hearing Officer's action is final.

Upon completion of the appeal period, **hand deliver** a notarized affidavit of acceptance form, a certified copy of the recorded findings and conditions of approval, and any other required fees or materials to the planner assigned to your case (see attached instructions for more information). Please **make an appointment** with the case planner to ensure that processing will be completed expeditiously. If the required documents and fees are not received within 60 days of this final letter's date, this permit will be transferred to Zoning Enforcement for further action.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Tyler Montgomery of the Zoning Permits West Section at (213) 974-6462 or e-mail at TMontgomery@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner  
Director

  
Mi Kim, Acting Section Head  
Zoning Permits West Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

c: DPW (Building and Safety), Zoning Enforcement.  
MK:TM

**HEARING OFFICER'S FINDINGS AND ORDER:  
PROJECT NO. R2010-00517-(2)  
CONDITIONAL USE PERMIT NO. 201000049**

**REQUEST:** Pursuant to Los Angeles County Code Sections 22.32.070, 22.24.100 and 22.28.260 which are pursuant to Part 1 of Chapter 22.56, the applicant is requesting a Conditional Use Permit ("CUP") to authorize the continued operation of a roof-mounted wireless telecommunications facility in an M-1 (Light Manufacturing) zone, originally approved in 1997 by CUP No. 97015.

**PROCEEDINGS BEFORE THE HEARING OFFICER:**

February 21, 2012 Public Hearing

A duly noticed public hearing was held before a Hearing Officer on February 21, 2012. Regional Planning staff gave a short presentation recommending approval. Staff also noted that the number of panel antennas depicted on the applicant's site plans and elevations (nine) was incorrect, and that revised plans indicating twelve panel antennas should be required within 60 days. The applicant's representative, Mr. Justin Robinson, was sworn in and testified in favor of the project. He agreed to submit revised site plans and also requested that a recommended condition be altered to allow maintenance of the facility at night. The Hearing Officer, Ms. Gina Natoli, agreed to the applicant's request and also directed him to submit revised, accurate site plans and elevations within 60 days. She subsequently closed the public hearing and approved the project.

Findings

1. The project site is located at 11102 South La Cienega Boulevard, in the Lennox Zoned District of unincorporated Los Angeles County.
2. The project site is zoned M-1.
3. The project site is a level 1.4-acre parcel that is developed with a Public Storage facility, including a four-story storage building with a maximum height of 51 feet, a detached one-story office building and a parking lot. The facility is accessed from La Cienega Boulevard to the west via two driveways. Three different wireless carriers maintain equipment on the roof of the storage building. A freestanding billboard is also located on the southwestern portion of the property.
4. Surrounding properties within 500 feet are zoned as follows:
  - North: M-1.5 (Restricted Heavy Manufacturing)
  - South: M-1, C-M (Commercial Manufacturing)
  - East: Interstate 405 (San Diego Freeway)
  - West: City of Los Angeles
5. The surrounding land uses within 500 feet consist of the following:
  - North: Warehouses, auto repair

South: Truck parking, office building  
East: San Diego (405) Freeway  
West: Warehouses, offices, light industry

6. The existing wireless telecommunications facility was originally approved in 1997 by CUP No. 97015. This permit expired in 2007, and a new CUP is required.
7. This project has been determined to be categorically exempt under the environmental reporting procedures and guidelines of the California Environmental Quality Act (CEQA). The facility qualifies for a Class 1, Existing Facilities, categorical exemption, as the facility is already in existence.
8. 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. No public comments were received regarding the project.
9. The Los Angeles County departments of Fire, Public Works, and Public Health were not consulted regarding the project proposal, as it involves no alterations to an existing roof-mounted facility.
10. The property on which the proposed facility is to be located is zoned M-1. A wireless telecommunications facility is not a defined use in the Zoning Ordinance; 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 in all zones.
11. 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 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 access the interior of the building, utilizing the existing 40-space parking lot for vehicular access. Therefore, the appropriate parking for such a use would be one space, and that parking would be satisfied by the existing parking lot.
12. The subject property is located within the "I (Major Industrial)" classification of the Countywide Land Use Plan. This classification is intended for all types of industrial uses. Infrastructure is allowed within this category as well. Therefore, a wireless telecommunications facility is consistent with this classification.
13. The site plan depicts the existing Public Storage facility, including a four-story storage building with a maximum height of 51 feet, an office building, and a parking lot. The facility is accessed from La Cienega Boulevard to the west via two driveways. An existing Sprint wireless telecommunications facility is mounted on the

roof of the storage building, consisting of nine panel antennas mounted in three sectors on the northern, southern and western ends of the building, respectively. The antennas have a maximum height of 49 feet, nine inches above ground level. Enclosed equipment cabinets are mounted on the middle portion of the roof, with a maximum height of 46 feet, four inches. Two other wireless carriers also maintain equipment on the roof of the storage building. A freestanding billboard is also located on the southwestern portion of the property.

14. The continued operation of the wireless telecommunications facility is unlikely to adversely affect the health, peace, comfort or welfare of surrounding residents, be detrimental to surrounding properties, or create a hazard to public health, safety, or general welfare. The facility is required to operate within safety standards of the Federal Communications Commission (FCC), and any sounds generated would be minimal.
15. The fact that the facility is one of three existing wireless facilities that have been in existence for more than ten years indicates that it blends aesthetically with its surroundings. The other two facilities, authorized by CUP No. 91089 and CUP No. 200700163, are not a part of this project. The roof-mounted location of the facility is also a factor in this, as it eliminates the need for tall monopoles and integrates the wireless structures into the building's existing bulk. This is reinforced by the photos of the property (enclosed). In addition, no public comments have been received in opposition to the project proposal.
16. The proposed facility would comply with all applicable development standards of the M-1 zone. The project would also be adequately served by La Cienega Boulevard, a four-lane thoroughfare without major level-of-service issues. The existing 40-space parking lot, approved under Parking Permit No. 87277, is also adequate to accommodate periodic maintenance visits.
17. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> 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. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding areas, not be materially detrimental to the use, enjoyment, or valuation of

property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;

- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such use would generate and by other public or private facilities as are required.

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 Section 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

**HEARING OFFICER ACTION:**

- 1. The Hearing Officer finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects which have been determined not to have a significant effect on the environment, in that it meets the criteria set forth in section 15301 of the State CEQA Guidelines and Class 1 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.
- 2. In view of the findings of facts presented above, Conditional Use Permit No. 201000049 is **APPROVED**, subject to the attached conditions.

Attachments: Conditions  
Affidavit of Acceptance

c: Commission Services, Zoning Enforcement, Building and Safety

RS:MK:TM  
02/22/12

**CONDITIONS OF APPROVAL  
DEPARTMENT OF REGIONAL PLANNING  
PROJECT NO. R2010-00517-(2)  
CONDITIONAL USE PERMIT NO. 201000049**

**PROJECT DESCRIPTION**

This grant authorizes the continued operation of a roof-mounted wireless telecommunications facility ("WTF"), currently operated by Sprint, and originally approved in 1997 by Conditional Use Permit ("CUP") No. 97015. The project is approved as depicted on the approved Exhibit "A", subject to all of the following conditions of approval.

**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 and cannot be used 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 conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required fees have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this condition (No. 2), and Conditions No. 4, 5, and 6 shall be effective immediately upon the date of 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 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 \$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 in accordance with to Los Angeles County Code Section 2.170.010.

6. This grant shall expire unless used within two (2) years from the date of final approval of the grant by the County. A single, one-year time extension may be requested, in writing and with payment of the applicable fee, before the expiration date.
7. 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.
8. 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. In addition, upon any transfer or lease of the subject 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.
9. **This grant shall terminate on February 21, 2022.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue the operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new permit application with Regional Planning prior to the expiration of this permit, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed prior to the expiration date for 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.
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 \$1,000.00.** This 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 **five (5) biennial** (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition 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, 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 requirements of the 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.
13. All development pursuant to this grant shall conform to the requirements of the County Department of Public Works, the County Fire Department and Fire Warden, and the County Department of Public Health.
14. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". If changes to the site plan are required as a result of instruction given at the public hearing, a revised Exhibit "A" shall be submitted to Regional Planning within 60 days of the date of final approval of the CUP. In the event that subsequent plans are submitted, the written authorization of the property owner is necessary.

PROJECT-SPECIFIC CONDITIONS

15. In the event of an occurrence of such extraneous markings, drawings, or signage, the permittee shall remove or cover them 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 facility shall be operated in accordance with regulations of the State Public Utilities Commission.
17. If requested, the permittee shall submit to the Zoning Enforcement 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.
18. Insofar as is feasible, the property owner 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.
19. Any proposed WTF that will be co-locating on the storage facility will be required to submit the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of the Department of Regional Planning.
20. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Antenna lighting is prohibited.
21. Construction on the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday, and maintenance of the facility shall be limited to the hours of 11:00 PM to 7:00 AM, Monday through Friday. Emergency repairs of the facility may occur at any time.
22. The project shall be developed and maintained in substantial compliance with the approved plans marked Exhibit "A". Placement and height of all roof-mounted equipment shall be in substantial conformance with that shown on said Exhibit "A".
23. One parking space for maintenance vehicles shall be provided. The space need not be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.

24. The maximum height of the facility shall not exceed 50 feet above natural grade.
25. Within 30 days of change in service provider ownership, the permittee shall provide the Zoning Enforcement Section of the Department of Regional Planning the name and contact information of the new service provider.
26. The finished surface of the facility shall not be glossy or reflective in nature. The finish shall be graffiti-resistant and shall have a color that blends in with the façade of the existing building.
27. 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 or camouflage the facility shall be maintained and/or replaced within 30 days of notice. Any and all graffiti shall be removed from the WTF within 24 hours of notification of occurrence. A sign shall be posted on the project site with a contact phone number for reporting any graffiti or maintenance issues at the facility.
28. Upon request, the permittee/operator shall submit annual reports to the Zoning Enforcement Section of the Department of Regional Planning to show compliance with the maintenance and removal conditions.

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