

# Hearing Officer Transmittal Checklist

Hearing Date  
4/7/15  
Agenda Item No.  
4.

Project Number: R2014-01094-(5)  
Case(s): Conditional Use Permit Case No. 201400049  
Planner: Iris Chi

- 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)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



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

**PROJECT NUMBER**  
 R2014-01094-(5)

**HEARING DATE**  
 April 7, 2015

**REQUESTED ENTITLEMENTS**  
 Conditional Use Permit No. 201400049

# PROJECT SUMMARY

**OWNER / APPLICANT**

Westside Park Mutual Water District / Verizon Wireless

**MAP/EXHIBIT DATE**

April 15, 2014

**PROJECT OVERVIEW**

The applicant, Verizon Wireless, is requesting a Conditional Use Permit for the construction, operation and maintenance of a new wireless telecommunications facility disguised as a 55 foot monopine and a 196 square foot equipment shelter in an A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) zone.

**LOCATION**

40317 11<sup>th</sup> Street West Palmdale, CA 93551

**ACCESS**

Via 11<sup>th</sup> Street West

**ASSESSORS PARCEL NUMBER(S)**

3005-010-027

**SITE AREA**

1.61 Acres

**GENERAL PLAN / LOCAL PLAN**

Antelope Valley Area Plan

**ZONED DISTRICT**

North Palmdale

**LAND USE DESIGNATION**

N1 – Non-Urban

**ZONE**

A-2-2

**PROPOSED UNITS**

N/A

**MAX DENSITY/UNITS**

0.5 dwelling unit/ acre

**COMMUNITY STANDARDS DISTRICT**

N/A

**ENVIRONMENTAL DETERMINATION (CEQA)**

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

**KEY ISSUES**

- Consistency with the Antelope Valley Area 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)
  - 22.24.170 (A-2 Zone Development Standards)

**CASE PLANNER:**

Iris Chi

**PHONE NUMBER:**

(213) 974 – 6443

**E-MAIL ADDRESS:**

ichi@planning.lacounty.gov



### **ENTITLEMENTS REQUESTED**

- Conditional Use Permit (CUP) for the construction, operation and maintenance of a new unmanned wireless telecommunications facility (WTF) in the A-2-2 (Heavy Agricultural – 2 Acre Minimum Required Lot Area) Zone pursuant to County Code Section 22.24.150.

### **PROJECT DESCRIPTION**

The applicant, Verizon Wireless, is requesting a Conditional Use Permit for the construction, operation and maintenance of a new wireless telecommunications facility disguised as a 55 foot monopine with a 196 square foot equipment shelter within a 918 square foot lease area in an A-2-2 zone. The Project is also proposing an emergency generator for the WTF. The WTF will be located on the northeastern portion of the parcel located at 40317 11<sup>th</sup> Street West in the unincorporated community of Antelope Valley. The rest of the parcel is a water storage facility. There will be a six foot CMU wall along the perimeter of the lease area.

### **EXISTING ZONING**

The subject property is zoned A-2-2.

Surrounding properties are zoned as follows:

North: A-2-2

South: A-2-2

East: City of Palmdale

West: A-2-2

### **EXISTING LAND USES**

The subject property is developed with a water storage facility.

Surrounding properties are developed as follows:

North: Single-family residences, vacant parcels

South: Single-family residences, vacant parcels

East: Single-family residences, vacant parcels

West: Single-family residences, vacant parcels

### **ENVIRONMENTAL DETERMINATION**

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 3 Exemption, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project is exempt since it is a small scale structure and it is not an exception to the exemption since it is not located in an environmentally sensitive area. 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 N1 – Non-Urban 1 land use category of the Antelope Valley Area Plan. This designation is intended for residential uses in rural

areas. The proposed WTF is consistent with the land use designation since the existing use established is a water storage facility. The proposed project is consistent with the permitted uses of the underlying land use category.

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

- *General Plan Public Services Policy 58: "Maintain high quality emergency response services."*

Cellular service is often used to make emergency calls. The existing facility will ensure that such service is readily available, and useable in the case of an emergency.

#### Zoning Ordinance and Development Standards Compliance

Title 22 of the County Code does not explicitly specify 'WTF' as a use. The use most consistent with a WTF specified in the County Code is 'radio or television stations and towers.' Pursuant to Section 22.24.150 of the County Code, development of radio and television stations and towers is a permitted use of property in Zone A-2, provided that a CUP is first obtained.

In addition, the project complies with applicable development standards of Subdivision & Zoning Policy No. 01-2010 (Wireless Telecommunications Facilities) for ground-mounted WTFs not located on a public right-of-way by not exceeding the maximum permitted height of 75 feet. The WTF is 55 feet tall with faux pine branches for camouflage.

#### Site Visit

Staff scheduled a site visit for March 31, 2015.

#### 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.

*That the requested use at the location will not:*

1. *Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or*
2. *Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or*
3. *Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.*

- The proposed WTF will improve cellular telephone service, enhancing safety and standard usage in the area. This facility will be required to operate within the regulations of the FCC and State Public Utilities Commission which are designed to protect the health and welfare of the general public. The addition of the facility to the surrounding network of wireless facilities will improve signal coverage and cellphone reliability in the area which will result in fewer dropped calls and

reliable communications in times of emergency. As an unmanned WTF, it will not generate additional traffic, noise, pollutants or otherwise adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. As a stealth design facility which mimics a live pine tree, it is designed to blend in with the surrounding environment, particularly the live pines trees to the north of the property, which will further ensure that it will not be materially detrimental to the use, enjoyment of the valuation of property of other persons located in the vicinity of the site.

*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 location of the proposed facility is on a property which has extensive pine tree vegetation to the north of the property. The installation of a monopine structure will mimic the existing pine trees in the immediate area, minimizing the facility's visual impact. The equipment will be housed in a tan aggregate finish concrete shelter located inside a CMU wall which is consistent in size with the various other small buildings and equipment sheds on the site. The proposed CMU wall will have a small planter on the street side which will have landscape screen shrubbery plantings to further hide it from public view. There is enough parking onsite to accommodate the maintenance visits, approximately once per month.

*That the proposed site is adequately served:*

1. *By highways or streets of sufficient width, and improve 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 is served by a fully improved private street, 11<sup>th</sup> Street West, which is sufficient in meeting the minimal traffic needs of the project. The proposed site is adequately served by highways or street of sufficient width and improved as necessary to carry the kind of traffic such use will generate. The facility requires a new electric utility service and telephone service from the local service providers. Both of which currently serve the project site and surrounding properties.

#### Neighborhood Impact/Land Use Compatibility

The existing WTF design is appropriate for the site and area. The WTF is located on a parcel with an existing water storage facility. It will be disguised as a pine tree and there are other similar trees in the same vicinity of the WTF. The real trees allow for the monopine WTF to blend in with the surrounding environment. There are residential homes located adjacent to the parcel with the WTF. The Department of Public Health reviewed the project for noise impacts to the neighboring residences and did not find any concerns. The applicant presented the project to the Quartz Hill Town Council on

February 17, 2015. The applicant reported back that the town council was very receptive to the project.

The WTF will not be detrimental to the surrounding community. A WTF provides valuable telecommunications infrastructure to the community and is consistent with the established use and zoning requirements for the subject property. The ability to make emergency calls is important in any environment. The additional coverage will be beneficial for the public and emergency personnel, such as the Fire and Sheriff's Departments.

### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

#### **Department of Public Health**

Public Health recommends approval of the CUP. Public Health reviewed the project prior to the public hearing for noise impacts and did not have any special conditions to be added. Public Health requested that the applicant adhere to the approved Exhibit "A".

### **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 at this time.

### **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 R2014-01094-(5), Conditional Use Permit Number 201400094, subject to the attached conditions.

### **SUGGESTED APPROVAL MOTION:**

**I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.**

**I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NUMBER 201400094 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

**PROJECT NO. R2014-01094-(5)**  
**CONDITIONAL USE PERMIT NO. 201400049**

**STAFF ANALYSIS**  
**PAGE 5 OF 5**

Prepared by Iris Chi, Planner, Zoning Permits North Section  
Reviewed by Paul McCarthy, Supervising Regional Planner, Zoning Permits North  
Section

**Attachments:**

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

PMC:IC  
3/24/15

**DRAFT FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-01094-(5)  
CONDITIONAL USE PERMIT NO. 201400049**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400120("CUP") on April 7, 2015.
2. The permittee, Verizon Wireless ("permittee"), requests the CUP to authorize the construction, operation and maintenance of a new unmanned wireless telecommunications facility (WTF) ("Project") on a property located at Assessor's Parcel Number 3005-010-027 in the unincorporated community of Antelope Valley ("Project Site") in the A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area) zone pursuant to Los Angeles County Code ("County Code") section 22.24.150.
3. The Project Site is 1.61 gross acres in size and consists of one legal lot. The Project Site is rectangular in shape with flat topography and is developed with a water storage facility.
4. The Project Site is located at 40317 11<sup>th</sup> Street West in the North Palmdale Zoned District and is currently zoned A-2-2.
5. The Project Site is located within the N1 – Non-Urban 1 land use category of the Antelope Valley Area Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
  - North: A-2-2
  - South: A-2-2
  - East: City of Palmdale
  - West: A-2-2
7. Surrounding land uses within a 500-foot radius include:
  - North: Single-family residences, vacant parcels
  - South: Single-family residences, vacant parcels
  - East: Single-family residences, vacant parcels
  - West: Single-family residences, vacant parcels
8. The site plan for the Project depicts a new WTF disguised as a 55 foot monopine with a 196 square foot equipment shelter with a 918 square foot lease area. The Project is also proposing an emergency generator for the WTF. The WTF will be located on the northeastern portion of the parcel. The rest of the parcel is a water storage facility. There will be a six foot CMU wall along the perimeter of the lease area.

9. The Project Site is accessible via 11<sup>th</sup> Street West to the west. Primary access to the Project Site will be via an entrance/exit on 11<sup>th</sup> Street West.
10. County Department of Public Health recommends approval of the CUP. Public Health reviewed the project prior to the public hearing for noise impacts and did not have any special conditions to be added. Public Health requested that the applicant adhere to the approved Exhibit "A".
11. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 3, New Construction or Conversion of Small Structures, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the construction of a new WTF.
12. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
13. Prior to the Hearing Officer's public hearing, the Department of Regional Planning ("Regional Planning") staff did not receive received any comments regarding the Project.
14. *To be inserted after the public hearing to reflect hearing proceedings.*
15. The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan and the Antelope Valley Area Plan. The project site is located within the N1 – Non-Urban 1 land use category of the Antelope Valley Area Plan. This designation is intended for residential uses in rural areas. The proposed WTF is consistent with the land use designation since the existing use established is a water storage facility. The proposed project is consistent with the permitted uses of the underlying land use category.
16. The Hearing Officer finds that The Hearing Officer finds that the Project is consistent with the surrounding area in the unincorporated community of Antelope Valley. The existing WTF design is appropriate for the site and area. The WTF is located on a parcel with an existing water storage facility. It will be disguised as a pine tree and there are other similar trees in the same vicinity of the WTF. The real trees allow for the monopine WTF to blend in with the surrounding environment. There are residential homes located adjacent to the parcel with the WTF. The Department of Public Health reviewed the project for noise impacts to the neighboring residences and did not find any concerns. The applicant presented the project to the Quartz Hill Town Council on February 17, 2015. The applicant reported back that the town council was very receptive to the project.

The WTF will not be detrimental to the surrounding community. A WTF provides valuable telecommunications infrastructure to the community and is consistent with

the established use and zoning requirements for the subject property. The ability to make emergency calls is important in any environment. The additional coverage will be beneficial for the public and emergency personnel, such as the Fire and Sheriff's Departments.

17. The Hearing Officer finds that the Project is consistent with the development standards of the A-2 zone, as set forth in section 22.24.110. Title 22 of the County Code does not explicitly specify 'WTF' as a use. The use most consistent with a WTF specified in the County Code is 'radio or television stations and towers.' Pursuant to Section 22.24.150 of the County Code, development of radio and television stations and towers is a permitted use of property in Zone A-2, provided that a CUP is first obtained.

In addition, the project complies with applicable development standards of Subdivision & Zoning Policy No. 01-2010 (Wireless Telecommunications Facilities) for ground-mounted WTFs not located on a public right-of-way by not exceeding the maximum permitted height of 75 feet. The WTF is 55 feet tall with faux pine branches for camouflage.

18. The Hearing Officer finds that the requested use at the location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The proposed WTF will improve cellular telephone service, enhancing safety and standard usage in the area. This facility will be required to operate within the regulations of the FCC and State Public Utilities Commission which are designed to protect the health and welfare of the general public. The addition of the facility to the surrounding network of wireless facilities will improve signal coverage and cellphone reliability in the area which will result in fewer dropped calls and reliable communications in times of emergency. As an unmanned WTF, it will not generate additional traffic, noise, pollutants or otherwise adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. As a stealth design facility which mimics a live pine tree, it is designed to blend in with the surrounding environment, particularly the live pines trees to the north of the property, which will further ensure that it will not be materially detrimental to the use, enjoyment of the valuation of property of other persons located in the vicinity of the site.
19. The Hearing Officer finds 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 location of the proposed facility is on a property which has extensive pine tree vegetation to the north of the property. The installation of a monopine structure will mimic the existing pine trees in the immediate area, minimizing the facility's visual impact. The equipment will be housed in a tan aggregate finish concrete shelter located inside a CMU wall which is consistent in size with the various other small

buildings and equipment sheds on the site. The proposed CMU wall will have a small planter on the street side which will have landscape screen shrubbery plantings to further hide it from public view. There is enough parking onsite to accommodate the maintenance visits, approximately once per month.

20. The Hearing Officer finds 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. The project is served by a fully improved private street, 11<sup>th</sup> Street West, which is sufficient in meeting the minimal traffic needs of the project. The proposed site is adequately served by highways or street of sufficient width and improved as necessary to carry the kind of traffic such use will generate. The facility requires a new electric utility service and telephone service from the local service providers. Both of which currently serve the project site and surrounding properties.
21. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to fifteen (15) years.
22. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of Antelope Valley community. On February 24, 2015, a total of 47 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 7 notices to those on the courtesy mailing list for the North Palmdale Zoned District and to any additional interested parties.
23. 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 North Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site 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.

- C. 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.
- D. 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 HEARING OFFICER:**

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 21000 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
2. Approves Conditional Use Permit Number 201400094, subject to the attached conditions.

**ACTION DATE: April 7, 2015**

PMC:IC  
3/26/15

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-01094-(5)  
CONDITIONAL USE PERMIT NO. 201400049**

**PROJECT DESCRIPTION**

The project is for the construction, operation and maintenance of a new unmanned wireless telecommunications facility (WTF) that will be disguised as a 55 foot monopine with appurtenant equipment is 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 reasonably 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 reasonably 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.
8. **This grant shall terminate on April 7, 2030.** 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 User 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.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. 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.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated 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.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. 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").
15. 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.
16. 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.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" 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 by **June 7, 2015**.
18. 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 substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### **PROJECT SITE SPECIFIC CONDITIONS**

19. This grant shall authorize the construction, operation and maintenance of a wireless telecommunications facility disguised as a monopine.

#### **PERMIT SPECIFIC CONDITIONS**

20. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
21. Upon completion of construction of the facility, the permittee shall 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.
22. 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.
23. 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.

24. 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.
25. If any external lighting is proposed, including security lighting, it 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.
26. Construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday because the subject property is adjacent to residences. Emergency repairs of the facility may occur at any time.
27. 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.
28. 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.
29. The maximum height of the facility shall not exceed 55 feet.
30. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
31. 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.
32. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired 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.
33. 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.

34. 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.
35. 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.
36. Upon termination of this grant, if 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.
37. New equipment added to the facility shall not compromise the stealth design of the facility.
38. Antennas shall be painted or covered to match their background (branches or trunk). The antennas shall not extend beyond the monotree branches or fronds. There shall be ample branch coverage to hide the antennas from view as effectively as possible. Faux bark cladding shall be provided from the ground to five feet beyond where the faux branches begin; above the faux bark shall be flat non-reflective brown paint to match the bark.

## Burden of Proof Statement

Verizon Wireless "Avenue O" Communications Facility  
40317 11<sup>th</sup> Street W  
Palmdale, CA 93551

### Response A

The requested use of the location is project site is located within the A-2 Heavy Agricultural land use category of the Countywide General Plan. The proposed wireless telecommunications facility will improve cellular telephone service, enhancing safety and standard usage in the area. This facility will be required to operate within the regulations of the FCC and State Public Utilities Commission which are designed to protect the health and welfare of the general public. The addition of the facility to the surrounding network of wireless facilities will improve signal coverage and cellphone reliability in the area which will result in fewer dropped calls and reliable communications in times of emergency, enhancing public safety. As an unmanned wireless facility, it will not generate additional traffic, noise, pollutants or otherwise adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. As a stealth design facility which mimics a live pine tree, it is designed to blend in with the surrounding environment, particularly the live pine trees to the north of the property, which will further ensure that it will not be materially detrimental to the use, enjoyment of valuation of property of other persons located in the vicinity of the site. Lastly, there is no aspect of this proposed use the will jeopardize, endanger nor otherwise constitute a menace to the public, safety or general welfare.

### Response B

The Countywide General Plan (Policy 7, Page III-12) calls for the assurance that the proposed facility will be compatible with the natural and manmade environment by implementing appropriate locational controls and high quality design standards. The location of the proposed facility is on a property which has extensive pine tree vegetation to the north of the property. The installation of a monopine structure will mimic the existing pine trees in the immediate area, minimizing the facility's visual impact. The equipment will be housed in a tan aggregate finish concrete shelter located inside a CMU wall which is consistent in size with the various other small buildings and equipment sheds on the site. The proposed CMU wall will have a small planter on the street side which will have landscape screening shrubbery plantings to further hide it from public view. The placement of the facility on the property adjacent to

existing live pine trees aids in ensuring the development is compatible with the natural environment and the design and colors of the equipment compound is compatible with similar structures in the area and is of high quality, durable construction.

Wireless telecommunications facilities are not a specified use in the Title 22 of the Los Angeles County Code (Zoning Code). However, wireless telecommunications facilities are comparable to radio towers which are a recognized use in the Zoning Code. Radio towers are permitted in the Zone A-2 as per Section 22-24-15 subject to the issuance of a conditional use permit pursuant to the provisions of Part 1 of Chapter 22.24.150.

Guidelines for the development of wireless telecommunications facilities are provided in the Subdivision and Zoning Ordinance Policy No.1-2010 memo, dated July 26, 2010. The memo specifies that ground mounted wireless facilities, not located in a public right-of-way, shall not exceed the maximum height allowed in the applicable zone, up to a maximum of 75 feet. The height of the proposed monopine is 50'; therefore, it is within the required height limit.

For uses where the parking requirements are not specified in the Zoning Code, Section 22.52.1220 authorizes the director to impose an amount of parking spaces that he finds adequate to prevent traffic congestion and excessive on-street parking. The proposed wireless telecommunications facility will be unmanned and will require periodic maintenance visits, approximately once per month. There is adequate space on the subject property for onsite parking.

In light of these factors, this parcel is of adequate size and shape to accommodate the development features prescribed in Title 22 or as otherwise required to integrate this use with the uses in the surrounding area.

## Response C

This is an unmanned wireless telecommunications facility. The proposed project is served by a fully improved private street, 11<sup>th</sup> Street West, which is sufficient in meeting the minimal traffic needs of the proposed project; therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind of traffic such use would generate.

The facility requires a new electric utility service and telephone service from the local service provider, both of which currently serve the project site and surrounding properties; therefore, the project site is adequately served by other public or private service facilities as are required.

## Summary

Based upon the above factors, Verizon respectfully requests that the project, as proposed, be approved for development.



**CYNTHIA A. HARDING, M.P.H.**  
Interim Director

**JEFFREY D. GUNZENHAUSER, M.D., M.P.H.**  
Interim Health Officer

**ANGELO J. BELLOMO, REHS, QEP**  
Director of Environmental Health

**TERRI S. WILLIAMS, REHS**  
Assistant Director of Environmental Health

5050 Commerce Drive  
Baldwin Park, California 91708  
TEL (626) 430-5100 • FAX (626) 813-3000

[www.publichealth.lacounty.gov](http://www.publichealth.lacounty.gov)

**BOARD OF SUPERVISORS**

Hilda Solis  
First District

Mark Ridley-Thomas  
Second District

Shella Kuehl  
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Don Knabe  
Fourth District

Michael D. Antonovich  
Fifth District

December 18, 2014

**TO:** Iris Chi  
Regional Planning Assistant II  
Department of Regional Planning

**FROM:** Michelle Tsiebos, REHS, DPA *M.T.*  
Environmental Health Division  
Department of Public Health

**SUBJECT: CUP CONSULTATION  
PROJECT NO. R2014-01094/ CUP201400049  
Verizon Wireless "Avenue O"  
40317 11<sup>th</sup> Street W, Palmdale**

- Public Health recommends approval of this CUP.
- Public Health does **NOT** recommend approval of this CUP.

The Department of Public Health – Environmental Health Division has reviewed the CUP request for the above referenced project. The CUP is for the installation and operation of an unmanned Wireless Telecommunication Facility; specifically the installation of 12 panel antennas on three arrays on a new monopine, plus equipment shelter, three GPS antennas, utility cabinets and fixed emergency generator mounted inside a CMU enclosure. The Department recommends approval of the CUP.

**Toxics-Epidemiology Program**

Staff from Toxics Epidemiology Program reviewed the documents and plans provided by the applicant of the subject property located at the above location. Based on the submitted plans, equipment specifications, and proximity to sensitive land use, we do not have any special conditions regarding noise impacts on residential land use. However, the applicant shall adhere to the plans submitted for review and to the Los Angeles County noise control ordinance Title 12, section 12.08.

If you have questions regarding the above section, please contact Robert Vasquez or Evenor Masis of the Toxics-Epidemiology Program at (213)738-3220 or at [rvasquez@ph.lacounty.gov](mailto:rvasquez@ph.lacounty.gov) and [emasis@ph.lacounty.gov](mailto:emasis@ph.lacounty.gov).

For any other questions regarding this report, please feel free to contact me at (626) 430-5382 or at [mtsiebos@ph.lacounty.gov](mailto:mtsiebos@ph.lacounty.gov).

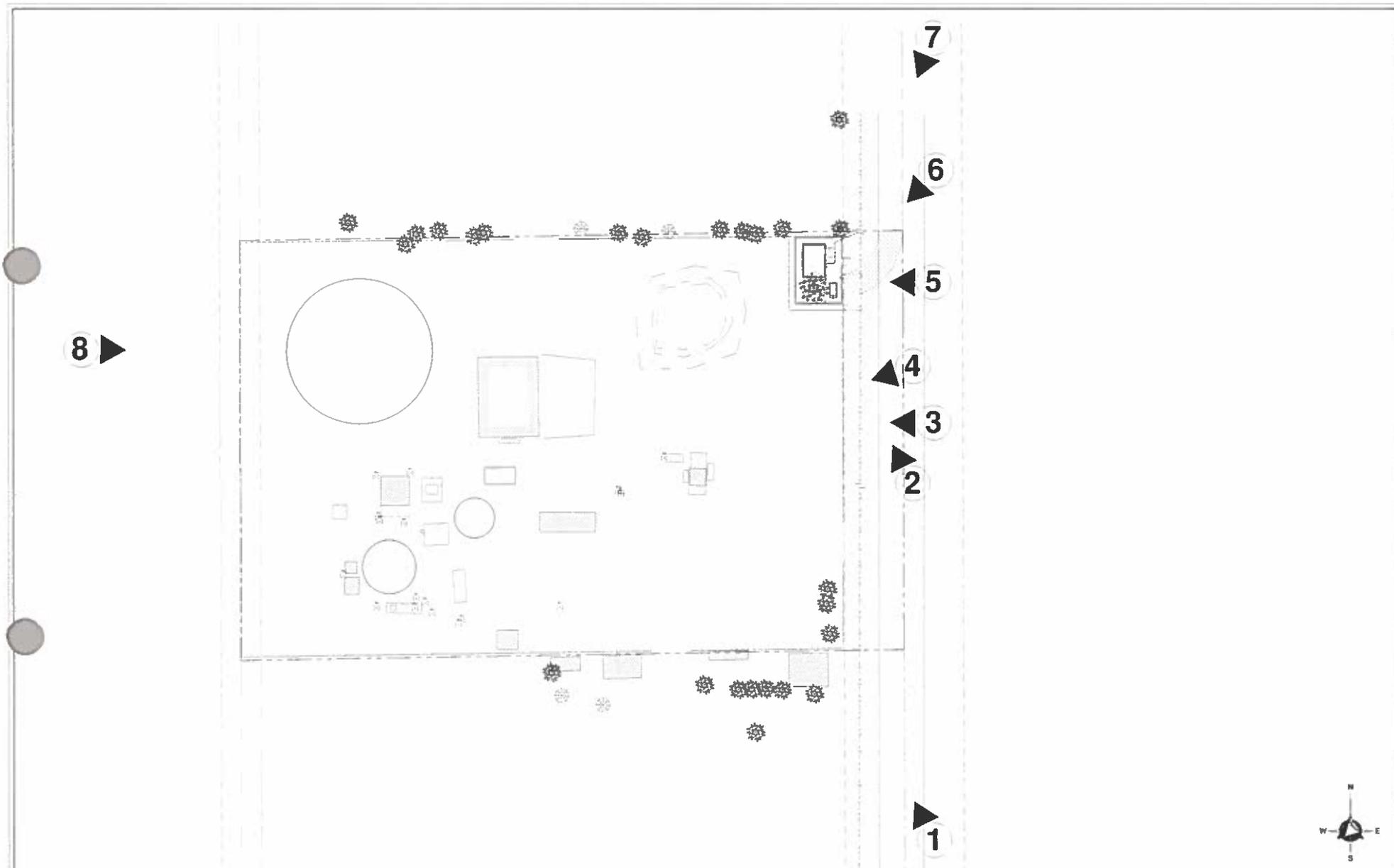


PHOTO-KEY

SCALE ACCURATE AT 54°20' FULL SIZE SHOWN

SCALE 1"=50'

PROPERTY LINE







PLEASE  
PROTECT  
PROPERTY  
NO TRESPASSING  
NO LOITERING  
NO VEHICLES  
NO DRUGS  
NO ALCOHOL  
NO WEAPONS  
NO FIREARMS  
NO GUNS  
NO BOWS  
NO ARCS  
NO SLINGS  
NO STUN BATONS  
NO TASERS  
NO MACE  
NO PEPPER  
NO MACE  
NO PEPPER  
NO MACE  
NO PEPPER









6

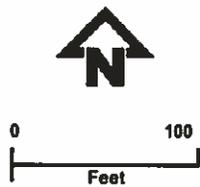






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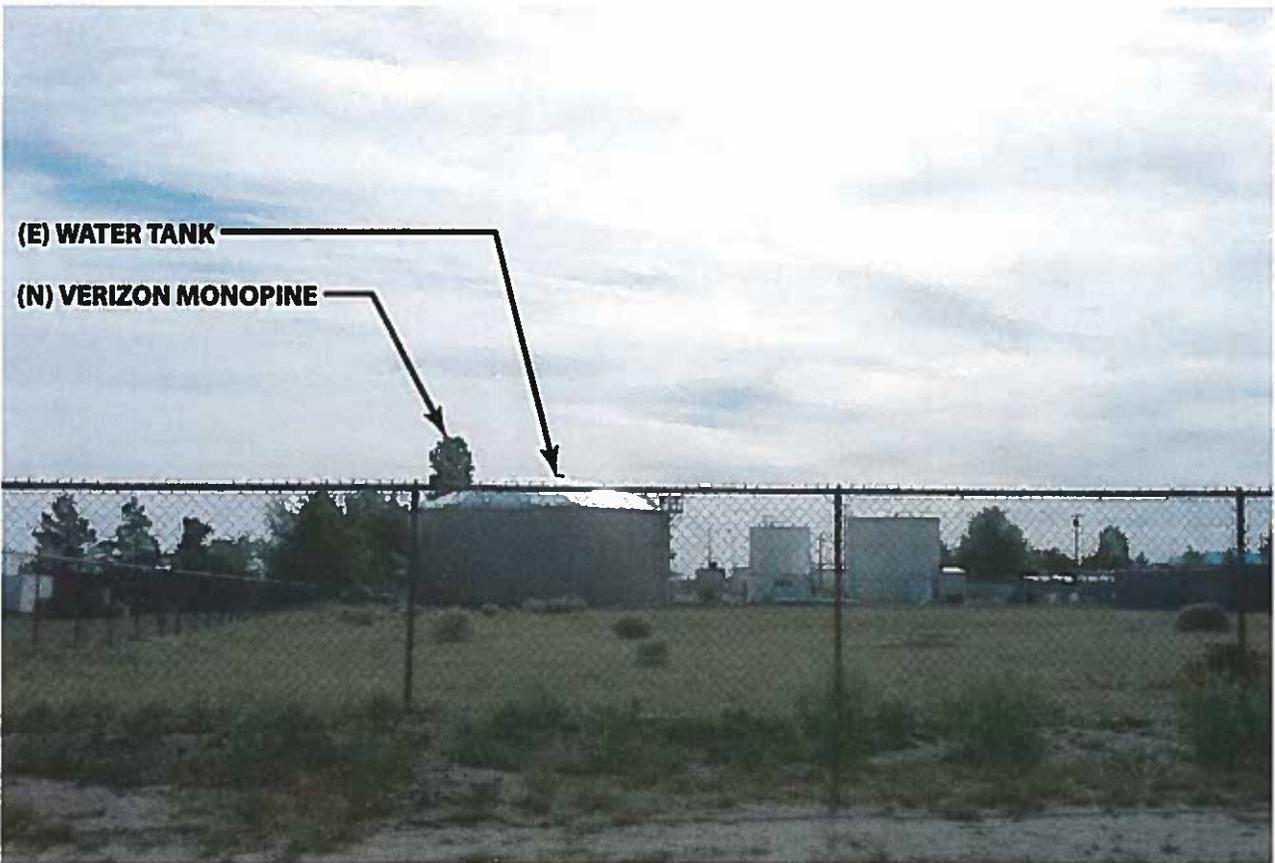


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EXISTING VIEW LOOKING EAST FROM 12TH ST. W



PROPOSED VIEW LOOKING EAST FROM 12TH ST. W

**VERIZON  
WIRELESS**

15505 SAND  
CANYON AVE  
IRVINE, CA 92618

**AVENUE O**

40317 11TH ST. W  
PALMDALE, CA  
93551

04.13.14  
REV 1

**PHOTOSIM**



EXISTING VIEW LOOKING NORTH FROM 11TH ST. W

**VERIZON WIRELESS**

15505 SAND CANYON AVE  
IRVINE, CA 92618

**AVENUE O**

40317 11TH ST. W  
PALMDALE, CA  
93551



PROPOSED VIEW LOOKING NORTH FROM 11TH ST. W

04.13.14  
REV 1

**PHOTOSIM**



EXISTING VIEW LOOKING NORTHWEST FROM 11TH ST. W



PROPOSED VIEW LOOKING NORTHWEST FROM 11TH ST. W

**VERIZON  
WIRELESS**

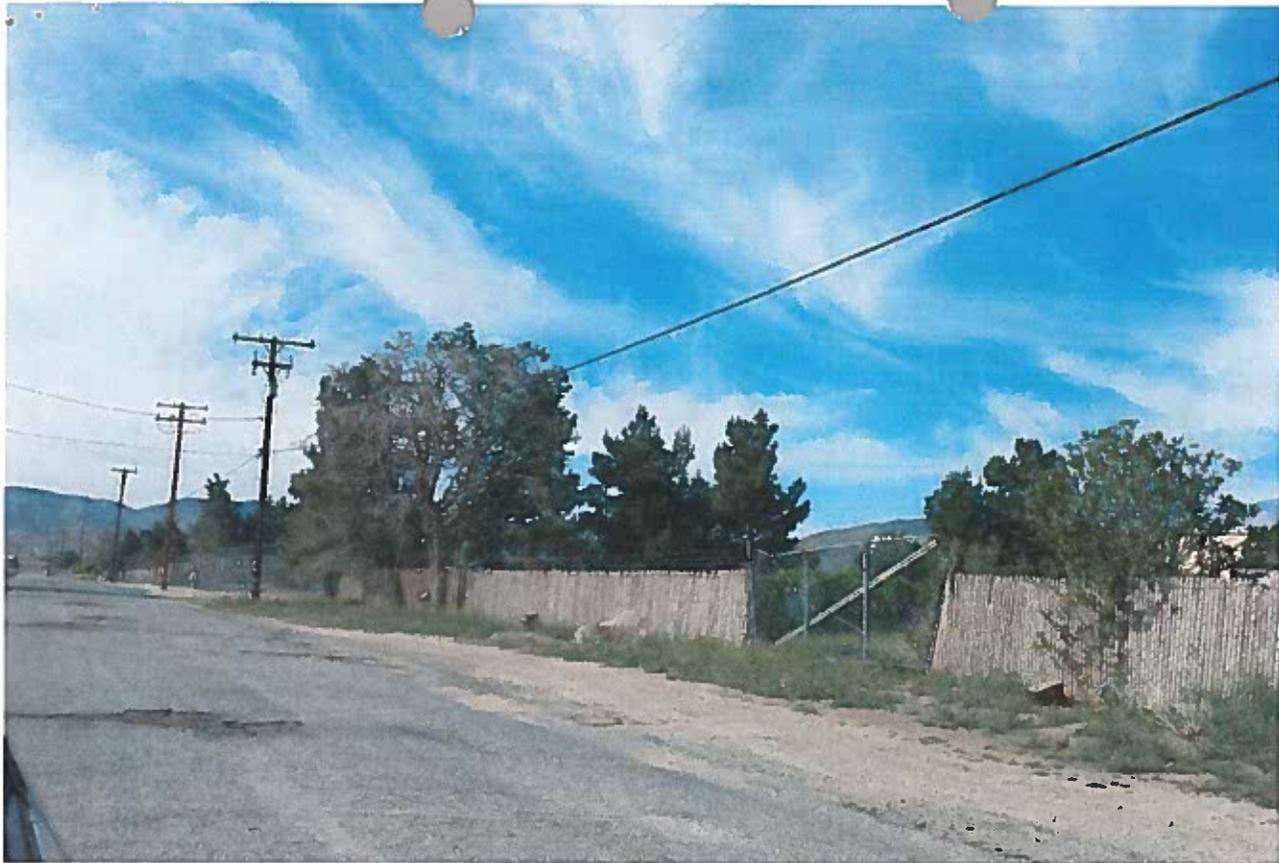
15505 SAND  
CANYON AVE  
IRVINE, CA 92618

**AVENUE O**

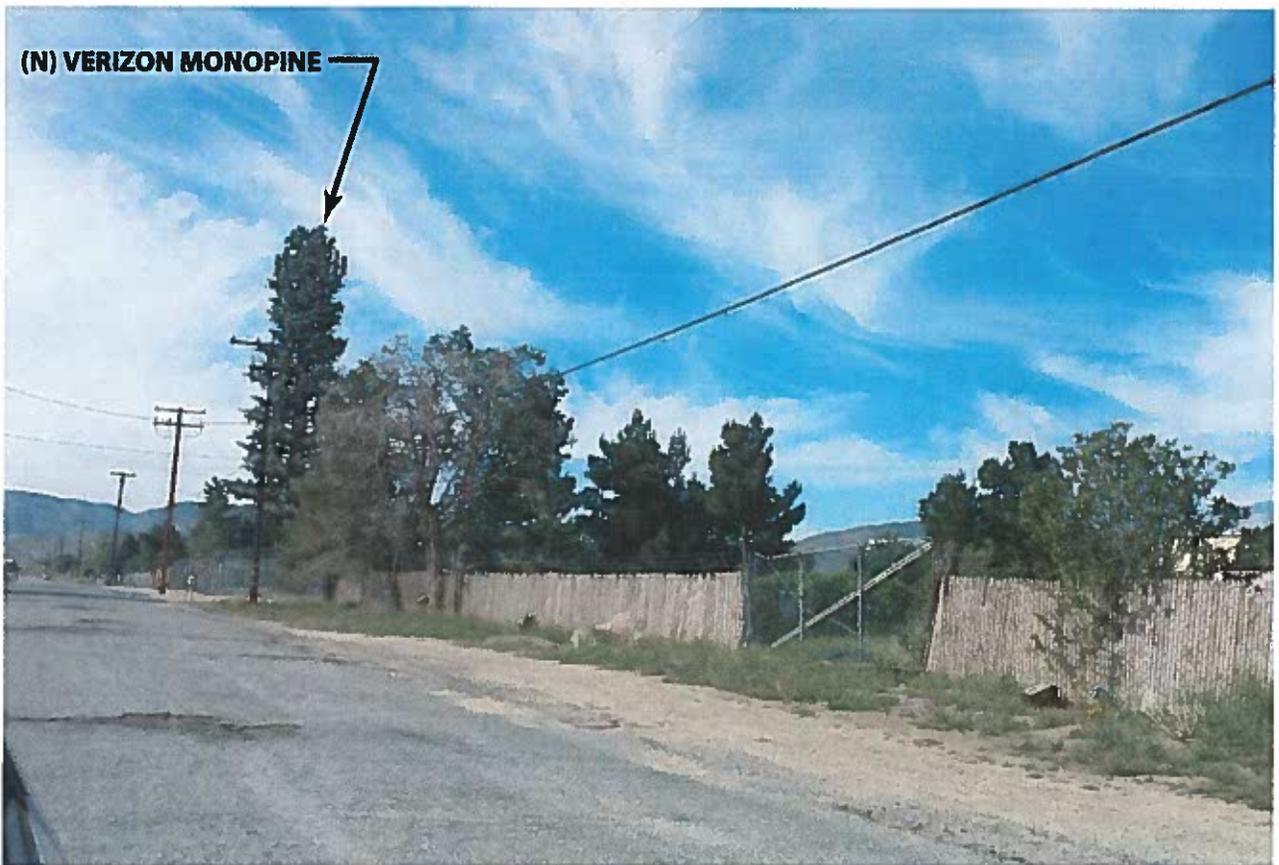
40317 11TH ST. W  
PALMDALE, CA  
93551

04.13.14  
REV 1

**PHOTOSIM**



EXISTING VIEW LOOKING SOUTHWEST FROM 11TH ST. W



PROPOSED VIEW LOOKING SOUTHWEST FROM 11TH ST. W

**VERIZON  
WIRELESS**

15505 SAND  
CANYON AVE  
IRVINE, CA 92618

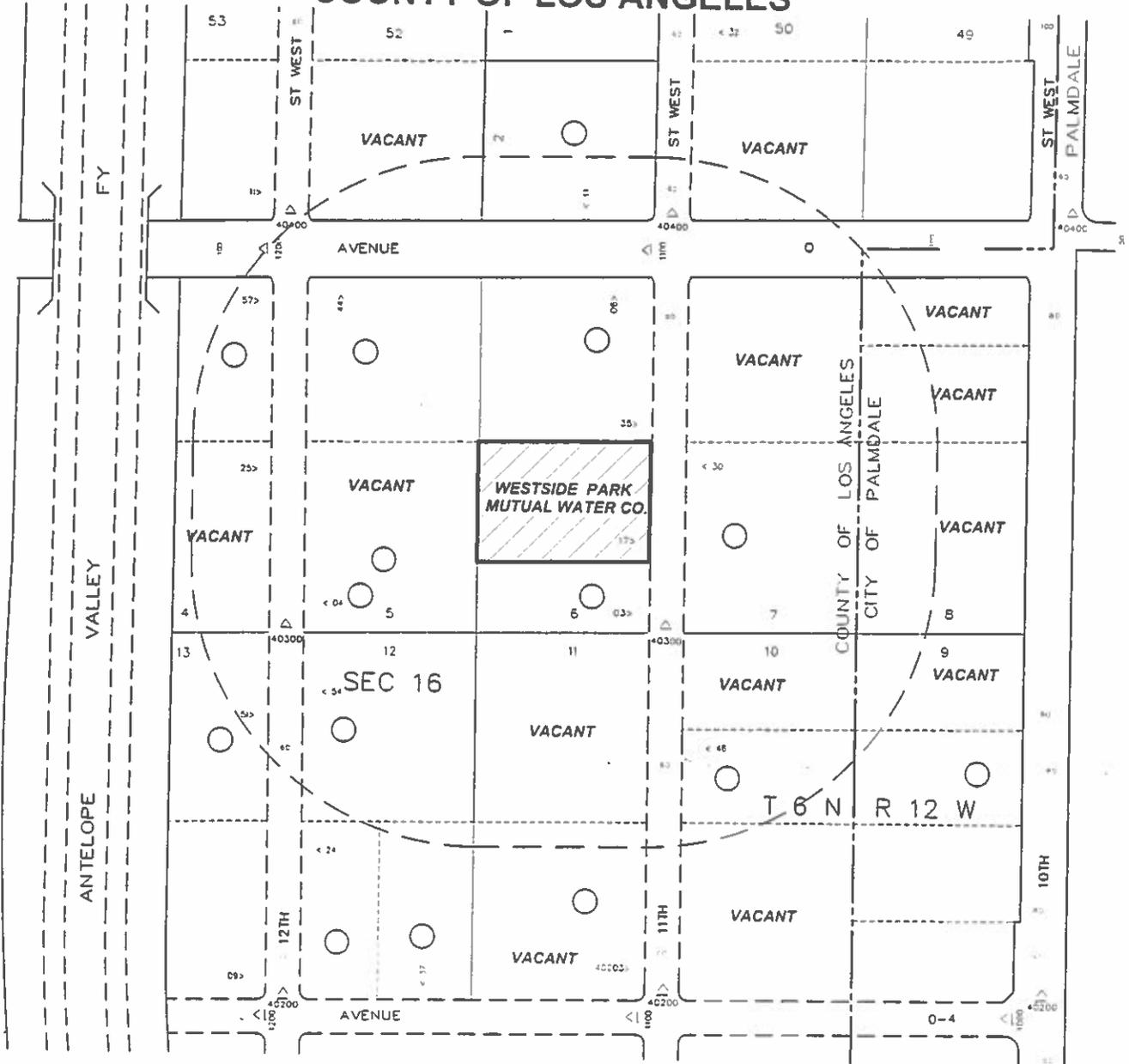
**AVENUE O**

40317 11TH ST. W  
PALMDALE, CA  
93551

04.13.14  
REV 1

**PHOTOSIM**

# COUNTY OF LOS ANGELES



**500' RADIUS MAP**

**GC MAPPING SERVICE, INC.**  
 3055 WEST VALLEY BOULEVARD  
 ALHAMBRA CA 91803  
 (626) 441-1080 FAX (626) 441-8850

**LEGEND**

- SINGLE FAMILY RESIDENCE
- ALL OTHER USES AS SHOWN

**CASE NO.**

DATE 04-16-2014  
 SCALE 1" = 100'

**LAND USE MAP**

