

Hearing Officer Transmittal Checklist

Hearing Date
10/15/2013
Agenda Item No.
7

Project Number: R2013-02087-(5)
Case(s): Conditional Use Permit Case No. 201300103
Environmental Assessment Case No. 201300176
Planner: Jeantine Nazar

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Project Description
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- Photo Sims
- Coverage Maps
- Previous Conditions of Approvals

Reviewed By: 



Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012

PROJECT NUMBER

R2013-02087

HEARING DATE

October 15, 2013

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201300103-(5)
 Environmental Assessment No. 201300176

PROJECT SUMMARY

OWNER / APPLICANT

Verizon Wireless

EXHIBIT DATE

4/3/2013

PROJECT OVERVIEW

The project consists of a conditional use permit to allow the continued operation and maintenance of a wireless facility mounted on an existing 25 foot pole and to authorize the replacement of the existing pole with a new pole 30-foot in height with associated antennas and equipment cabinets.

LOCATION

20485 Rancho La Floresta Road, Covina

ACCESS

Rancho La Floresta Road

ASSESSORS PARCEL NUMBER(S)

8448-007-032

SITE AREA

1.32 Acres

GENERAL PLAN

Countywide General Plan

ZONED DISTRICT

Charter Oak

LAND USE DESIGNATION

1-Low Density Residential

ZONE

A-1-20,000 (Light Agricultural Zone)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

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

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)

CASE PLANNER:

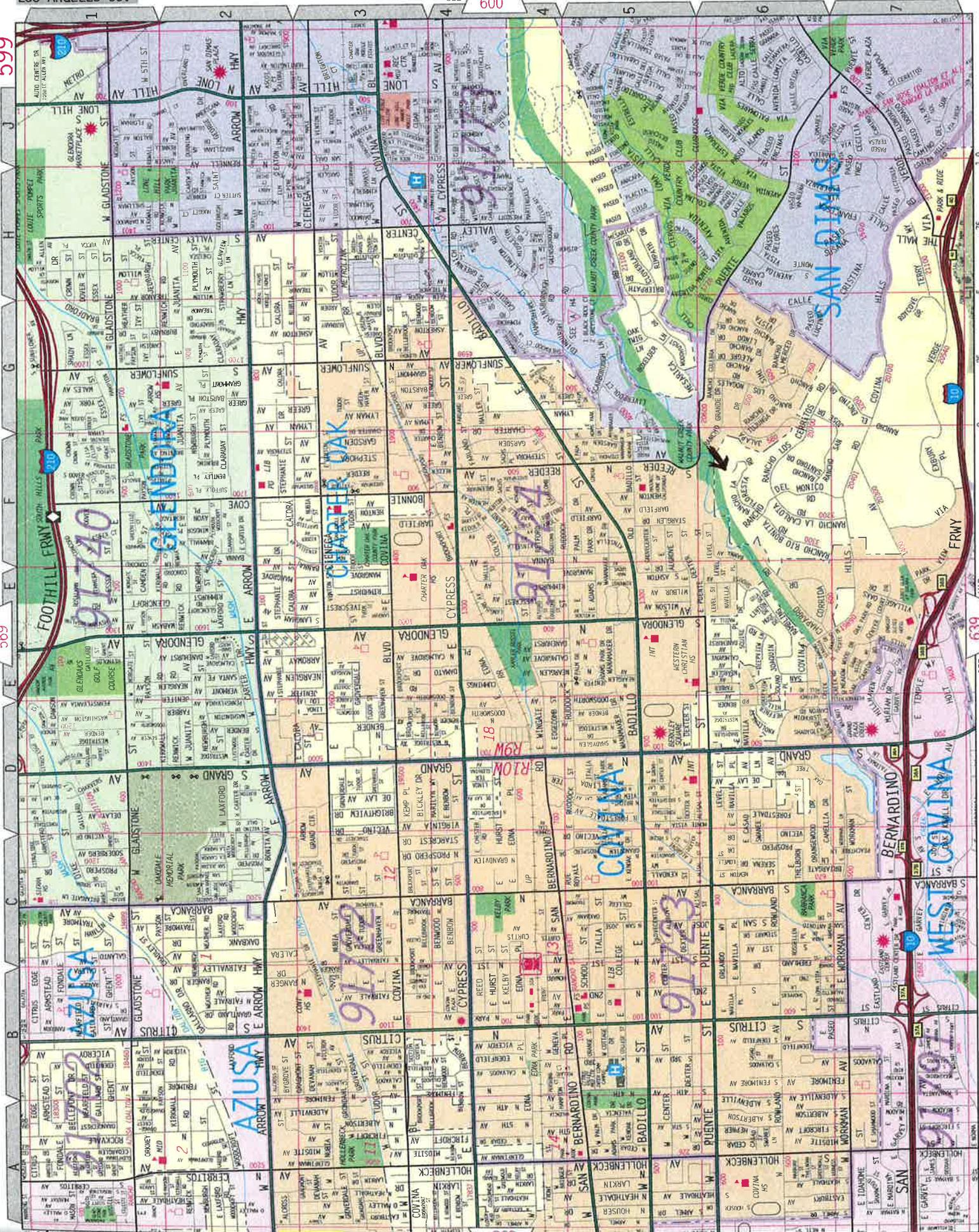
Jeantine Nazar

PHONE NUMBER:

(213) 974 - 6435

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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) to allow the continued operation and maintenance of an unmanned wireless telecommunications facility (WTF) and the modification of the existing facility located in the A-1-20,000 (Light Agricultural -20,000 square feet Minimum Required Lot area) zone in the Charter Oak Zoned District. Pursuant to County Code Section 22.24.100 radio and television stations and towers are a permitted use provided that a conditional use permit has been obtained.

PROJECT DESCRIPTION

The applicant, Verizon Wireless, proposes to modify two slim line poles and to raise the height from 25-feet to 30-feet-high above grade level (AGL), and to add one (1) antenna mounted on each pole for a total of two (2) additional antennas and to include one more equipment cabinet within the lease area.

The proposed modification will improve the communication service as it proposes upgrades to 4G and LTE technology; which will enhance voice, data speeds and connections.

SITE PLAN DESCRIPTION

The site plan depicts an existing water tank, a T-Mobile facility consisting of a monopine (a monopole disguised as a pine tree) and appurtenant equipment cabinets within an existing lease area, and two Verizon Wireless poles associated with an existing lease area. The subject wireless facility is accessed through a 12-foot driveway easement located in the 20500 block of Rancho La Floresta Road. The property is enclosed by a chain link fence and a 12-foot-high locked gate.

The applicant proposes to increase the total number of antennas to three (3) mounted on each pole from the existing two antennas on each pole for a total of six antennas. The antennas are placed inside a transparent radome, 24" in diameter, replacing the existing 16" in diameter cylinders and connected to a metal base at 15-feet-high. The applicant also proposes to add an equipment cabinet within the existing Verizon Wireless lease area.

The elevation plan shows the existing and proposed antennas are concealed inside the radome and are not visible from outside. Both poles are identical in height at 30'-6"-high and consist of a 15-foot metal pole connected to a 15-6" radome on top. There are two proposed RRU, (Remote Radio Unit) mounted at the bottom of each pole.

EXISTING ZONING

The subject property is zoned A-1-20,000 (Light Agriculture) zone.

Surrounding properties are zoned as follows:

North: A-1-20,000 (Light Agricultural, - 20,000 sq ft required lot size)

South: A-1-20,000 (Light Agricultural)

East: A-1-20,000 (Light Agricultural) and City of Covina

West: A-1-20,000 (Light Agricultural)

EXISTING LAND USES

The subject property is developed with a water tank and wireless facilities. Surrounding properties are developed with single-family residences and vacant lots.

PREVIOUS CASES/ZONING HISTORY

Conditional Use Permit Number 200500172 approved a wireless telecommunications facility consisting of a 40-foot-high monopine and appurtenant equipment within a lease area on August 22, 2006.

Conditional Use Permit Number 200500124 approved two monopoles each 25-feet-high, related antennas and equipment cabinets on the subject property on October 17, 2006.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption, Class 3 (New Structures and Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The proposed antennas are concealed within 30-foot-high poles and minimize visual impact. The pole will be painted white and the proposed increase in height is small in nature. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the Low Density Residential land use category of the General Plan. This land use designation is intended to maintain the character of existing low density residential neighborhoods and also to provide additional areas to accommodate future market demands. The proposed wireless telecommunications facility will provide upgrades to data streaming and smart phone capabilities and will enhance the wireless communication service in the residential area and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Policy D.63-"Maintain high quality emergency response service."*

The proposed antennas and associated equipment will provide emergency service by connecting to close emergency dispatchers to assist the residents in emergency situations.

Further, the following Goals of the General Plan, Land Use Section, Part D, are applicable to the subject property and serve as guidelines for development:

- *"To provide for land use arrangements that take full advantage of existing public service and facility capacities:"*

The wireless facility will improve communication network for the residents in the area providing service networks.

- *“To encourage high quality design in all development projects, compatible with, and sensitive to, the natural and manmade environment.”*

The proposed antennas will be concealed within a 24-inch diameter radome. The pole would be painted white and would have a minimum visibility impact from the residential areas. The applicant indicated that Verizon would not be able to co-locate even if the existing height of the monopine was increased to a 50-foot-high monopine, as the height and location of the antennas would not be sufficient to provide the same coverage as the two existing slim line poles.

Zoning Ordinance and Development Standards Compliance

The proposed facility is located within the A-1 zone and does not encroach upon the setback areas. The project is compatible with the height of other facilities in the area and conforms to the 35 foot height requirement in the zone.

Site Visit

Staff visited the site on October 2, 2013. The subject flag lot is accessed through a private driveway on the 20500 block of Rancho La Floresta Road. The subject property contains a utility company, and wireless facilities enclosed within a chain link fence and a locked gate. The site was clean and adequate.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Staff has not received any comments from county departments regarding this project.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

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

PUBLIC COMMENTS

Staff has not received any comments in favor or in opposition of this project.

FEES/DEPOSITS

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

STAFF RECOMMENDATION

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

Staff recommends **APPROVAL** of Project Number R2013-02087, Conditional Use Permit Number 201300103, subject to the attached conditions.

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201300103 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Jeantine Nazar, Regional Planning Assistant Zoning Permits East Section
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Site Photographs, Photo Simulations, Aerial Image
Site Plan. Land Use Map

MM: JN

SEPTEMBER 27, 2013

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2013-02087-(5)
CONDITIONAL USE PERMIT NO. 201300176**

1. **ENTITLEMENT REQUESTED.** The applicant, Verizon Wireless, is requesting a Conditional Use Permit (CUP) to authorize the continued operation and maintenance of an unmanned wireless telecommunications facility (WTF) and the modification of the existing facility. Pursuant to County Code Section 22.24.100 radio and television stations and towers are a permitted use provided that a conditional use permit has been obtained.

HEARING DATE: October 15, 2013

2. **PROJECT DESCRIPTION.** The applicant, Verizon Wireless, proposes to modify two slim line poles and to raise the height from 25-feet to 30-feet-high above the grade level (AGL), and to add one (1) antenna mounted on each pole for a total of two (2) additional antennas and to include one more equipment cabinet within the lease area.
3. The proposed modification will improve the communication service as it proposes upgrades to 4G and LTE technology; which will enhance voice, data speeds and connections.
4. **LOCATION.** The project site is located on the 20500 block of Rancho La Floresta Road within the unincorporated Walnut Islands of Los Angeles County.
5. **SITE PLAN DESCRIPTION.** The site plan depicts an existing water tank, a T-Mobile facility consisting of a monopine (a monopole disguised as a pine tree) and appurtenant equipment cabinets within an existing lease area and two Verizon Wireless poles associated with an existing lease area. The subject wireless facility is accessed through a 12-foot driveway easement located in the 20500 block of Rancho La Floresta Road. The property is enclosed by a chain link fence and a 12-foot-high locked gate.

The proposed project would increase the total number of antennas to three (3) mounted on each pole from the existing two antennas on each pole for a total of six antennas. The antennas are placed inside a transparent randome, 24" in diameter, replacing the existing 16" in diameter randome and connected to a metal base at 15-feet-high. The applicant also proposes to add an equipment cabinet within the existing Verizon Wireless lease area.

The elevation plan shows the existing and proposed antennas are concealed inside the randome and are not visible from outside. Both poles are identical in height at 30'-6"- high and consist of a 15-foot metal pole connected to a 15'-6" randome on top. There are two proposed RRU, (Remote Radio Unit) mounted at the bottom of each pole.

6. **EXISTING ZONING.** The subject property is zoned A-1-20,000 (Light Agricultural Zone).
Surrounding properties are zoned A-1-20,000 (Light Agricultural,- 20,000 sq ft required lot size) to the north, south, east and west.
7. **EXISTING LAND USES.** The subject property is developed with a water tank and wireless facilities. Surrounding properties are developed with single-family residences and vacant lots.
8. **PREVIOUS CASES/ZONING HISTORY.** Conditional Use Permit Number 200500172 approved a wireless telecommunications facility consisting of a 40-foot-high monopine and appurtenant equipment within a lease area on August 22, 2006.

Conditional Use Permit Number 200500124 approved two monopoles each 25-foot-high, related antennas and equipment cabinets on the subject property on October 17, 2006.
9. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The project site is located within the Low Density Residential land use category of the General Plan. This land use designation is intended to maintain the character of existing low density residential neighborhoods and also to provide additional areas to accommodate future market demands. The proposed wireless telecommunications facility will provide upgrades to data streaming and smart phone capabilities and will enhance the wireless communication service in the residential area and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Policy D.63-“Maintain high quality emergency response service.”*

The proposed antennas and associated equipment will provide emergency service by connecting to close emergency dispatchers to assist the residents in emergency situations.

Further, the following Goals of the General Plan, Land Use Section, Part D, are applicable to the subject properties and serve as guidelines for development:

- *“To provide for land use arrangements that take full advantage of existing public service and facility capacities:”*

The wireless facility will improve communication network for the residents in the area providing service networks.

- *“To encourage high quality design in all development projects, compatible with, and sensitive to, the natural and manmade environment.”*

The proposed antennas would conceal within a 24-inch diameter radio frequent transparent cylinder. The pole would be painted white and would have a minimum visibility impact from the residential areas. The applicant indicated that Verizon would not be able to co-locate even if the existing height of the monopine was increased to a 50-foot-high monopine, as the height and location of the antennas would not be sufficient to provide the same coverage as the two existing slim line poles.

10. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** The proposed facility is located within the A-1 zone and does not encroach upon the setback areas. The project is compatible with the height of other facilities in the area and conforms to the 35 foot height requirement in the zone.
11. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
12. **PUBLIC COMMENTS.** There are no public comments in favor or in opposition of the project

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

13. The proposed antennas and associated equipment will provide emergency service by connecting to close emergency dispatchers to assist the residents in emergency situations.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

14. The wireless facility will improve communication network for the residents in the area providing service networks.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will 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 or general welfare.

15. The proposed antennas would conceal within a 24-inch diameter transparent radome. The pole and the radome would be painted white and would have a minimum visibility impact from the residential areas. The applicant indicated that Verizon would not be able to co-locate even if the existing height of the monopine was increased to a 50-foot-high monopine, as the height and location of

the antennas would not be sufficient to provide the same coverage as the two existing slim line poles.

Therefore, 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.

16. The subject flag lot is accessed through a 12-foot private driveway easement on the block of 20500 off of Rancho La Floresta Road.

Therefore, 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.]

ENVIRONMENTAL DETERMINATION

17. The proposed wireless telecommunications facility will provide upgrades to data streaming and smart phone capabilities and will enhance the wireless communication service in the residential area and is therefore consistent with the permitted uses of the underlying land use category.

Therefore, the project qualifies as a Categorical Exemption (Class 3) 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.

18. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to Fifteen (15) years.
19. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will 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 or general welfare; and
- C. 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
 - D. 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.

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

HEARING OFFICER ACTION:

- 1. The Hearing Officer determines that the project is exempt from the California Environmental Quality Act pursuant to the Class 3 –New Construction or Conversion of Small Structures)
- 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Number 201300103 is Approved subject to the attached conditions.

MM: JN
10/3/2013

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R-2013-02087-(5)
CONDITIONAL USE PERMIT NO. 201300103**

PROJECT DESCRIPTION

The project is a Conditional Use Permit (CUP) for the continued operation, and maintenance of an existing unmanned wireless telecommunications facility and a modification to the existing facilities in order to improve communication service subject to 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 until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9, shall be effective immediately upon 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 promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

This grant shall terminate on OCTOBER 15, 2028. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.

8. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the wireless telecommunications facility and satisfaction of Condition No. 2 shall be considered use of this grant.
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. 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 \$1,600.00. 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 fund provides for **Eight (8) 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 one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
14. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal

decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **Three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **Three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS

18. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
19. Upon completion of construction of the facility, the permittee shall provide upon request 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.
20. Insofar as is feasible, the permittee 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.
21. Any proposed WTF that will be co-locating on the proposed facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.
22. All structures shall conform to the requirements of the Division of Building and Safety of Public Works or other appropriate agency and obtain an encroachment permit if deemed necessary.

23. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Pole mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
24. If the subject property is adjacent to residences, construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the facility may occur at any time.
25. Placement and height of all pole mounted equipment shall be in substantial conformance with that shown on said Exhibit "A". The facility shall be built as depicted in the photo simulations presented at the public hearing.
26. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.
27. The maximum height of the facility shall not exceed 30 feet above the grade level.
28. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
29. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.
30. 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 by the permittee within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced by the permittee within 30 days of notice. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.
31. Upon request, the permittee shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
32. The project number, conditional use permit number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.
33. The facility shall be secured by fencing, gates and/or locks. All fencing or walls used for screening or securing the facility shall be composed of wood, vinyl, stone,

concrete, stucco or wrought iron. Chain links, chain link with slats, barbed and other types of wire fencing are prohibited. If the facility's fences or walls are visible from the public right-of-way, landscaping, in a minimum planter width of five feet, shall be provided to screen the fence or wall from the street.

34. 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.
35. New equipment added to the facility shall not compromise the stealth design of the facility.
36. Appurtenant equipment boxes shall be screened or camouflaged.

MM: JN

October 2, 2013



Authorized Agent for Verizon Wireless

Setting the new standard

Core Development Services
2749 Saturn Street
Brea, CA 92821
Main: (714)729-8404
Fax: (714)333-4441
web: www.core.us.com

County of Los Angeles
Application for a Conditional Use Permit
Project Description and Burden Of Proof
Verizon Site ID: Ashton

Verizon Wireless requests the approval of a Conditional Use Permit for the modification of an unmanned wireless telecommunications facility (cell site) at the location below and presents the following project information for your review and consideration:

Address: 20485 Rancho La Floresta Road, Covina
APN: 8448-007-032
Zoning: A-1 Light Agricultural Zone (Charter Oaks Zoned District)
Use: Water tank

Project Representative (Main Point of Contact)

Laurel Reimer, Zoning Manager
Core Development Services
2749 Saturn Street
Brea, CA 92821
714-319-1101
lriemer@core.us.com

Verizon Wireless Contact

Site Development
15505 Sand Canyon Avenue
Bldg. D, First Floor
Irvine, CA 92618
949-286-7000

Project Description

Verizon Wireless proposes to modify two existing slim line poles at 20485 Rancho La Floresta Road, Covina. The project consists of raising the existing poles from their current height of 25' to a new height of 30' and increasing the radome diameter from 16" to 24". The base of the existing slim line pole will remain unchanged. Two existing panel antennas will be removed and replaced with two next-generation panel antennas, and two new panel antennas will be added within the slim line pole, bringing the total number of antennas per pole to three (3), and total number of Verizon antennas at the site to six (6). Two (2) remote radio units and one (1) junction box will be attached to the base of each slim line pole, for a total of four (4) remote radio units and two (2) junction boxes at the site. One new conduit and three (3) new cables will be installed within the slim line pole. Additionally, a new Commscope power cabinet will be installed within the existing equipment lease area. These project modifications will have no impact on the size of the existing pole and equipment lease areas.

The project modifications will not impact the surrounding properties or the water tank itself, as the slim line poles already exist at the site. The facility will not generate any hazardous materials, waste, odor, light, or glare. No noise will be generated by the project. The facility will be unmanned, and therefore, will not create traffic. Maintenance personnel will visit the site every 4-6 weeks to ensure the site is functioning properly and being maintained.



Project Objectives

Wireless carriers require the installation and modification of cell sites within a specific geographic area to close a gap in coverage for several reasons, among which are:

- The radio signal must be of sufficient strength to achieve consistent, sustainable, and reliable service to customers at a level sufficient for outdoor, in-vehicle, and in-building penetration with good voice quality (a threshold, -85dBm).
- When nearby sites on the network become overtaxed, and use of enhanced voice and data services are increased (3G and other high-speed data services) signal will contract and a gap is created during these peak times. With heavy use, this phenomenon is intensified due to the unique properties of digital radio transmissions.

In this particular case, the site is being overtaxed by voice and data services. The demand on the site is great enough that the signal area contracts during peak times. The two new antennas and two upgraded antennas to be installed at this site will help fill the coverage gap during peak times.

Burden of Proof

- 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.
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed wireless facility modifications will not adversely affect the public health, safety or welfare or be materially detrimental to the properties or persons in the vicinity. The site will operate well within FCC guidelines and will not generate any hazardous materials, waste, odor, light, or glare. Wireless facilities already exist at the site and have not impacted the primary use of the property, nor impacted surrounding residences. Current development setbacks and parking will remain unchanged by the modification project. The modification will cause no changes to the water tank facility footprint, circulation, or parking, and the facility is unmanned and therefore will not generate any traffic.

- b. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The Verizon Wireless facility already exists at the water tank site, which is a legal lot described as APN 8448-007-032. The site is 1.32 acres in area, elevated on a hill above residences, landscaped and gated. The existing lease area will not change as a result of the modification project.

- c. That the proposed site is adequately served:
 1. By highways or streets or 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 project site is accessed by Rancho La Floresta Road. The site is unmanned and will not generate additional traffic to the site besides a maintenance visit once every 4-6 weeks. The water tank has a parking area that can accommodate the infrequent maintenance visits.

The Benefits to the Community

Approximately 90-percent of American adults subscribe to cell phone service. People of all ages rely increasingly on their cell phones to talk, text, send media, and search the Internet for both personal and business reasons. More and more, they are doing these things in their homes, therefore, becoming reliant on adequate service within residential neighborhoods. In fact, 50-percent of people relocating are not signing up for landline service at their new location and are using their cell phone as their primary communication method.

The modification of the proposed facility will offer improved:

- Communications for local, state, and federal emergency services providers, such as police, fire, paramedics, and other first-responders.
- Personal safety and security for community members in an emergency, or when there is an urgent need to reach family members or friends. Safety is the primary reason parents provide cell phones to their children. Currently 25% of all preteens, ages 9 to 12, and 75% of all teens, aged 13 to 19, have cell phones.
- Capability of local businesses to better serve their customers.
- Opportunity for a city or county to attract businesses to their community for greater economic development.
- Enhanced 911 Services (E911) – The FCC mandates that all cell sites have location capability. Effective site geometry within the overall network is needed to achieve accurate location information for mobile users through triangulation with active cell sites. (Over half of all 911 calls are made using mobile phones.)

Safety – RF is Radio

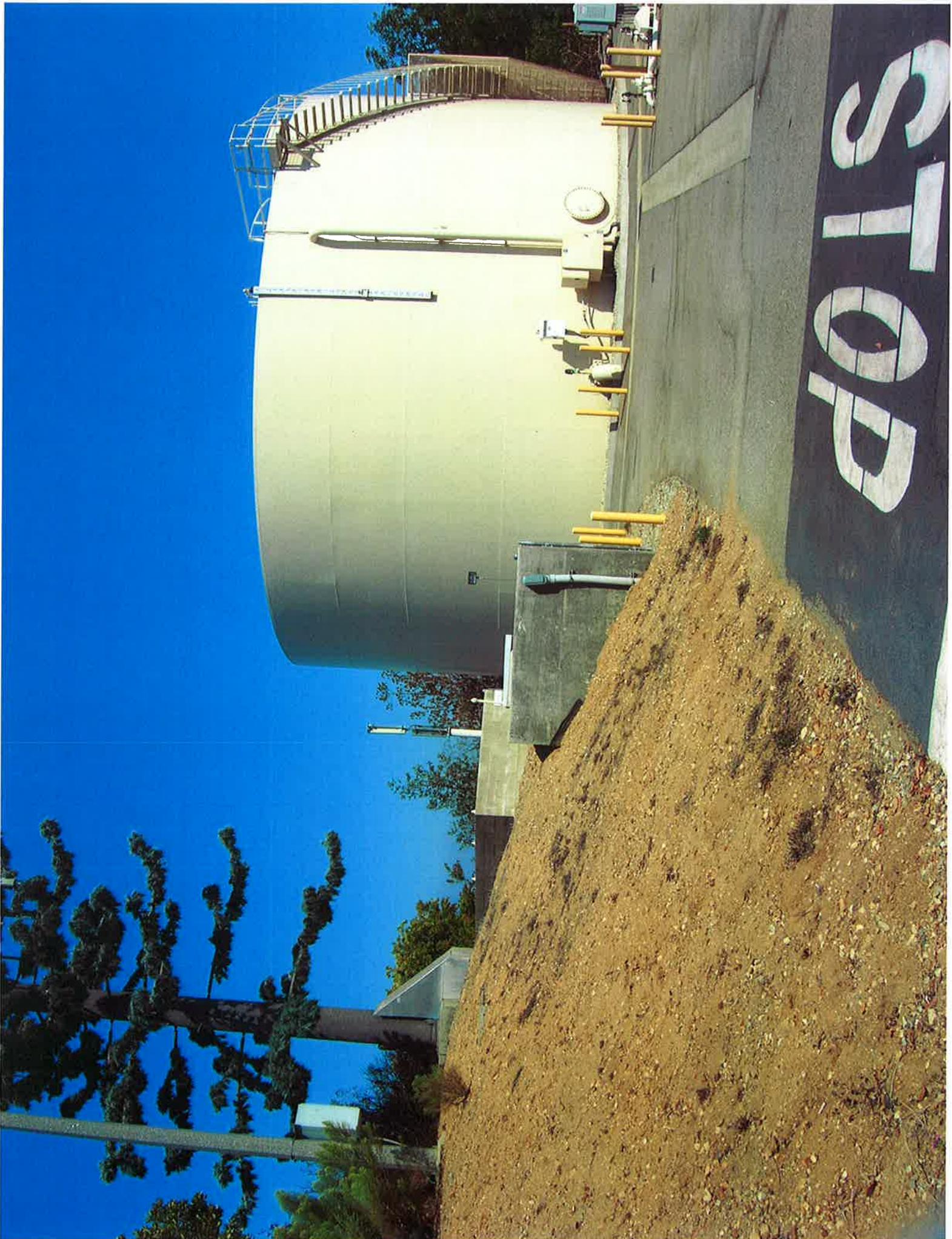
The FCC regulates RF emissions to ensure public safety. Standards have been set based on peer-reviewed scientific studies and recommendations from a variety of oversight organizations, including the National Council on Radiation Protection and Measurements (NCRP), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Environmental Protection Agency (EPA), Federal Drug Administration (FDA), Occupational Safety and Health Administration (OSHA), and National Institute for Occupational Safety and Health (NIOSH).

Although the purview of the public safety of RF emissions by the FCC was established by the Telecommunications Act of 1996, these standards remain under constant scrutiny. All Verizon Wireless cell sites operate well below these standards, and the typical urban cell site operates hundreds or even thousands of times below the FCC’s limits for safe exposure.

Respectfully submitted,

A handwritten signature in black ink that reads "Laurel Reimer". The signature is written in a cursive, flowing style.

Laurel Reimer
Authorized Agent for Verizon Wireless







ASHTON

20485 RANCHO LA FLORESTA RD COVINA, CA 91724



PROPOSED RADOME LOCATION

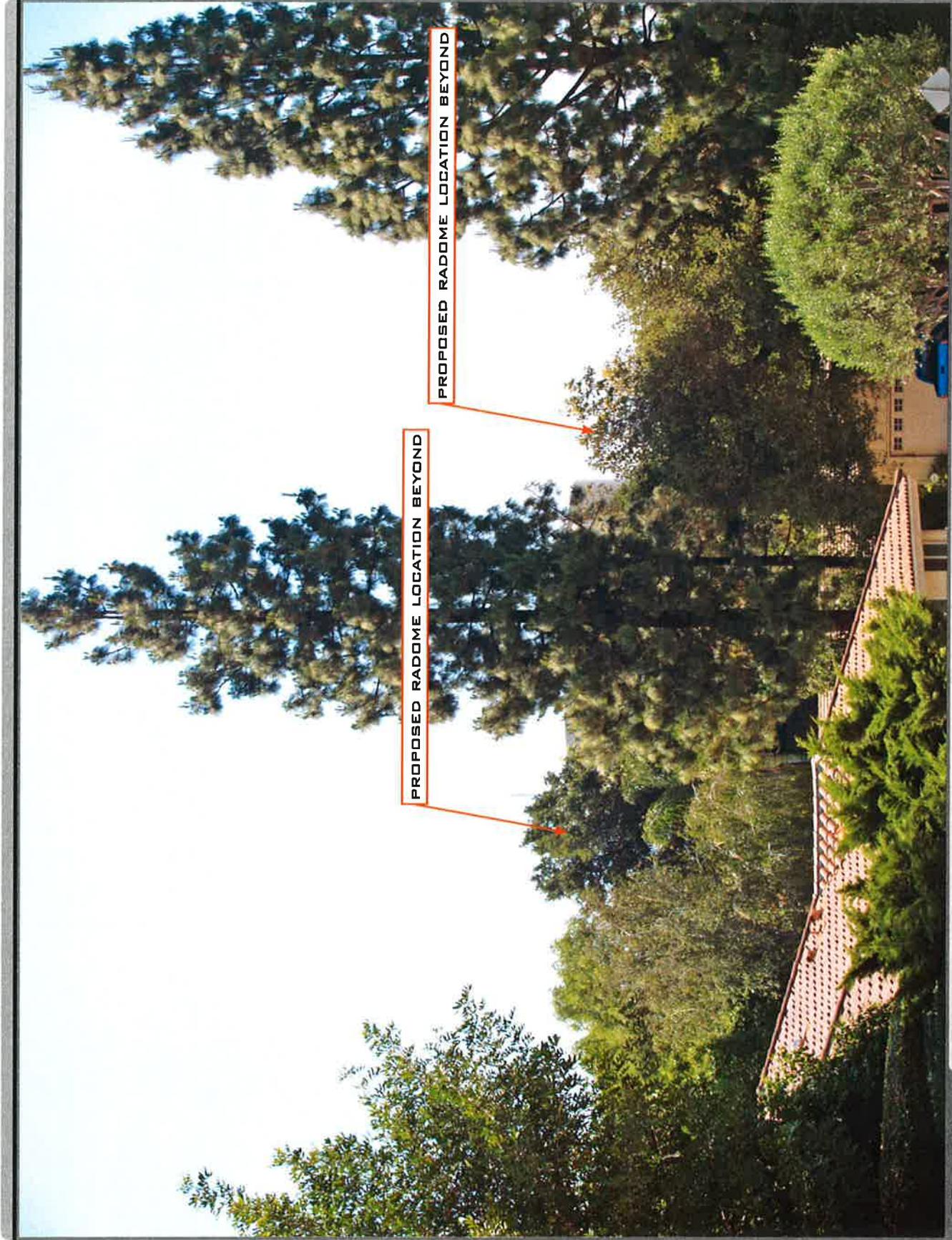
VIEW 1

LOOKING NORTHWEST FROM JALAPA DRIVE



ASHTON

20485 RANCHO LA FLORESTA RD COVINA, CA 91724



PROPOSED RADOME LOCATION BEYOND

PROPOSED RADOME LOCATION BEYOND

VIEW 2 LOOKING NORTHWEST FROM RANCHO TUJUNGA DRIVE



ASHTON

20485 RANCHO LA FLORESTA RD COVINA, CA 91724



PROPOSED RADOME LOCATION

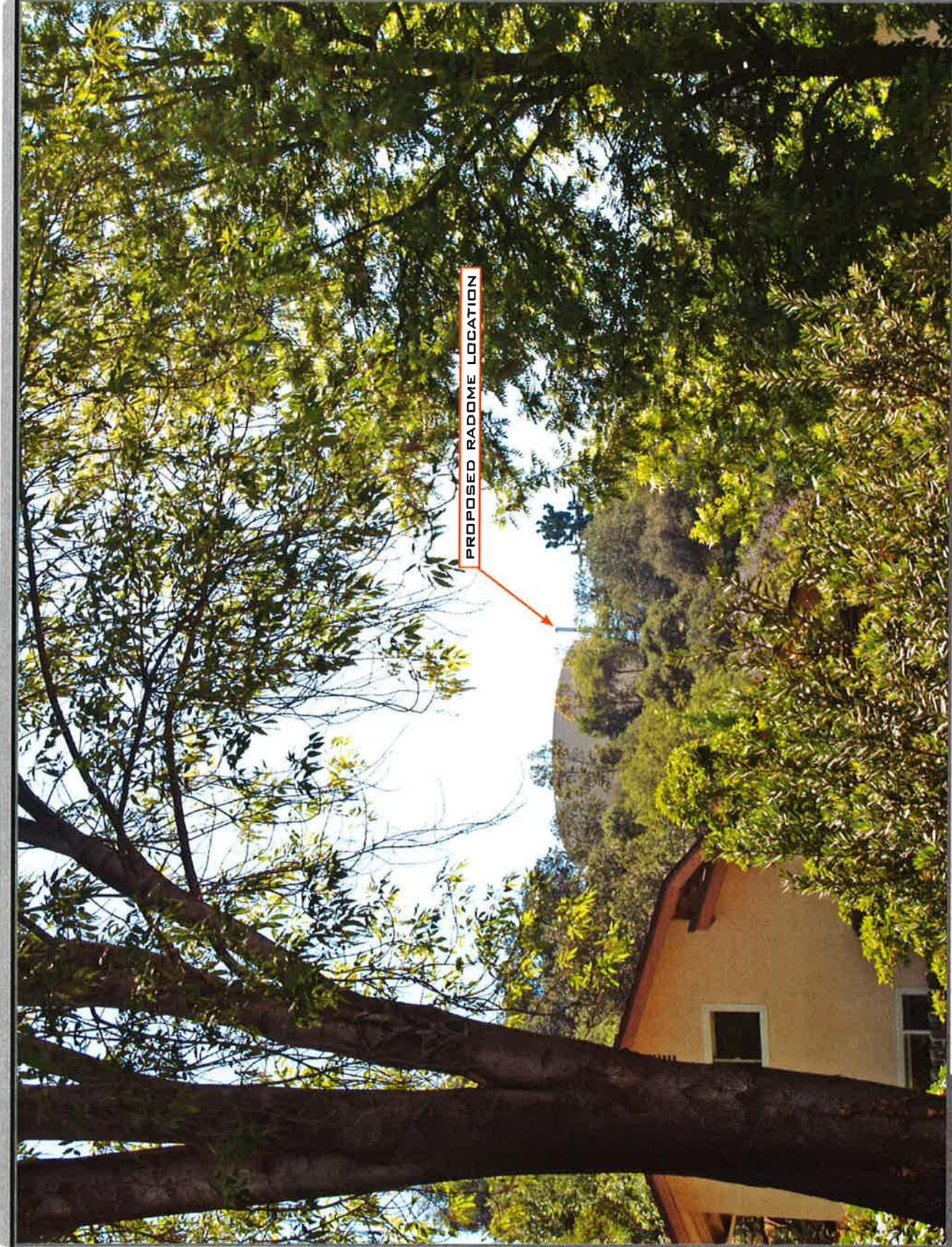
VIEW 3

LOOKING SOUTHWEST FROM RANCHO GRANDE DRIVE



ASHTON

20485 RANCHO LA FLORESTA RD COVINA, CA 91724



PROPOSED RADOME LOCATION

VIEW 4

LOOKING SOUTHWEST FROM RANCHO GRANDE DRIVE



ASHTON

20485 RANCHO LA FLORESTA RD COVINA, CA 91724



PROPOSED RADOME LOCATION BEYOND

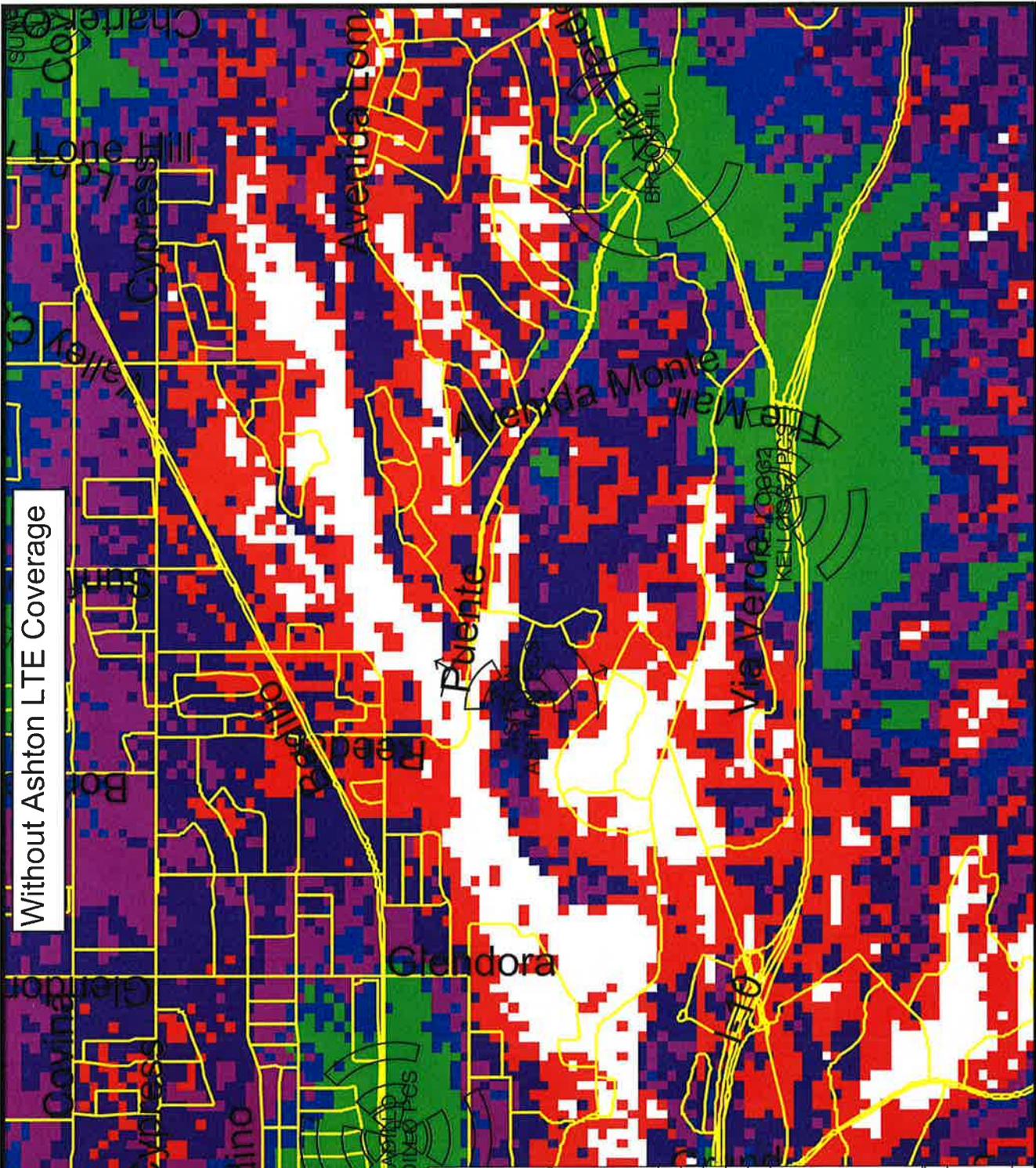
VIEW 5

LOOKING SOUTHEAST FROM RANCHO LA FLORESTA ROAD



VIEW 6 LOOKING EAST FROM ACCESS ROAD

Without Ashton LTE Coverage



Session: MTX51_Future
 User: w414424
 Thu May 23 20:33:33 2013
 Default Square
 Datum: NAD83
 Center Lat: 34-04-49.40 N
 Center Lon: 117-51-08.60 W

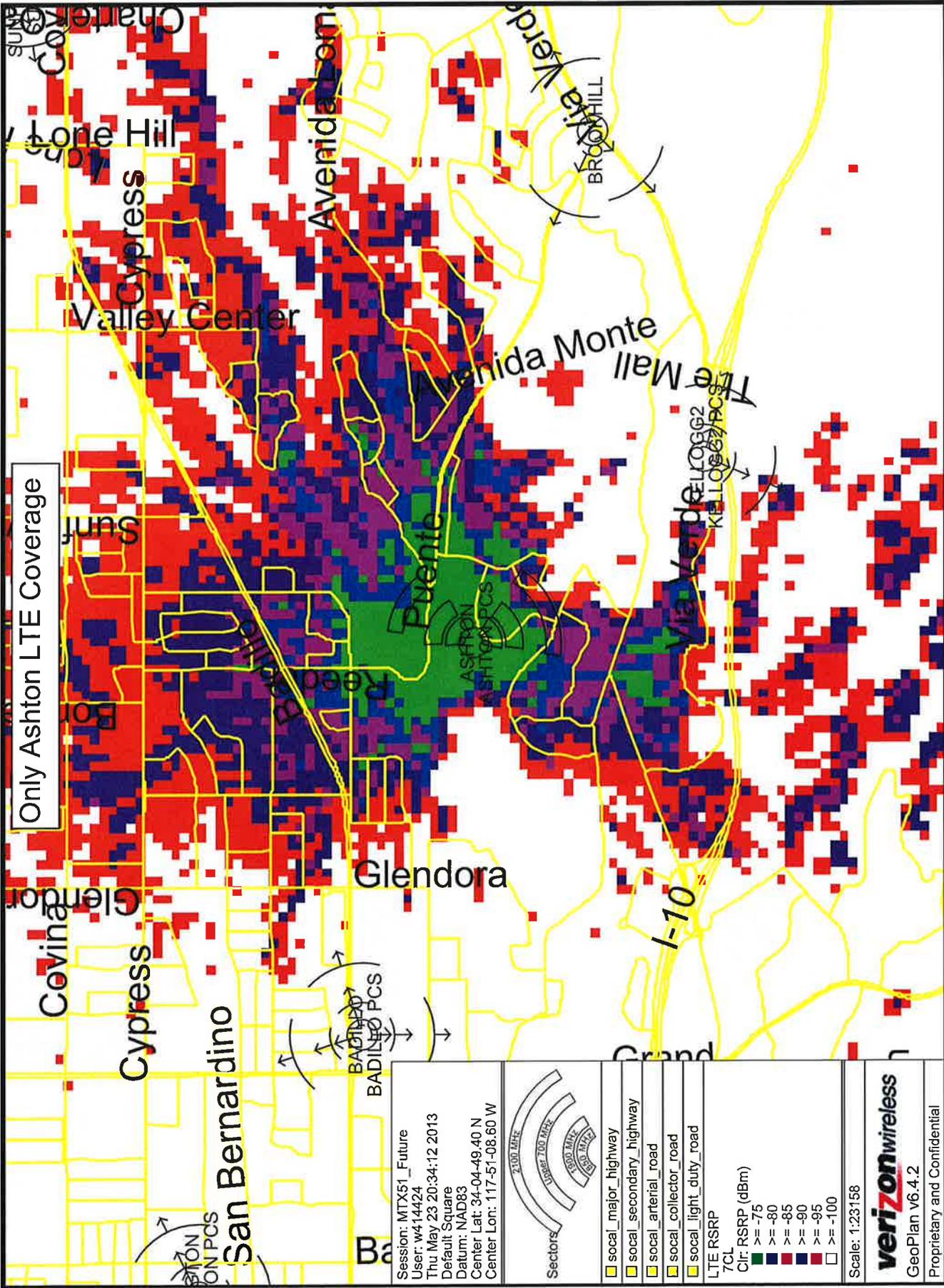
Sectors

- soca_major_highway
- soca_secondary_highway
- soca_arterial_road
- soca_collector_road
- soca_light_duty_road

LTE RSRP
 7CL
 Clr: RSRP (dBm)

- >= -75
- >= -80
- >= -85
- >= -90
- >= -95
- >= -100

Scale: 1:23158
verizonwireless
 GeoPlan v6.4.2
 Proprietary and Confidential



Only Ashton LTE Coverage

Session: MTX51_Future
 User: w414424
 Thu May 23 20:34:12 2013
 Default Square
 Datum: NAD83
 Center Lat: 34-04-49.40 N
 Center Lon: 117-51-08.60 W



- social_major_highway
- social_secondary_highway
- social_arterial_road
- social_collector_road
- social_light_duty_road

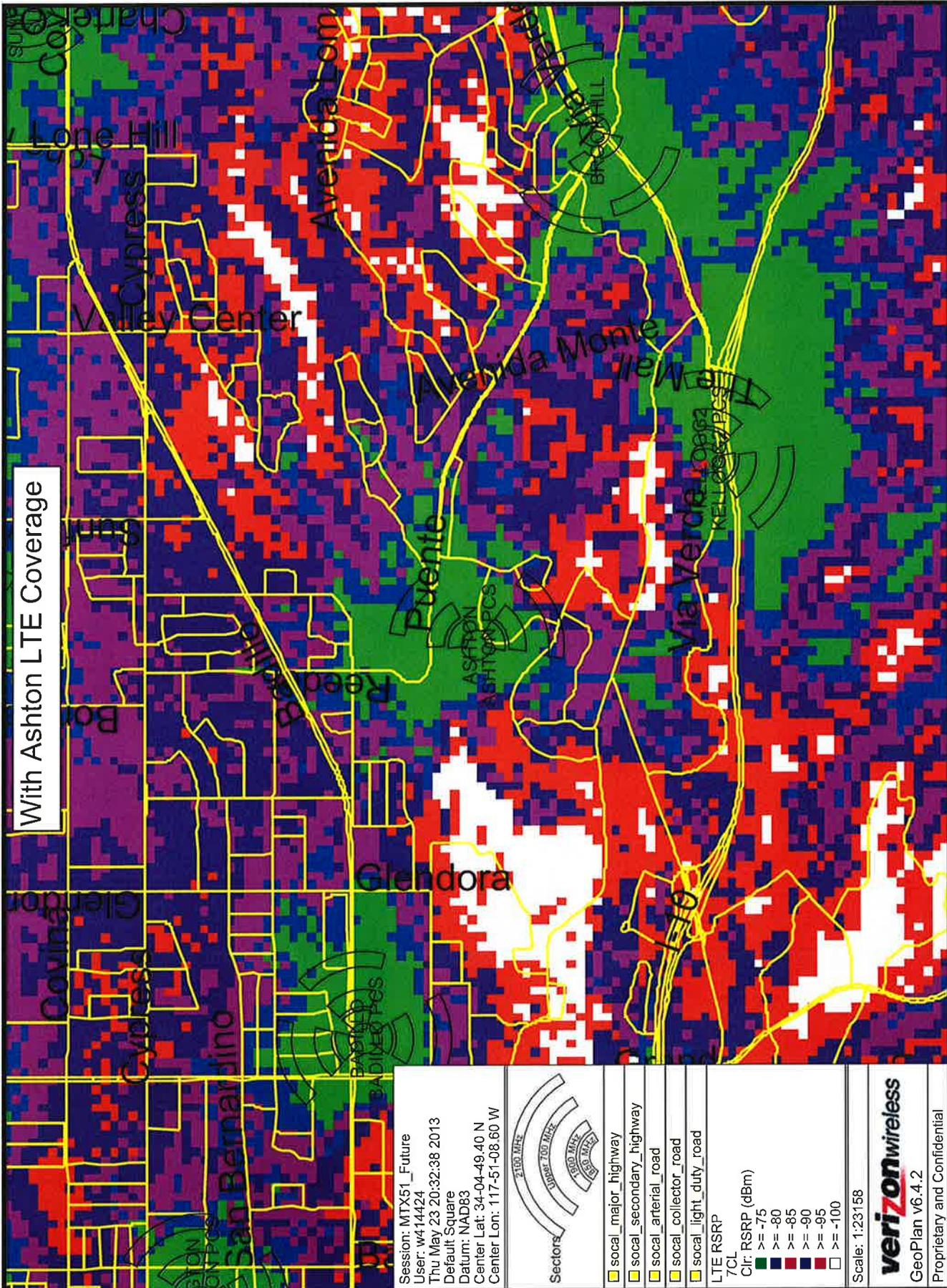
LTE RSRP

7CL

Cl: RSRP (dBm)

>= -75	Red
>= -80	Dark Blue
>= -85	Medium Blue
>= -90	Light Blue
>= -95	Purple
>= -100	White

Scale: 1:23158



With Ashton LTE Coverage

Session: MTX51_Future
 User: W414424
 Thu May 23 20:32:38 2013
 Default Square
 Datum: NAD83
 Center Lat: 34-04-49.40 N
 Center Lon: 117-51-08.60 W



- social_major_highway
- social_secondary_highway
- social_arterial_road
- social_collector_road
- social_light_duty_road

LTE RSRP

7CL

Cir: RSRP (dBm)

>> -75	
> -80	
> -85	
> -90	
> -95	
> -100	

Scale: 1:23158

verizonwireless

GeoPlan v6.4.2

Proprietary and Confidential



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



James E. Hartl AICP
Director of Planning

August 23, 2006

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

T-Mobile c/o
Pete Shubin
Sequoia Development Services, Inc.
One Venture, Suite 200
Irvine, CA 92618

**RE: PROJECT NO. R2005-02290-(5)
CONDITIONAL USE PERMIT CASE NO. 200500172-(5)**

To construct, operate and maintain an unmanned wireless telecommunications facility consisting of a 40' monopole disguised as a pine tree (monopine), twelve antennas, two GPS antennas and four equipment cabinets in the Charter Oak Zoned District.

Dear Applicant:

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

Condition 3 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

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

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

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: The applicant, T-Mobile, is requesting a conditional use permit to construct, operate and maintain an unmanned wireless telecommunications facility consisting of a 40' monopole disguised as a pine tree (monopine), twelve panel antennas, 2 GPS antennas and associated equipment cabinets.

FACTUAL SUMMARY:

August 22, Public Hearing

A duly noticed public hearing was held on August 22, 2006. The applicant's representative, Pete Shubin, testified in favor of the request. The Hearing Officer asked if he was aware that another WTF application was pending on the same site. The applicant's representative responded that he was aware of the fact and had tried to co-locate onto Verizon's requested monopole but could not due to engineering and topographic concerns. The Hearing Officer stated that co-location would be preferable to erecting two separate poles and requested the applicant cooperate with Verizon to co-locate. The applicant's representative agreed to cooperate and informed the Hearing Officer that if co-location was feasible for Verizon, the pole height would be increased to 50'.

There being no further testimony, the Hearing Officer closed the public hearing and stated his intent to approve the project.

Findings

1. The applicant, T-Mobile, is requesting a conditional use permit to construct, operate and maintain a wireless telecommunications facility (WTF). The facility will consist of a 40' monopole disguised as a pine tree (monopine), twelve panel antennas (three sectors of antennas with four antennas per sector), two GPS antennas and four equipment cabinets.
2. The subject property is located in the 20500 Block of Rancho La Floresta Rd., Covina, in the Charter Oak Zoned District.
3. The subject property is irregular in shape and slopping in topography.
4. The subject property is zoned A-1 20,000- (Light Agricultural – 20,000 sq. ft. required area).
5. Surrounding properties are zoned as follows:
North: A-1-20,000 (Light Agricultural – 20,000 sq. ft. required area)
South: City of Covina
East: A-1-20,000 & City of Covina
West: A-1-20,000

6. The subject property is developed with a water tank.
7. Surrounding land uses are as follows:
North: Single Family Residences & Vacant
South: Single Family Residences
East: Vacant & Single Family Residences
West: Vacant & Single Family Residences
8. Plot Plan 13805 was a request to construct a single family residence at 20555 Rancho La Floresta Rd. The request was approved May 6, 1965.

Conditional Use Permit Case No. 200500124 is a request to construct, operate and maintain a wireless telecommunications facility. The request is scheduled for a public hearing before a Hearing Officer October 17, 2006.

9. The site plan depicts the proposed monopine behind a grove of existing trees and shrubs and northwest of the existing water tank. A brick covered driveway leads to an asphalt driveway that provides access to the water tank site. A proposed 8'X28' lease area is shown west of the water tank and south of the proposed site for the monopine. An 8' chain link fence borders the property to the north, south and east. The elevation plans shows the top of the monopine at 35' and the top of the branches at 40'.
10. Title 22 of the Los Angeles County Code (Zoning Ordinance) does not specify wireless telecommunications facilities as a use. The use most closely matching a wireless telecommunications facility is a radio or television tower. Under section 22.24.100 of the zoning ordinance (Uses Subject To Permits), radio and television stations and towers require a conditional use permit in the A-1 (Light Agricultural) zone.
11. Parking for the proposed facility is governed by 22.52.1220 (Uses not specified – number of spaces required). The Department policy is to require one parking space for the monthly maintenance visits for WTFs. Since the water tank parking area can accommodate the monthly maintenance visits, the applicant complies with the parking requirement.
12. Pursuant to Section 22.56.200 (Building Bulk Provisions), the Hearing Officer can prescribe the height limit for the use approved.
13. On September 1, 2005 the staff of the Department of Regional Planning completed its review of the Environmental Questionnaire and other data regarding the proposed development and concluded that the Initial Study was prepared in compliance with the California Environmental Quality Act Guidelines and the environmental procedures of the County of Los Angeles. The Department of

Regional Planning has determined that a Categorical Exemption – Class 3 – Construction of Small Facilities) is the appropriate environmental documentation for this project under California Environment Quality Act (CEQA) reporting requirements.

14. Staff has received no comments from county departments at the time of this writing.
15. Staff received three telephone calls from residents in the area. One caller wanted general information, the other caller was concerned about potential visual impacts and the last caller was concerned about potential public health risks.
16. The public hearing notice was advertised in the San Gabriel Valley Tribune on July 10, 2006 and La Opinion on July 10, 2006. Public Hearing materials were sent to the Charter Oak Library and public hearing notices were mailed to property owners within a 1000' radius on July 13, 2006. The public hearing notice was posted on the property on July 15, 2006. Public Hearing material was also posted on the Department of Regional Planning's Website.
17. The applicants are proposing to construct, operate and maintain a wireless telecommunications facility consisting of a 40' monopole disguised as a pine tree (monopine). The proposed facility will be disguised to blend in with the surrounding neighborhood.
18. The proposed facility will provide needed coverage for the area and staff does not foresee any adverse impact resulting from the facility.
19. The project is consistent with the local plan policies and zoning requirements and will be disguised as a pine tree. The conditions of approval will ensure compatibility with the surrounding environment.

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 area, and 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.

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

HEARING OFFICER ACTION:

1. The Hearing Officer has considered the Categorical Exemption together with any comments received during the public review process, finds on the basis on the whole record before the Hearing Officer that there is no substantial evidence the project will have a significant effect on the environment, finds that the Categorical Exemption reflects the independent judgment and analysis of the Hearing Officer, and adopts the Categorical Exemption.
2. In view of the findings of fact presented above, Project No. R2005-02290-(5)/Conditional Use Permit Case No. 200500172-(5) is **APPROVED**, subject to the attached conditions.

BY: _____

DATE: _____

9/11/06

**ALEX GARCIA
HEARING OFFICER
Department of Regional Planning
County of Los Angeles**

Attachments: Conditions
Affidavit

c: Each Commissioner, Zoning Enforcement, Building and Safety,

VI:vi

1. This grant authorizes the use of the subject property for the construction, operation and maintenance of a wireless telecommunications facility consisting of a 40' monopole disguised as a pine tree (monopine), two GPS antennas, twelve panel antennas and four equipment cabinets subject to all of the following conditions of approval:
 - a. The facility shall be operated in accordance with regulations of the State Public Utilities Commission;
 - b. Said facility shall be removed if in disuse for more than six months;
 - c. 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;
 - d. All structures shall conform with the requirements of the Building and Safety Division of the Department of Public Works;
 - e. All equipment shall be a neutral color excluding black to blend with its surroundings and shall be maintained in good condition at all times;
 - f. The permittee shall provide written verification that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted FCC standards for safe human exposure to such forms of non-ionizing electromagnetic radiation when operating at full strength and capacity for the lifetime of this conditional use permit. The permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning;
 - g. Any proposed wireless telecommunications facility that will be co-locating on the proposed facility will be required to submit the same written verification and include the cumulative radiation and emissions of all such facilities;
 - h. Said facility, including any lighting, fences, shields, cabinets, and poles shall be maintained by the operator in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight;
 - i. The operator shall submit an annual maintenance report to the Department of Regional Planning by January 1, verifying the continued operation and maintenance of the said facility; and

- j. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." All revised plot plans must be accompanied by the written authorization of the property owner.
 - k. The height of the monopole (monopine) shall not exceed 40 ft. in height.
 - l. The monopine shall contain a branch count (fronds) to achieve a full pine tree look. Said requirement shall be to the satisfaction of the Director of Planning.
 - m. The equipment cabinets shall be screened from view with decorative fencing and/or landscaping.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. 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 Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall 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.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

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

6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested in writing before the expiration date.
7. 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.
8. 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 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.
9. **This grant will terminate on August 22, 2016.** 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 the Department of 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.
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. The permittee shall deposit with the County of Los Angeles the sum of **\$750.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for **5 biennial** inspections. Inspections shall be unannounced. Should an application for co-location be approved, an **additional \$750** shall be deposited into said fund.

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 the Department of 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 \$150.00 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 further given that the Regional Planning 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. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
14. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the facility being operated on the premises or that do not provide pertinent information about said premises.
15. In the event of such 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.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Bruce W. McClendon FAICP
Director of Planning

October 18, 2006

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mike Morris
The Delta Group
2362 McGaw Ave.
Irvine, CA 92614

RE: PROJECT NO. R2005-02124-(5)
CONDITIONAL USE PERMIT NO. R200500124-(5)
To construct, operate and maintain a wireless telecommunications facility (WTF) consisting of two 25' monopoles and four equipment cabinets in the Charter Oaks Zoned District.

Dear Applicant:

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

Condition 3 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

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

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

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: The applicant is requesting a conditional use permit to construct, operate and maintain a wireless telecommunications facility consisting of two 25' monopoles, four antennas and four equipment cabinets.

FACTUAL SUMMARY:

October 17, 2006

A duly noticed public hearing was held October 17, 2006. The applicant's representative, Mike Morris, testified in favor of the request. Staff informed the Hearing Officer that a WTF was approved on the subject site August 15, 2006 and that staff had requested the applicant co-locate the subject facility. The Hearing Officer questioned the applicant about co-locating onto the recently approved pole and the applicant responded that co-location would not be feasible due to the increased height needed to obtain their coverage objectives. The Hearing Officer explained that the previous approval allowed an increase in height of 10 feet if Verizon could locate onto their pole. The applicant responded that the increase in height of 10 feet would still prevent the unobstructed transmission of signals due to the height of the water tank.

There being no further discussion, the Hearing Officer closed the public hearing and stated his intent to approve the request.

Findings

1. The applicant, Verizon Wireless, is requesting a conditional use permit to construct, operate and maintain a wireless telecommunications facility (WTF). The facility will consist of two 25' monopoles that look like light standards, twelve panel antennas and four ground mounted equipment cabinets. The facility will be located behind a dirt ridge and will not be seen from adjacent residential uses.
2. The subject property is located in at 20485 Rancho La Floresta Rd., Covina, in the Charter Oak Zoned District.
3. The subject property is irregular in shape and slopping in topography.
4. The subject property is zoned A-1 20,000- (Light Agricultural – 20,000 sq. ft. required area).
5. Surrounding properties are zoned as follows:
North: A-1-20,000 (Light Agricultural – 20,000 sq. ft. required area)
South:A-1-20,000
East: A-1-20,000 & City of Covina
West: A-1-20,000

6. The subject property is developed with a water tank.
7. Surrounding land uses are as follows:
North: Single Family Residences & Vacant
South: Single Family Residences
East: Vacant & Single Family Residences
West: Vacant & Single Family Residences
8. Plot Plan 13805 was a request to construct a single family residence at 20555 Rancho La Floresta Rd. The request was approved May 6, 1965.

Conditional Use Permit Case No. 200500172, Project No. R2005-02290-(5) was a request to construct, operate and maintain a wireless telecommunications facility consisting of a 40' monopole disguised as a pine tree (monopine). The request was approved August 15, 2006. The Hearing Officer was made aware of the subject request and approved an increased height to 50' should the subject applicant co-locate. The subject applicant cannot co-locate due to height and coverage objective concerns.
9. The site plan depicts two proposed 25' monopoles on the east side of the existing water tank. The monopoles appear as light standards and two panel antennas per pole are shown flush mounted to the tops of the poles. Four proposed equipment cabinets are shown within a 32'-6" X 10' lease area northwest of the existing water tank. An 8' CMU retaining wall is proposed that will shield the proposed equipment cabinets.
10. Title 22 of the Los Angeles County Code (Zoning Ordinance) does not specify wireless telecommunications facilities as a use. The use most closely matching a wireless telecommunications facility is a radio or television tower. Under section 22.24.100 of the zoning ordinance (Uses Subject To Permits), radio and television stations and towers require a conditional use permit in the A-1 (Light Agricultural) zone.
11. Parking for the proposed facility is governed by 22.52.1220 (Uses not specified – number of spaces required). The Department policy is to require one parking space for the monthly maintenance visits for WTFs. Since the water tank parking area can accommodate the monthly maintenance visits, the applicant complies with the parking requirement.
12. Pursuant to Section 22.56.200 (Building Bulk Provisions), the Hearing Officer can prescribe the height limit for the use subject to a conditional use permit.

13. On September 24, 2005 the staff of the Department of Regional Planning completed its review of the Environmental Questionnaire and other data regarding the proposed development and concluded that the Initial Study was prepared in compliance with the California Environmental Quality Act Guidelines and the environmental procedures of the County of Los Angeles. The Department of Regional Planning has determined that a Categorical Exemption – Class 3 – Construction of Small Facilities) is the appropriate environmental documentation for this project under California Environment Quality Act (CEQA) reporting requirements.
14. Staff has received no comments from county departments at the time of this writing.
15. Staff received one telephone call from a resident in the area who requested general information about the project.
16. The public hearing notice was advertised in the San Gabriel Valley Tribune on September 15, 2006 and La Opinion on September 14. Public Hearing materials were sent to the Charter Oak Library and public hearing notices were mailed to property owners within a 1000' radius on September 14, 2006. The public hearing notice was posted on the property on September 15, 2006. Public Hearing material was also posted on the Department of Regional Planning's Website.
17. The applicants are proposing to construct, operate and maintain a wireless telecommunications facility consisting of two 25' monopoles. The proposed facility will be blend in with the surrounding neighborhood. In addition, the proposed project will be screened by a ridge and colored to blend in with backround structures.
18. The proposed facility will provide needed coverage for the area and staff does not foresee any adverse impact resulting from the facility.
19. The project is consistent with the local plan policies and zoning requirements and will be disguised as a pine tree. The conditions of approval will ensure compatibility with the surrounding environment.

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 area, and 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;

1. This grant authorizes the use of the subject property for the construction, operation and maintenance of a wireless telecommunications facility consisting of two 25' monopoles, two GPS antennas, twelve panel antennas, a four ' microwave dish and four equipment cabinets subject to all of the following conditions of approval:
 - a. The facility shall be operated in accordance with regulations of the State Public Utilities Commission;
 - b. Said facility shall be removed if in disuse for more than six months;
 - c. 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;
 - d. All structures shall conform with the requirements of the Building and Safety Division of the Department of Public Works;
 - e. All equipment shall be a neutral color excluding black to blend with its surroundings and shall be maintained in good condition at all times;
 - f. The permittee shall provide written verification that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted FCC standards for safe human exposure to such forms of non-ionizing electromagnetic radiation when operating at full strength and capacity for the lifetime of this conditional use permit. The permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning;
 - g. Any proposed wireless telecommunications facility that will be co-locating on the proposed facility will be required to submit the same written verification and include the cumulative radiation and emissions of all such facilities;
 - h. Said facility, including any lighting, fences, shields, cabinets, and poles shall be maintained by the operator in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight;
 - i. The operator shall submit an annual maintenance report to the Department of Regional Planning by January 1, verifying the continued operation and maintenance of the said facility; and

- j. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." All revised plot plans must be accompanied by the written authorization of the property owner.
 - k. The height of the two monopoles shall not exceed 25 ft.
 - l. The equipment cabinets shall be screened from view.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
 3. 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 Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid.
 4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall 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.
 5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

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

6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested in writing before the expiration date.
7. 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.
8. 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 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.
9. **This grant will terminate on October 17, 2016.** 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 the Department of 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.
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. The permittee shall deposit with the County of Los Angeles the sum of **\$750.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for **5 biennial** inspections. Inspections shall be unannounced. Should an application for co-location be approved, an **additional \$750** shall be deposited into said fund.

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 the Department of 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 \$150.00 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 further given that the Regional Planning 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. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
14. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the facility being operated on the premises or that do not provide pertinent information about said premises.
15. In the event of such 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.

RF:VI
10/19/06

