



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

September 20, 2016

Jerry Ambrose
3905 State St., Suite 7-188
Santa Barbara, CA 93105

**REGARDING: PROJECT NO. R2012-02449-(2)
CONDITIONAL USE PERMIT NO. 201300020
7766 Maie Ave., Florence-Firestone (APN: 6021-018-023)**

Hearing Officer Gina Natoli, by her action of **September 20, 2016**, has **DENIED** the above-referenced project. Enclosed are the Hearing Officer's Findings.

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **October 4, 2016**. **Appeals must be delivered in person.**

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

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

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Mi Kim, Supervising Regional Planner
Zoning Permits West Section

Enclosures: Findings,
c: Zoning Enforcement;

MKK:TSS

**FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2012-02449-(2)
CONDITIONAL USE PERMIT NO. 201300020**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201300020 ("CUP") on September 20, 2016.
2. The permittee, New Cingular Wireless PCS, LLC ("permittee"), requests the Project Permits to authorize the construction and operation of a new 64-foot, 6-inch high wireless telecommunications facility disguised as a monopine ("Project") on a property located at 7766 Maie Avenue in the unincorporated community of Florence-Firestone ("Project Site") in the M-1 (Light Manufacturing) Zone pursuant to Los Angeles County Code ("County Code") Section 22.32.070.
3. The Project Site is 0.91 gross acres in size and consists of one legal lot. The Project lease area is 447 square feet and is located toward the rear, eastern parcel boundary. The Project Site is rectangular in shape with level topography and is developed with a light industrial building, parking area, and driveway.
4. The Project Site is located within the Light Industrial land use category of the Los Angeles County General Plan Land Use Policy Map.
5. Surrounding Zoning within a 500-foot radius includes:
 - North: M-1
 - South: M-1
 - East: R-3 (Unlimited Density Multiple Residence) and O-S (Open Space)
 - West: R-3
6. Surrounding land uses within a 500-foot radius include:
 - North: Light Industrial, auto body shop and repair, and a bridal shop
 - South: Light industrial, and auto body and tire repair services
 - East: Metro Blue Line rail corridor, and Roosevelt Community Park
 - West: Single-family and multi-family residences
7. There are no Regional Planning permits associated with the Project Site. Building and Assessor records show that the existing structure on the property was legally built in 1979. Notice of Violation RFS No. 13-0017431 was issued on November 22, 2013 (attached), and is not related to the Project.
8. The site plan for the Project depicts the 447-square-foot lease area toward the rear, eastern parcel boundary of the Project Site. The wireless telecommunications facility is proposed to be disguised as a monopine tree at 64 feet, 6 inches tall and containing

eight panel antennas and other associated equipment. At the ground level, the site plan shows the equipment area enclosed by an eight foot tall wrought iron fence.

9. The Project Site is accessible via a driveway on Maie Avenue to the east. Primary access to the Project Site will be via an entrance/exit on Maie Avenue.
10. Pursuant to the California Public Resources Code Section 15270, the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves. Therefore, the project qualifies as a Statutory Exemption (Projects Which Are Disapproved) and 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.
11. Hearing Proceedings. The Hearing Officer held a duly-noticed public hearing on September 20, 2016. The Hearing Officer heard testimony from Regional Planning Staff. There were no representative to testify or comment on behalf of the applicant. The Hearing Officer asked for confirmation that the existing zoning violations were abated, and staff confirmed. The Hearing Officer also asked to verify the date of the original application, which was January 30, 2013. The Hearing Officer asked staff to include a new finding stating that the existing zoning violations have been abated, and to correct the original application date in the findings. The Hearing Officer then closed the public hearing and denied the Project based on the attached findings.
12. The Hearing Officer finds that the applicant submitted an application for a CUP to authorize the construction and operation of a new wireless telecommunications facility on January 30 2013.
13. The Hearing Officer finds that on November 22, 2013, the Regional Planning Zoning Enforcement Section issued a Notice of Violation (NOV) to the property owner for multiple zoning violations on the Project Site (attached).
14. The Hearing Officer finds that the Notice of Violation identified unpermitted land uses on the Project Site, and that the site was not compliant with several development standards, including parking requirements, and outside storage that was located in the proposed lease area of the wireless facility. As a result, staff informed the applicant on November 12, 2013 that the applicant cannot pursue the CUP application until the violations were addressed (attached).
15. On February 4, 2015, the applicant submitted revised application materials through a new agent for the Project. The Hearing Officer finds that on February 12, 2015, Regional Planning staff informed the newest agent working on the Project that the revised application materials were incomplete, and that additional information was required before the Department could proceed with processing their application (attached).
16. The Hearing Officer finds that the zoning violations on the property were abated to the satisfaction of Regional Planning, Zoning Enforcement staff and that the NOV was

closed. Therefore, the request for the CUP could have been processed, but there has been no response from the applicant.

17. The Hearing Officer finds that Regional Planning staff attempted to reach the applicant's representative on June 7, 2016, after a year of no contact from the applicant or the applicant's representative (attached).
18. The Hearing Officer finds that Regional Planning staff issued a warning letter to the applicant and the applicant's representative on July 18, 2016, that if there was no contact within 30 days, then the project would be scheduled for denial due to inactivity on September 20, 2016 pursuant to Section 22.56.060 (denial for lack of information).
19. The Hearing Officer finds that there has been no response from the applicant or the applicant's representative since the July 18, 2016 warning letter was issued by the Department of Regional Planning.
20. 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, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

1. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201300020 is **DENIED**.

ACTION DATE: September 20, 2016

MKK:TSS

8/18/16

c: Zoning Enforcement