Hearing Officer Transmittal Checklist

Hearing Date
2/7/2012
Agenda Item No.
5

Project Number: R2011-00841-(5)
Case(s): Conditional Use Permit No. 201000082
Planner: Phillip Estes, AICP

- ☒ Factual
- ☒ Property Location Map
- ☒ Staff Report
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☐ Correspondence
- ☒ Photographs
- ☒ GIS-Net Map
- ☒ Aerial Image(s)
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan, Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans

Reviewed By: _____

Los Angeles County Department of Regional Planning 320 West Temple Street Los Angeles, California 90012 Telephone (213) 974-6443 **PROJECT NO. R2011-00841-(5)** **CONDITIONAL USE PERMIT 201100082**	PUBLIC HEARING DATE 2/7/12	AGENDA ITEM 5
	RPC CONSENT DATE	CONTINUE TO

APPLICANT	PROPERTY OWNER	REPRESENTATIVE
Verizon Wireless	Alan Voong	Justin Robinson

PROJECT DESCRIPTION
To authorize an 80 foot tall wireless telecommunications facility and accessory equipment.

REQUESTED ENTITLEMENTS
Conditional use permit to authorize a wireless telecommunications (WTF) facility located in the A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area) Zone, pursuant to Sec. 22.24.150.

LOCATION/ADDRESS
Vicinity of the northeast corner of Pearblossom Highway and Old Nadeau Road.

SITE DESCRIPTION
The site plan shows the proposed 80 foot tall WTF mono-pine with equipment cabinets surrounded by an eight foot high concrete masonry unit wall. Included are 18 panel antennas, one microwave dish, two GPS antennas, and one emergency generator. The equipment lease area of 965 square feet is shown.

ACCESS Pearblossom Highway and Old Nadeau Road	**ZONED DISTRICT** Palmdale Zoned District
ASSESSORS PARCEL NUMBER 3053-023-007	**COMMUNITY** Palmdale
SIZE 2.3 acres	**COMMUNITY STANDARDS DISTRICT** N/A

	EXISTING LAND USE	EXISTING ZONING
Project Site	Vacant land	A-2-1
North	Vacant land, water tank, California Aqueduct	O-S (Open Space)
East	Vacant land, water tank, single-family residences	A-2-1
South	Vacant land, single-family residences	A-2-1
West	Vacant land	A-2-1

GENERAL PLAN/COMMUNITY PLAN	LAND USE DESIGNATION	MAXIMUM DENSITY
Antelope Valley Area Plan	N-1 (Non-Urban)	N/A

ENVIRONMENTAL DETERMINATION
Class 3 Categorical Exemption – New Construction or Conversion of Small Structures

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT: Phillip Estes (pestes@planning.lacounty.gov)		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

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

Address **Pearblossom Hwy & Old Nadeau Rd**
Palmdale, CA 93550

R2011-00841-(5)
CUP 201000082

STAFF ANALYSIS
PROJECT NO. R2011-00841-(5)
CONDITIONAL USE PERMIT NO. 201100082

PROJECT DESCRIPTION

To authorize an 80 foot tall wireless telecommunications facility, accessory equipment cabinets, and an emergency generator ("Project").

REQUIRED ENTITLEMENT

A conditional use permit (CUP) for a wireless telecommunications facility (WTF) located in the A-2-1 (Heavy Agricultural – One Acre Minimum Required Lot Area) Zone, Palmdale Zoned District, pursuant to Section 22.24.150 of the Los Angeles County Code ("Zoning Ordinance").

LOCATION

Vicinity of the northeast corner of Pearblossom Highway and Old Nadeau Road, Palmdale Zoned District. The property is identified by Assessor's Parcel No. 3053-023-007.

Figure 1 - Vicinity Map

SITE PLAN DESCRIPTION

The site plan shows the proposed 80 foot tall WTF mono-pole and antennal array with equipment cabinets surrounded by an eight foot high concrete masonry unit wall. Included are 18 panel antennas, one microwave dish, two GPS antennas, and one emergency generator. An equipment lease area of 965 square feet is shown. Vehicular access is via Pearblossom Highway, a fully-improved major highway, to Old Nadeau Road, which is a fully-paved public road.

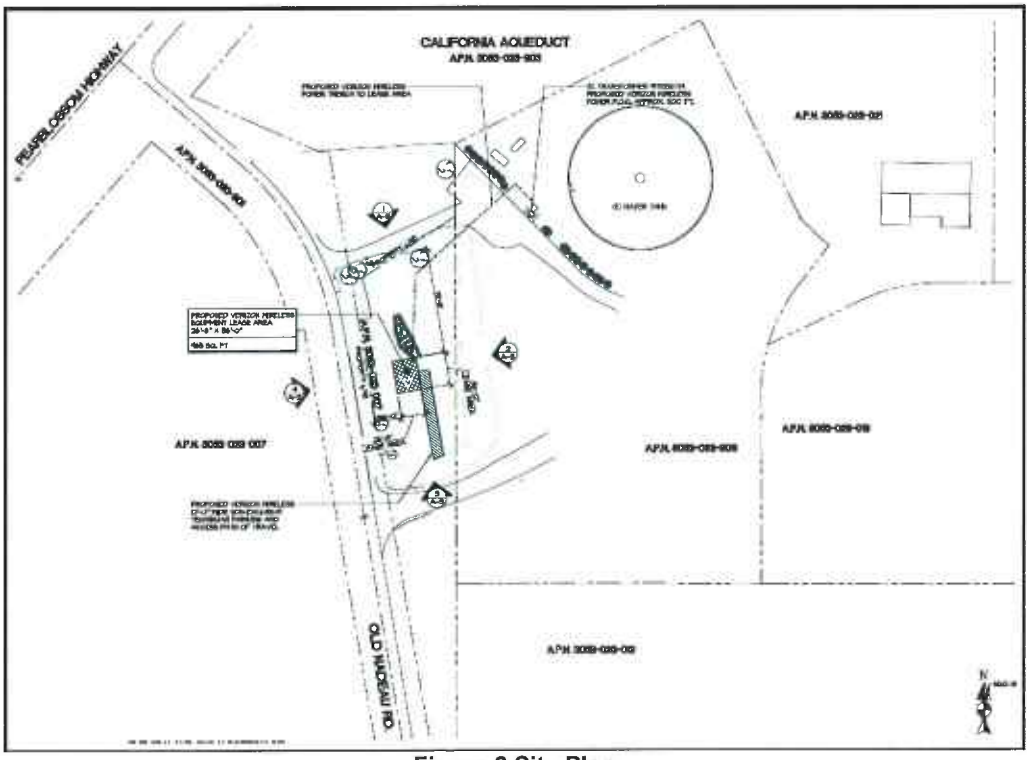

Figure 2 Site Plan

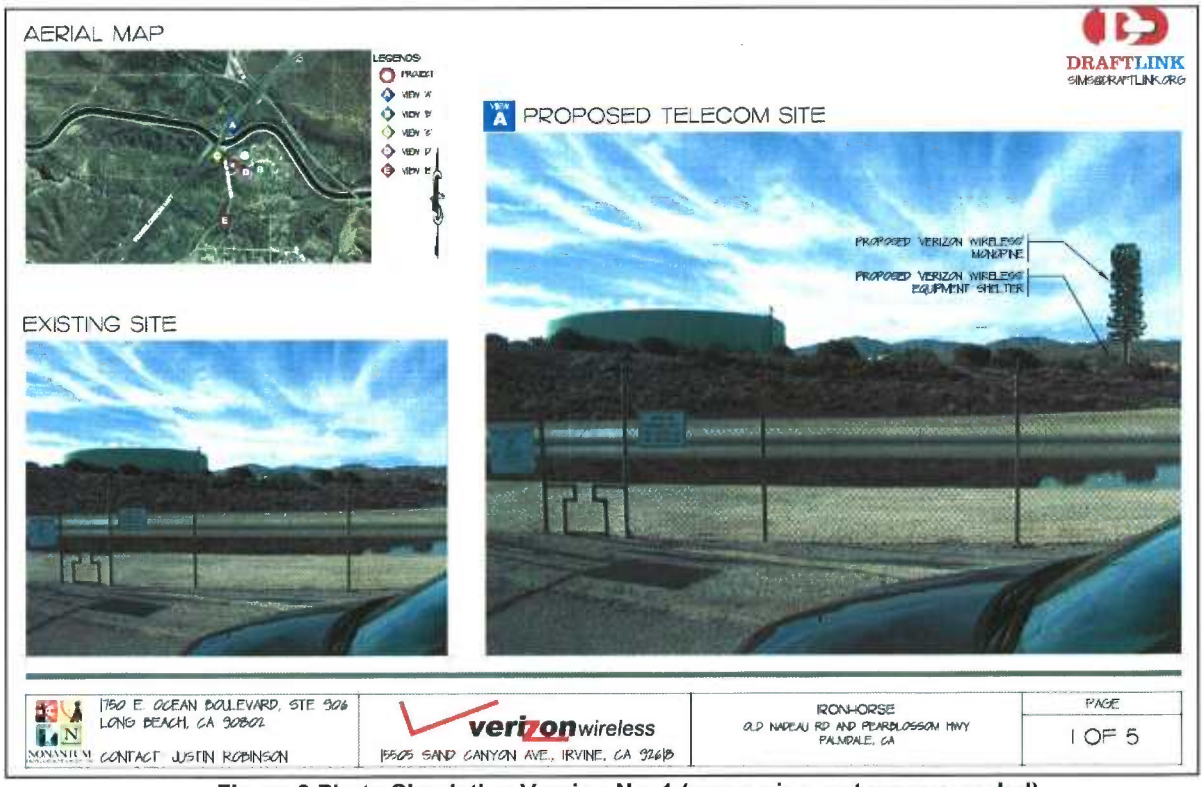

Figure 3 Photo Simulation Version No. 1 (mono-pine, not recommended)

Figure 4 Photo Simulation Version No. 2 (mono-pole painted "desert tan," not recommended)

Figure 5 Photo Simulation Version No. 3 (mono-pole painted "sky grey," recommended)

LAND USE

The property is currently vacant land, undeveloped with no structures. There are no known previous zoning permit approvals.

The following indicates the existing land uses within 500 feet of the subject property, as indicated on the applicant's land use map:

North:	Vacant land, California Aqueduct
East:	Vacant land, water tank, single-family residences
South:	Vacant land, single-family residences
West:	Vacant land

Figure 6 - Aerial view perspective (2008)

ZONING

The following indicates the existing zoning within 500 feet of the subject property:

North:	O-S (Open Space)
East:	A-2-1
South:	A-2-1
West:	A-2-1

Figure 7 - Land Use Plan and Zoning Map

ENVIRONMENTAL DETERMINATION

The project is Categorically Exempt Class 3 – New Construction or Conversion of Small Structures, pursuant to the California Environmental Quality Act (CEQA) reporting requirements.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to Sections 22.60.174 and 22.60.175 of the Zoning Ordinance, the community was adequately notified of the public hearing by mail, a legal advertisement, posting of a hearing notice sign, library package distribution, and case-related materials were published on the Los Angeles County Department of Regional Planning ("Regional Planning") website.

PREVIOUS ZONING PERMIT CASES

There are no known previous zoning permit cases.

STAFF EVALUATION

Antelope Valley Area Plan Consistency

The property is located in category N-1 (Non-Urban) category of the Los Angeles County Antelope Valley Area Plan ("community plan"), which permits a density up to 0.5 dwelling units per acre. Pursuant to the community plan, non-residential uses may include public and semi-public uses, such as utility and communication facilities. Therefore, the proposed WTF is compatible and consistent with the N-1 category.

Zoning Ordinance and Development Standards Compliance

The property is located in the A-2-1 Zone, which permits a radio and television towers, with an authorized CUP. A WTF is deemed similar to a radio or television tower and is, therefore, permitted with an authorized CUP. The plans show adequate parking, vehicular circulation, and landscaping. The maximum permitted height in the A-2-1 Zone is 13 times buildable height for non-residential structures. Section 22.56.110 of the Zoning Ordinance provides that "Unless specifically modified by a conditional use permit, all regulations prescribed in the zone in which such conditional use permit is granted shall apply." Therefore with an approved CUP, the Project height of 80 feet is consistent with the height standards of the A-2-1 Zone.

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by Section 22.56.040 of the Zoning Ordinance. The applicant's Burden of Proof statements are attached.

The Zoning Ordinance identifies the burden of proof criteria which must be met in order for a CUP to be granted. Upon reviewing the merits of this request and the criteria for granting a CUP, staff concludes that the applicant has satisfied the Burden of Proof.

Conditional Use Permit Burden of Proof Analysis

1. That the requested use at the location will not:
    a. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
    b. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
    c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety of general welfare.

    Staff Comments:
    The Project will satisfy all building code requirements. It is enclosed at the base with an eight foot high solid masonry wall and not accessible to persons residing or working in the area. There is no sensitive land use located in the vicinity. The Project satisfies all A-2-1 development standards, with an approved CUP. The Project is located in a topographical depression, which screens the base from surrounding and off-site views. Therefore, staff concludes that the Project will not be detrimental to the health, peace, comfort and welfare of persons in the surrounding area and will not negatively affect property values.

2. 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 Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

    Staff Comments:
    The Project is not located near any sensitive land use. The facility is comprised of a mono-pole design, which is painted in a sky grey color (Figure 5). The mono-pole and paint scheme will cause the facility and antenna array to blend with the sky and the horizon and reduce off-site visual impacts. Staff concludes that camouflage designs (Figure 3), such as

a mono-pine or mono-palm, are unsuitable for this location, due to the lack of similar trees or vegetation in the area. The facility is located in a topographical depression on the parcel, which screens the base from off-site views. The Project satisfies all A-2-1 development standards, with an approved CUP. Therefore, staff concludes that the Project is adequately integrated with the surrounding area and the site is adequate to accommodate the Project, required yards, landscaping, and parking.

3. That the proposed site is adequately served:
   a. By highways or streets of sufficient width, and improved as necessary to carry the kind of quantity of traffic such use would generate, and
   b. By other public or private service facilities as are required.

   Staff Comments:
   The size of the property and existing public improvements are sufficient to accommodate the proposed use and will not unduly burden existing traffic flows, water or sewer services. The facility is unmanned and, therefore, will have less than a significant impact on vehicular traffic in the area or utility usage. Therefore, staff concludes are no impacts to highways or other public or private facilities.

PUBLIC COMMENTS
To date, staff has received no comments from the public.

FEES / DEPOSITS
If approved, fees identified in the attached 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 or documentary evidence presented at the public hearing.

Staff concludes that the applicant has satisfied the burden of proof and, therefore, recommends **APPROVAL** of Conditional Use Permit No. 201100082, for a fifteen (15) year term, subject to the attached conditions.

Prepared by: Phillip Estes, AICP, Principal Regional Planner
Reviewed by: Susan Tae, AICP, Supervising Regional Planner

Attachments: Draft Findings, Draft Conditions, Burden of Proof, Photographs, Site Plan, Land Use Map.

SMT:PE
1/18/12

DRAFT FINDINGS AND ORDER THE HEARING OFFICER
COUNTY OF LOS ANGELES

PROJECT NO.: R2011-00841-(5)

CONDITIONAL USE PERMIT NO.: 201100082

REQUEST: The project is a request to approve a conditional use permit (CUP) to authorize a wireless telecommunications facility (WTF) consisting of an 80 foot mono-pole, antenna, and equipment cabinets, located in the A-2-1 Zone (Heavy Agricultural – One Acre Minimum Required Lot Area) in the Palmdale Zoned District.

HEARING DATE: February 7, 2012.

PROCEEDINGS BEFORE THE HEARING OFFICER:
February 7, 2012 Public Hearing
To be completed after the proceedings.

Findings

1. The project is a request for a conditional use permit (CUP) to authorize a wireless telecommunications facility (WTF) consisting of an 80 foot mono-pole, antenna, and equipment cabinets ("Project").

2. The Project is located near the northeast intersection of Pearblossom Highway and Old Nadeau Road in the Palmdale Zoned District.

3. The Assessor's parcel number is 3053-023-007.

4. Access to the subject property is provided by Old Nadeau Road, a fully improved 60 foot public right-of-way.

5. The gross lot area is 19.79 acres.

6. There are no known zoning violation cases.

7. There are no known previous zoning permit approvals.

8. The property is located in the A-2-1 Zone, which allows a radio or television tower with an authorized conditional use permit. A wireless telecommunications facility is deemed to be similar to a radio or television tower.

9. Surrounding properties are located in the following zones:

   North: O-S (Open Space)
   East: A-2-1
   South: A-2-1
   West: A-2-1

10. Surrounding land uses within 500 feet are:

    North: Vacant land, California Aqueduct
    East: Vacant land, single-family residences

South: Vacant land, single-family residences
West: Vacant land

11. The Project satisfies the minimum required yard setbacks and landscaping standards for the A-2-1 Zone.

12. The property is located in category N-1 (Non-Urban) category of the Los Angeles County ("County") Antelope Valley Area Plan ("community plan"), which permits a density up to 0.5 dwelling units per acre. Pursuant to the community plan, non-residential uses may include public and semi-public uses, such as utility and communication facilities. The existing facility is, therefore, compatible with the N-1 category and the community plan.

13. Pursuant to Section 22.52.1220 (Parking – Uses Non Specified) of the Los Angeles County Code ("Zoning Ordinance"), the Hearing Officer finds the subject property provides sufficient parking for use by the Project.

14. The Project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area because the Project will satisfy all building code requirements. The Project is enclosed at the base within an eight foot high solid wall and not accessible to persons residing or working in the area. There is no sensitive land use located in the vicinity. The Project satisfies all A-2-1 development standards, with an approved CUP. The Project is located in a topographical depression, which screens the base from surrounding and off-site views.

15. The Project will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site because the Project is sufficiently located away from sensitive land uses. The Project is a mono-pole, which is painted a matte, sky grey to blend with the sky and horizon.

16. The Project will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare because the Project does not propose the use of hazardous materials. It is sufficiently located away from any sensitive land uses. The Project is a mono-pole which is painted a matte, sky grey to blend with the sky and horizon.

17. The subject property is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features. The Project satisfies the development standards for the A-2-1 Zone, with an approved conditional use permit.

18. The subject property is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic the project would generate and by other public or private facilities as are required. Access to the subject property is provided by Old Nadeau Road from Pearblossom Highway. Utilities are available to sufficiently to support the Project.

19. The Protect is a Class 3 (New Construction or Conversion of Small Structures) categorical exemption, pursuant the California Environmental Quality Act ("CEQA") reporting requirements.

20. Pursuant to Sections 22.60.174 and 22.60.175 of the Zoning Ordinance, the community was adequately notified of the public hearing by mail, newspaper advertisement, hearing notice sign, library package, and published on the County Department of Regional Planning ("Regional Planning") website.

21. No comments were received from the public.

22. To ensure continued compatibility between the use of Project and surrounding land uses, the Hearing Officer determined that it is necessary to limit the term of the grant to15 years with eight (8) inspections, one inspection every two years.

23. The documents and other materials constituting the record of proceedings upon which the decision is based are located at Regional Planning, 320 W. Temple St., Los Angeles, CA 90012.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

1. That the proposed use is consistent with the adopted general plan for the area;

2. That the requested use at the location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and

3. 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; and

4. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required; and

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.56.040and 22.56.090 of the Los Angeles County Code.

HEARING OFFICER ACTION:

1. I have considered the Class 3 Categorical Exemption for this project and certify that it is consistent with the finding by the State Secretary for Resources and 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. 201100082 is **APPROVED** for a fifteen (15) year term, subject to the attached conditions.

SMT:PE
1/18/12

This grant authorizes the continued maintenance and operation of an 80 foot high mono-pole wireless telecommunications facility (WTF), subject to the following conditions of approval:

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the 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 Number 6, and until all required monies have been paid pursuant to Condition Number 9.

   Notwithstanding the foregoing, this Condition No. 2, and Condition Nos. 3, 4, and 8 shall be effective immediately upon final approval of this grant by the County.

3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully 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.

4. 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 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 County Code Section 2.170.010.

5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. Prior to the use of this grant, the property owner or permittee shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder and County Clerk

("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

7. **This grant shall terminate on February 7, 2027.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with Regional Planning. The application shall be a request for continuance of the use permitted under this grant, whether including or not including modification to the use at that time.

8. This grant will expire unless used within six months from the date of approval. A single, one-year time extension may be requested in writing and with payment of the applicable fee prior to such expiration date.

9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County the sum of **$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for **eight (8) periodic inspections**. Inspections may be unannounced.

10. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be $200.00 per inspection, or the current recovery cost, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is 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.

12. All requirements of Title 22 of the County Code ("Zoning Ordinance") shall be complied with unless otherwise set forth in these conditions or shown on the approved plan.

13. All structures shall conform to the requirements of the County Fire Department, as applicable.

14. All structures shall conform to the requirements of the County Department of Public Works ("Public Works"), as applicable.

15. All structures, walls and fences open to public view shall remain free of 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.

16. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

17. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain all areas free of litter and debris on the premises over which the permittee has control.

18. The subject property shall be developed and maintained in substantial compliance with the **plans and photo simulations** 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 sixty (60) days of the date of approval for the Conditional Use Permit, or as modified by the Director of Regional Planning.

19. All litter and trash shall be regularly collected from the premises and the adjacent sidewalks or right-of-way.

20. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.

21. Upon completion of construction of the facility, the permittee shall submit to the Zoning Enforcement Section 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.

22. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time. Subsequent co-located antenna(s), with no increase in the facility height, may be permitted subject to an approved Revised Exhibit "A" or subject to the regulations or policies in effect at that time.

23. Any proposed to co-locate additional antenna on the proposed facility is required to submit written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.

24. All structures shall conform to the Public Works Division of Building and Safety requirements or other appropriate agency and obtain an encroachment permit if deemed necessary.

25. External lighting, including security lighting, shall be on motion sensors, be of low intensity, and fully shielded and directed away from any adjacent residences. Lighting shall not spillover onto adjacent properties. Pole mounted lighting is prohibited pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.

26. Construction and maintenance of the facility shall be limited to the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday. Emergency repairs of the facility may occur at any time.

27. The project shall be developed and maintained in substantial compliance with the approved plans and photo-simulations marked Exhibit "A". Placement and height of all pole mounted equipment shall be in substantial conformance with that shown on the Exhibit "A".

28. 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.

29. The maximum height of the facility shall not exceed 80 feet above finished grade.

30. Within 30 days of change in service provider ownership, the permittee shall provide the Zoning Enforcement Section of Regional Planning the name and contact information of the new property owner.

31. The mono-pole, antenna array and support structures shall be painted a non-reflective finish in the color of sky grey to blend with the sky and horizon, so as to minimize the visual impact of the facility. The facility shall resemble the photo-simulations presented at the public hearing.

32. 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 or 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 by the operator or property owner within 48 hours. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.

33. Upon request, the permittee or operator shall submit annual reports to the Zoning Enforcement Section of the Department of Regional Planning to demonstrate compliance with the maintenance or removal conditions.

34. The Department of Regional Planning conditional use permit number ("CUP No. 201000082") and lease holder contact information shall be displayed on the facility where it can be easily viewed at or near eye level.

35. The facility shall be secured by an eight foot high masonry wall and locks or other approved fencing type. Chain linked, chain linked with slats, barbed wire, concertina wire, and other similar types of wire fencing are prohibited.

36. New equipment shall be integrated with the approved facility design.

37. Appurtenant equipment boxes shall be screened or camouflaged from off-site views.

38. The contact name, address and telephone number of the service provider shall be displayed on the subject property.

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 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 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.

SMT:PE
1/18/12

Los Angeles County
Department of Regional Planning 11-00841

Planning for the Challenges Ahead

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.

This proposed facility is designed as 80' monopine type facility. This facility was strategically placed in a topographical depression area to help screen the base of the facility. this site will not adversely affect nor will it be materially detrimental to any person or surrounding property. this site is located in a undeveloped area along the pearblossom highway.

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.

This is a 18.47 acre parcel and the proposed site is located in an undevelopable portion of the eastern edge. the proposed site is located on basically a sliver portion that is separated from the bulk of the parcel by old nadeau road. the proposed facility will not inpact or affect any future development of the entire parcel.

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 site is easily accessed off of pearblossom highway and old nadeau road. after construction the site is a passive unmanned use and only require periodic visites 1-2 time per month. the proposed access and utilities reaching the property are more than adequate and the proposed site will not intensify the site or area as a whole.

11-00841

Verizon Wireless
Site Analysis

Verizon Wireless has spent roughly three years in trying to identify a location a feasible way of providing much needed service to this area of unincorporated Palmdale. We have look for existing sites or other ways of providing coverage to this area.

Verizon Wireless contacted all of the commercial developed properties along Pearblossom Highway and none of the property owners were interested. Verizon Wireless then met with Palmdale Water to locate on their property adjacent to their tanks. We encountered access problems and were unable to secure an easement to reach the water district property.

Eventually we agreed with the underlying property owner of the adjacent parcel to located on the proposed property.

There are no co-locatable structures within a mile that would allow Verizon Wireless to provide coverage to this objective area. We have located this site off of Old Nadeau Road and the proposed height is somewhat deceptive. The proposed site is located within a depressed topographical area to take advantage of the topography to hide the base of the site from view. This will enable Verizon Wireless to utilize the existing topography to screen the ground equipment.

11-0084

Verizon Wireless
Design Analysis

As noted throughout this application, the proposed Verizon Wireless facility will be a stealth stand-alone facility. The facility will include eighteen (18) panel antennas, four (4) GPS antennas and one 12' x 16' equipment shelter housing the radio equipment.

The facility is designed as an 80' monopine tree and is located in a topographical depression that will help to screen the base of the site from the surrounding views. The site is located in an undeveloped area of unincorporated Palmdale and is buffered from the Rural Residential areas by the Palmdale Water District tank property.

This facility will allow the antennas to crest above the water tank and provide coverage to the surrounding area.

11-00841

Verizon Wireless
Coverage Analysis

The proposed Verizon Wireless "Ironhorse" site has several objectives, all of which are designed to address a significant gap in service coverage to the area surrounding the proposed site (as shown in the attached exhibits) in the unincorporated undeveloped area along Pearblossom Highway and the Old Nadeau in the Palmdale Area. The area Verizon Wireless is attempting to provide coverage is comprised of the rural highway area and rural residential developed properties. We are proposing this new site to provide increased coverage to the people living, working and traveling through this area. These objectives are:

1. To offload network traffic from the surrounding sites, in order to meet increasing coverage and capacity needs. The surrounding Verizon Wireless sites are currently overloaded and it is critical to offload wireless service to this proposed and surrounding sites, in order to provide safe and reliable wireless service;

2. To provide new LTE (4G high speed data service) radio frequency service in the 700 MHz frequency to the surrounding area;

3. To improve "in building (home)" and "in car" coverage to this area and extending out to the neighboring sites.

The propagation plots attached in this application depict the general geographic area of Verizon Wireless' coverage objectives. Just as radio waves do not stop at an arbitrary physical boundary, the general geographic area in which coverage is sought cannot be bounded. Moreover, RF coverage is not static, and is subject to fading as result of the morphology and topography of the area. As a result, Verizon Wireless cannot quantify the size of the area in units of square miles to define the "significant gap" in service coverage that the proposed Ironhorse site seeks to remedy.

As noted above, there a number of objectives that this site is designed to fill. Although there will be new coverage added in the 700 MHz frequency range over a physical area, a "significant gap" in service coverage can exist for a variety of other reasons. For this particular area, the proposed Ironhorse site will significantly improve a gap in service coverage by addressing the lack of sufficient capacity for all calls and data routing through the cell sites in this area, or insufficient reliability of RF signal in the area due to interference or other issues. For the reasons noted above, these "significant gaps" in service coverage may not necessarily be depicted on a propagation plot. Other than stating that a "significant gap" in service coverage exists when Verizon Wireless cannot provide safe, adequate and reliable levels of service coverage to its users, the definition of what constitutes a "significant gap" is site specific.

Although limited by the above factors, propagation plots provide important information regarding the level of signal, and therefore the anticipated coverage provided by a cell site. For a cellular system to work properly, each cell site must provide areas of discrete coverage as well as overlapping coverage with neighboring sites. Coverage exists when there is sufficient radio

11-00841

frequency ("RF") signal strength to provide safe, effective and reliable levels of coverage in a particular geographic area. As user travels between the discrete coverage areas of two or more sites, a handoff is triggered within the zone of overlapping coverage. If the handoff is successful, it is transparent to the user and results in seamless coverage. If the handoff is not successful, the call is lost and must be reestablished once the user gets within range of the next site. Without adequate RF signal, there is no reliability in the ability to make or receive voice calls, and data throughput speed is limited. This is especially significant in that Verizon Wireless, as an FCC licensee, is mandated to provide enhanced 911 services to its users. The strength of RF signal coverage is measured in decibel level and is noted as a dBm level. As decibel level is degraded (i.e. signal level is weakened), it is reflected in increasingly larger negative numbers. Hence, -75dBM is a stronger signal than -85dBM, which in turn is stronger than -95dBM.

In order to identify a potential site to fill this gap in coverage, Verizon Wireless engineers have created a search ring that represents an area in which a potential cell site can be located to begin the process of identifying and evaluating potential locations for a site. The specific requirements for this site are captured in the document called a Search Area Review Form (SARF). The SARF depicts the area in which a site needs to be located in order to obtain the needed coverage. As previously mentioned, the goal for this particular site has several coverage objectives mentioned above.

The proposed "Ironhorse" site will meet all the RF objectives, and is also the least intrusive means to provide the needed coverage.

PROJECT NO. R2011-00841-(5)
CONDITIONAL USE PERMIT NO. 201100082

APPLICANT PHOTOS

PROJECT NO. R2011-00841-(5)
CONDITIONAL USE PERMIT NO. 201100082

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PROJECT NO. R2011-00841-(5)
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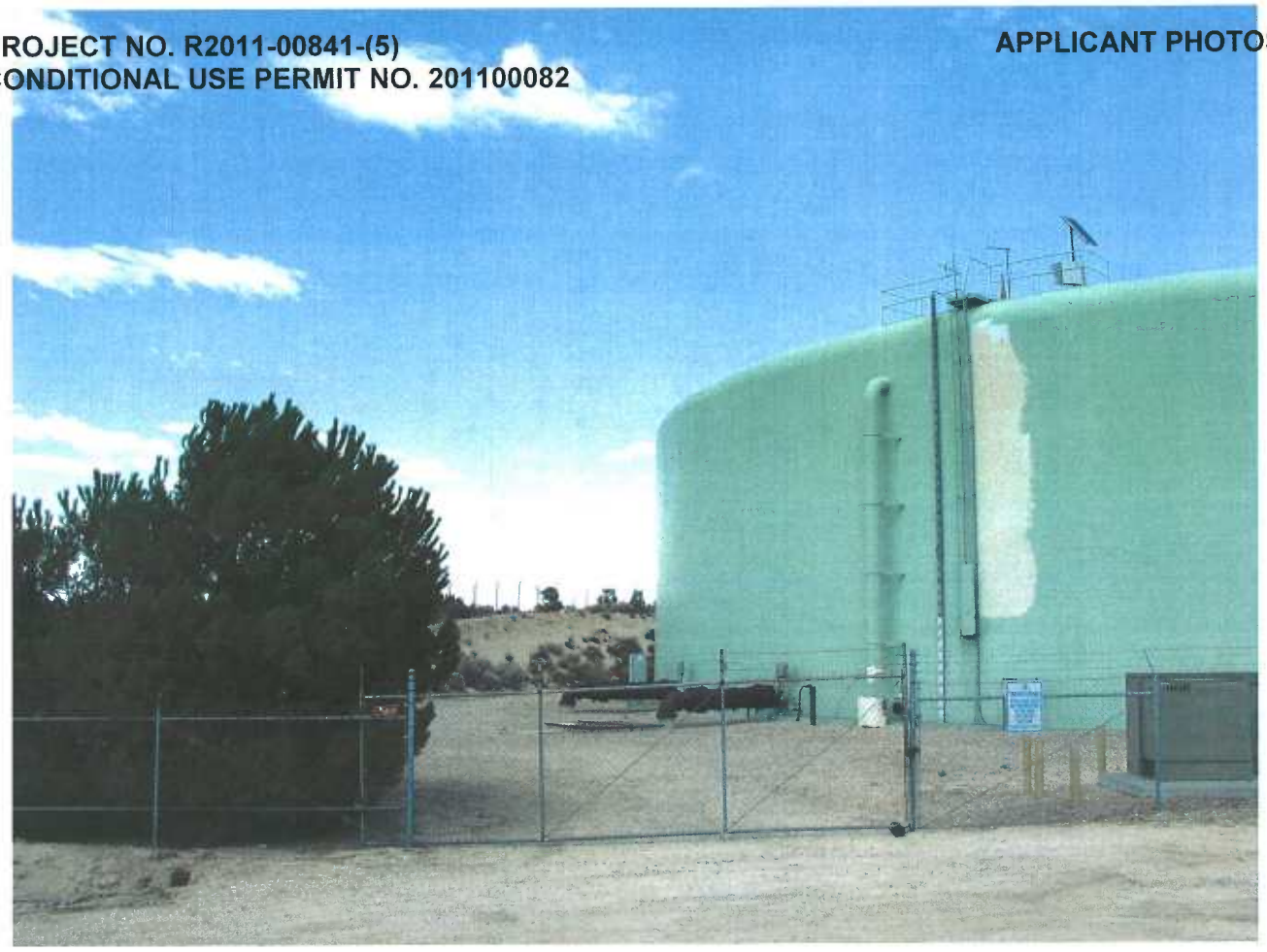
APPLICANT PHOTOS



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R2011-00841 CUP 201100082

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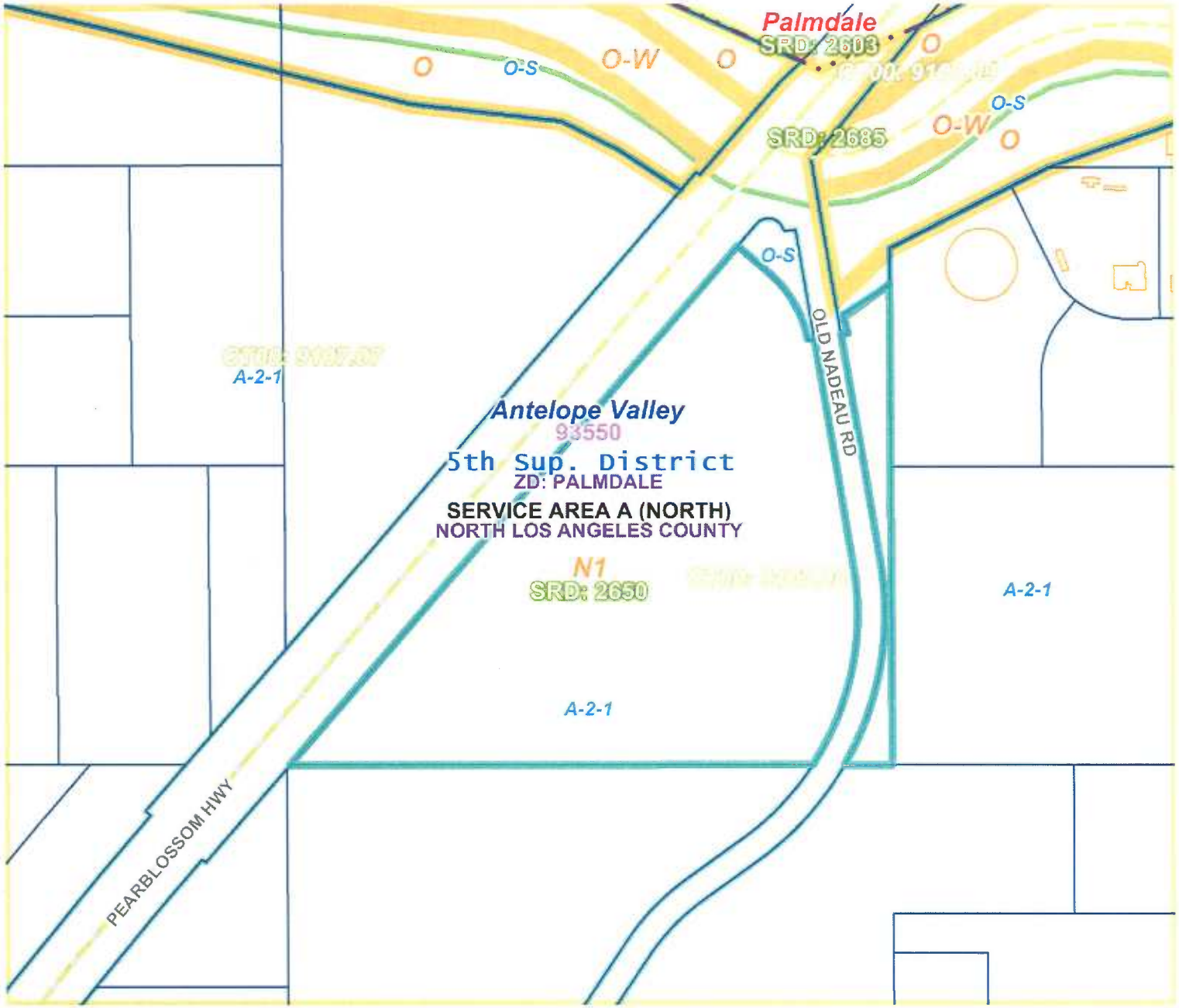

Legend

- Parcel Boundary
- Arterial Street
- Highway
- Freeway

Master Plan of Highways
- Expressway - (e)
- Expressway - (p)
- Ltd. Secondary Highway - (e)
- Ltd. Secondary Highway - (p)
- Parkway - (e)
- Parkway - (p)
- Major Highway - (e)
- Major Highway - (p)
- Secondary Highway - (e)
- Secondary Highway - (p)

(e)-Existing (p)-Proposed

Railroad or Rapid Transit
- Railroad
- Rapid Transit
- Underground Rapid Transit

Significant Ridgelines
- Castaic CSD Primary
- Castaic CSD Secondary
- SMMNA Significant

- Census Tract (2000)
- Assessor Map Book (AMB) Bdy
- Zoning Index Map Grid
- Zoning Map Grid
- USGS Quad Sheet Grid
- The Thomas Guide Grid
- TB Internal Page Grid
- Very High Fire Hazard Serverity Zone
- Community Standards District (CSD)
- CSD Area Specific Boundary
- ESHA (Coast Only)
- Significant Ecological Area (SEA)
- Section Line
- Township and Range
- National Forest
- Equestrian District (EQD)
- Transit Oriented District (TOD)
- Setback District
- Zoned District (ZD)
- Supervisorial District Boundary

Safety Related Stations (From TB)
- Fire Station
- Highway Patrol
- Police Station
- Ranger Station
- Sheriff Station

- Zoning (Boundary)

Zoning
- Zone A-1
- Zone A-2
- Zone B-1
- Zone B-2
- Zone C-1
- Zone C-2
- Zone C-3
- Zone C-H
- Zone C-M
- Zone CPD
- Zone C-R
- Zone D-2
- Zone IT
- Zone M-1
- Zone M-1.5
- Zone M-2
- Zone M-3
- Zone MPD
- Zone MXD
- Zone O-S
- Zone P-R
- Zone R-1
- Zone R-2
- Zone R-3-( )U
- Zone R-4-( )U
- Zone R-A
- Zone RPD
- Zone R-R
- Zone SP
- Zone SR-D
- Zone W

Landuse Policy (Not in Comm/ Area Plan)
- 1 - Low Density Residential (1 to 6 du/ac)
- 2 - Low/Medium Density Residential (6 to 12 du/ac)
- 3 - Medium Density Residential (12 to 22 du/ac)
- 4 - High Density Residential (22 or more du/ac)
- C - Major Commercial
- I - Major Industrial
- O - Open Space
- P - Public and Semi-Public Facilities
- RC - Rural Communities
- R - Non-Urban
- TC - Transportation Corridor

Inland Waterbody
- Perennial
- Intermittent
- Dry

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use "Display Map Legend tab" on the top left side of screen.

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