



Los Angeles County  
Department of Regional Planning



*Planning for the Challenges Ahead*

September 8, 2016

Richard J. Bruckner  
Director

TO: Hearing Officer

FROM: Travis Seawards   
Zoning Permits West Section

**SUBJECT: DENIAL DUE TO INACTIVITY**  
**Project No. R2012-02449-(2)**  
**Conditional Use Permit No. 201300020**  
**HO Meeting: September 20, 2016**  
**Agenda Item: No. 9**

Project No. R2012-02449-(2) is an application for a conditional use permit (CUP) to authorize the construction and operation of a wireless telecommunications facility. The project site is located at **7766 Maie Avenue** in the unincorporated community of **Florence-Firestone** in the **Compton-Florence Zoned District**.

Staff has made repeated attempts to inform the applicant of the information that is required to proceed with their application for a conditional use permit. Staff has been attempting to work with the applicant and various representatives on this project since 2013. The property was the subject of multiple zoning violations, including unpermitted businesses, debris, banners, and outdoor storage in required parking spaces. On February 12, 2015, staff informed the most recent agent of additional requirements that were needed to process the application. After no contact for a year, staff sent an additional email on June 17, 2016 as to whether the applicant wished to pursue the project. Finally, staff mailed a final warning letter on July 18, 2016 that gave the applicant 30 days to respond in order to keep the project active, and no response was received. All referenced correspondence above are included with the attached draft findings.

Section 22.56.060 of the County Code (Zoning Ordinance) provides that the Hearing Officer may deny, without public hearing, an application for a conditional use permit if such application does not contain the required information contained in Sections 22.56.030 and 22.56.040 of the County Code. Therefore staff recommends that Conditional Use Permit No. 201300020 be denied pursuant to the attached findings.

**SUGGESTED MOTION:**

**I, THE HEARING OFFICER, DENY CONDITIONAL USE PERMIT NUMBER 201300020 SUBJECT TO THE ATTACHED FINDINGS.**

Enclosures: Notice of Violation, November 22, 2013; Email, February 12, 2015; Email, June 17, 2016; DRP Correspondence, July 18, 2016

MKK:TSS

**DRAFT 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).
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: Held
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 1, 2013. On February 4, 2015, the applicant submitted revised application materials through a new agent for the Project.
13. The Hearing Officer finds that on November 22, 2013, the Regional Planning Zoning Enforcement Section issued a Notice of Violation 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. 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 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).
17. 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).
18. 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.

19. 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: Hearing Officer, Zoning Enforcement



Los Angeles County  
Department of Regional Planning



*Planning for the Challenges Ahead*

July 18, 2016

Richard J. Bruckner  
Director

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

**SUBJECT: PUBLIC MEETING NOTICE: DENIAL DUE TO INACTIVITY**

**Project: R2012-02449-(2)**  
**Case: CUP No. 201300020**  
**Address (APN):7766 Male Ave., Florence-Firestone**

Dear Agent/Applicant:

The Los Angeles County ("County") Department of Regional Planning ("Regional Planning") has made repeated attempts to inform you of the information that is required to proceed with your application for a conditional use permit (CUP) to authorize a wireless telecommunications facility at the above referenced location. Staff has been attempting to work with various applicants on this project since 2013. The property was the subject of multiple zoning violations, including unpermitted businesses, debris, banners, and outdoor storage in required parking spaces (attached). On February 12, 2015, staff informed the most recent agent of additional requirements that were needed to process the application (attached). After no contact for a year, staff sent an additional email on June 17, 2016 as to whether the applicant wished to pursue the project (attached). To date, we have not received the requested information or received a response to the June 17, 2016 email, and as a result, we are unable to proceed with processing your application.

Section 22.56.060 of the County Code (Zoning Ordinance) provides that the Hearing Officer may deny, without public hearing, an application for a CUP if such application does not contain the required information contained in Sections 22.56.030 and 22.56.040. Due to the longstanding inactive status of the project identified above, the project will be scheduled for denial before a County Hearing Officer on September 20, 2016.

If you wish to keep this project active, please send a written request to Regional Planning, Zoning Permits West Section, Room 1348, 320 West Temple Street, Los Angeles, CA 90012, Attention: Travis Seawards, or by email at [TSeawards@planning.lacounty.gov](mailto:TSeawards@planning.lacounty.gov). This correspondence must be received within 30 days from the date of this letter in order to avoid being scheduled for denial. If you choose to keep your project active and submit a written request within the timeframe listed above, you must also submit all requested information within 90 days of the date of this letter or this project will be automatically scheduled for denial at the next available Hearing Officer meeting. 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](mailto: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

Travis Seawards  
Zoning Permits West Section

Enclosures: Notice of Violation, November 22, 2013; Email, February 12, 2015; Email, June 17, 2016

c: Applicant, New Cingular Wireless PCS, LLC

MKK:TSS

CC.012914



Los Angeles County  
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner  
Director

November 22, 2013

NOTICE OF VIOLATION

TENANT  
7766 MAIE AVENUE, UNIT A  
LOS ANGELES, CA 90001

RFS No: 13-0017431/EF101188

Dear Property Owner/Tenant:

An inspection was conducted at 7766 Maie Avenue and it disclosed the following violation(s):

1. The development standards (parking, outdoor storage) are not being met - 22.32.010, 22.32.020 and 22.32.080
2. Required off-street parking is not being provided or maintained on the premises - 22.32.010, 22.32.020, 22.32.080(B) and 22.52.1010
3. Material is stored outside of an enclosed building without meeting the development standards - 22.32.010, 22.32.020 and 22.32.080(A)
4. A land use involving outdoor storage has been established on the premises without Department of Regional Planning approval - 22.52.600
5. Banners are displayed on the premises - 22.52.800 and 22.52.990(F)
6. The property is not maintained free of trash and debris - 22.44.138(C)(2)

These are not permitted uses in zone M1 and are in violation of the provisions of the Los Angeles County Zoning Ordinance Section(s) listed above.

Please consider this an order to comply with the provisions of the zoning ordinance within thirty (30) days upon receipt of this letter. Failure to correct the violation(s) found at 7766 Maie Av may cause this matter to be referred to the District Attorney with the request that a criminal complaint be filed if compliance is not achieved. Conviction can result in a penalty of up to six months in jail and/or a \$1,000.00 fine, each day in violation constituting a separate offense. In addition to criminal prosecution, you may be subject to a noncompliance fee of \$704.00 and the imposition of further administrative and collection fees totaling approximately \$2,464.00.

Any inquiry regarding this matter may be addressed to the Department of Regional Planning, 320 W. Temple Street, Los Angeles, CA 90012, Attention: Zoning Enforcement. To speak directly with the investigator, Jonathan Bell, please call (213) 974-6453 before 10:00 a.m. Monday through Thursday. Our offices are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner  
Director

  
Patricia Hachiya  
Supervising Regional Planner  
Zoning Enforcement West

cc: T. Seawards, Zoning Permits West, re: CUP 201300020 / R 2012-02449

**From:** Travis Seawards  
**To:** "jc.ambrose@yahoo.com"  
**Cc:** Travis Seawards  
**Subject:** RE: Project No. R201300253 / CUP 201300020 - AT&T @ 7766 Male Ave. - Status?  
**Date:** Tuesday, June 07, 2016 9:52:05 AM  
**Attachments:** Image001.png

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Hi Jerry –

It has been some time since I heard from you on this case. Does the applicant still wish to pursue a project at this time? If not, please let me know and I can process a partial refund of the application.

Thanks

Travis

Travis Seawards, AICP  
Regional Planner  
Department of Regional Planning  
320 W. Temple Street  
Los Angeles CA 90012  
213-974-6462  
<http://planning.lacounty.gov>



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**From:** Travis Seawards  
**Sent:** Thursday, February 12, 2015 8:17 AM  
**To:** 'jc.ambrose@yahoo.com'  
**Cc:** Travis Seawards  
**Subject:** RE: Project No. R201300253 / CUP 201300020 - AT&T @ 7766 Male Ave. - Status?

Hi Jerry –

I received the revised application materials in the mail. Thanks. Here are a couple of issues right up front:

1. The Project No. for this site is R2012-02449-(2) / CUP Permit No. 201300020. Please disregard any mention of R2013-00253 as I do not see that this project number even exists in our database.
2. With the previous applicants, and in my previous email to you below, I have expressed concerns about the height and design of this project. We can discuss in person or on the phone in more detail, but more work needs to be done on the design.
3. The Department's first preference is that new facilities co-locate and/or locate on existing utility infrastructure in the area to reduce proliferation of unsightly new facilities. I do not see an adequate alternate site analysis in the application materials.
4. The project site itself had many zoning violations. I will check in with enforcement to see if these have been addressed. In addition, the site needs to be well-maintained. In the photo sims you submitted, for example, the walls adjacent to the WTF site are covered in graffiti, which is not acceptable.

Please let me know if you would like to meet or want to setup a phone conference call so we can discuss next steps for this project, and any time, if you had questions, feel free to call or email.

Thanks

Travis

Travis Seawards, AICP  
Regional Planner  
Department of Regional Planning  
320 W. Temple Street  
Los Angeles CA 90012  
213-974-6462  
<http://planning.lacounty.gov>



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**From:** Travis Seawards

**Sent:** Thursday, January 15, 2015 4:45 PM

**To:** 'Jerry Ambrose'

**Cc:** Travis Seawards

**Subject:** RE: Project No. R201300253 / CUP 201300020 - AT&T @ 7766 Male Ave. - Status?

Hi Jerry –

Its best to just submit a whole new application, site plan, and all of the associated documents we need for a WTF submittal. All of that information is on our webpage at

<http://planning.lacounty.gov/apps>

Look under CUP and also at the specific wireless checklist. You will not need to submit any new fees for the CUP – we can just use the previous payment toward that. Once I get the new materials, I will look to see if any referral fees need to be paid and will let you know.

You can mail the new info to me as it is an existing application.

All that said, I have concerns on the design and height of the project as shown on your revised site plan, so we can discuss next week at your convenience before you submit anything. What is being proposed is very tall, and on the previous submittal we were working toward a more industrial design.

Thanks

Travis

Travis Seawards, AICP  
Regional Planner  
Department of Regional Planning  
320 W. Temple Street  
Los Angeles CA 90012  
213-974-6462  
<http://planning.lacounty.gov>



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**From:** Jerry Ambrose [<mailto:jc.ambrose@yahoo.com>]

**Sent:** Thursday, January 15, 2015 7:56 AM

**To:** Travis Seawards

**Subject:** Re: Project No. R201300253 / CUP 201300020 - AT&T @ 7766 Maie Ave. - Status?

Travis,

We would like to get this project started again. Can you please advise on what is needed?

There is a new property owner so I know we need their authorization. We also probably need new land use maps and of course photo-simulations. Are additional fees required and do I need to set up a formal appointment to resubmit the information (or can I just mail it in)?

Plans for the new design are attached - we've avoided all the parking spaces.

thank you,

Jerry Ambrose

*Wireless 1 Consulting Services, Inc.*

3905 State St., Suite 7-188

Santa Barbara, CA 93105

phone: (805) 637-7407

fax: (805) 898-0069

email: [jambrose@wireless01.com](mailto:jambrose@wireless01.com)

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**From:** Jerry Ambrose <[jc.ambrose@yahoo.com](mailto:jc.ambrose@yahoo.com)>

**To:** [tseawards@planning.lacounty.gov](mailto:tseawards@planning.lacounty.gov); [jambrose@wireless01.com](mailto:jambrose@wireless01.com)

**Cc:** [rglaser@planning.lacounty.gov](mailto:rglaser@planning.lacounty.gov)

**Sent:** Monday, November 24, 2014 8:09 AM

**Subject:** RE: Project No. R201300253 / CUP 201300020 - AT&T @ 7766 Maie Ave. - Status?

Thanks, do you have a copy of the incomplete/comment letter?

Thanks

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On Mon, Nov 24, 2014 7:54 AM PST Travis Seawards wrote:

>Hi Jerry -

>

>Please check your records - I have the following WTF project at 7766 Maie Ave.

>

>Project No. R2012-02449

>CUP No. 201300020

>

>If this is your project, yes, it is still active. However, we told the previous applicant

that the proposed site was way too tall, and the project site it had many, many zoning violations that need to be addressed before we moved forward. In particular, there were unpermitted uses on the site and there was not enough parking spaces for the uses. The WTF project was asking to take away two additional spaces, so this would not work.

>

>Please call me if you would like to discuss further.

>

>Thanks

>

>Travis

>

>Travis Seawards, AICP

>Regional Planner

>Department of Regional Planning

>320 W. Temple Street

>Los Angeles CA 90012

>213-974-6462

><http://planning.lacounty.gov>

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>

## Travis Seawards

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**From:** Travis Seawards  
**Sent:** Tuesday, November 12, 2013 9:57 AM  
**To:** ah932h@att.com  
**Cc:** Travis Seawards; Jonathan Bell  
**Subject:** Project R2012-02249-(2): 7766 Maie Avenue, Florence-Firestone

Mr. Hollihan –

Peter Hilger from Cable Engineering Services has informed me that you are now the lead contact person for the project referenced above. This email serves as a status update on your project and provides you with your options for moving forward at this time.

The application is for a CUP for a wireless facility on a developed industrial parcel in Florence-Firestone. Upon staff's review of your application, the project site was found to have several zoning violations. One violation in particular was that the site does not meet the required standards for parking.

The Department has opened a zoning enforcement case on the property. As such, we cannot approve any other entitlements on this site. This leaves you with two options for moving forward.

1. You can wait until the enforcement violations are remedied and then proceed with the WTF request. This may take some time and will involve private departmental actions with the land owner. Once remedied, staff can inform you that you can proceed, however, your wireless project will most likely also require you and/or the landlord to get a parking permit in addition to your CUP.
2. You can withdraw your CUP application and receive a partial refund of the fees you have paid.

Please let me know if you have any questions, and also let me know how you want to proceed.

Thanks

Travis

Travis Seawards, AICP  
Regional Planner  
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