

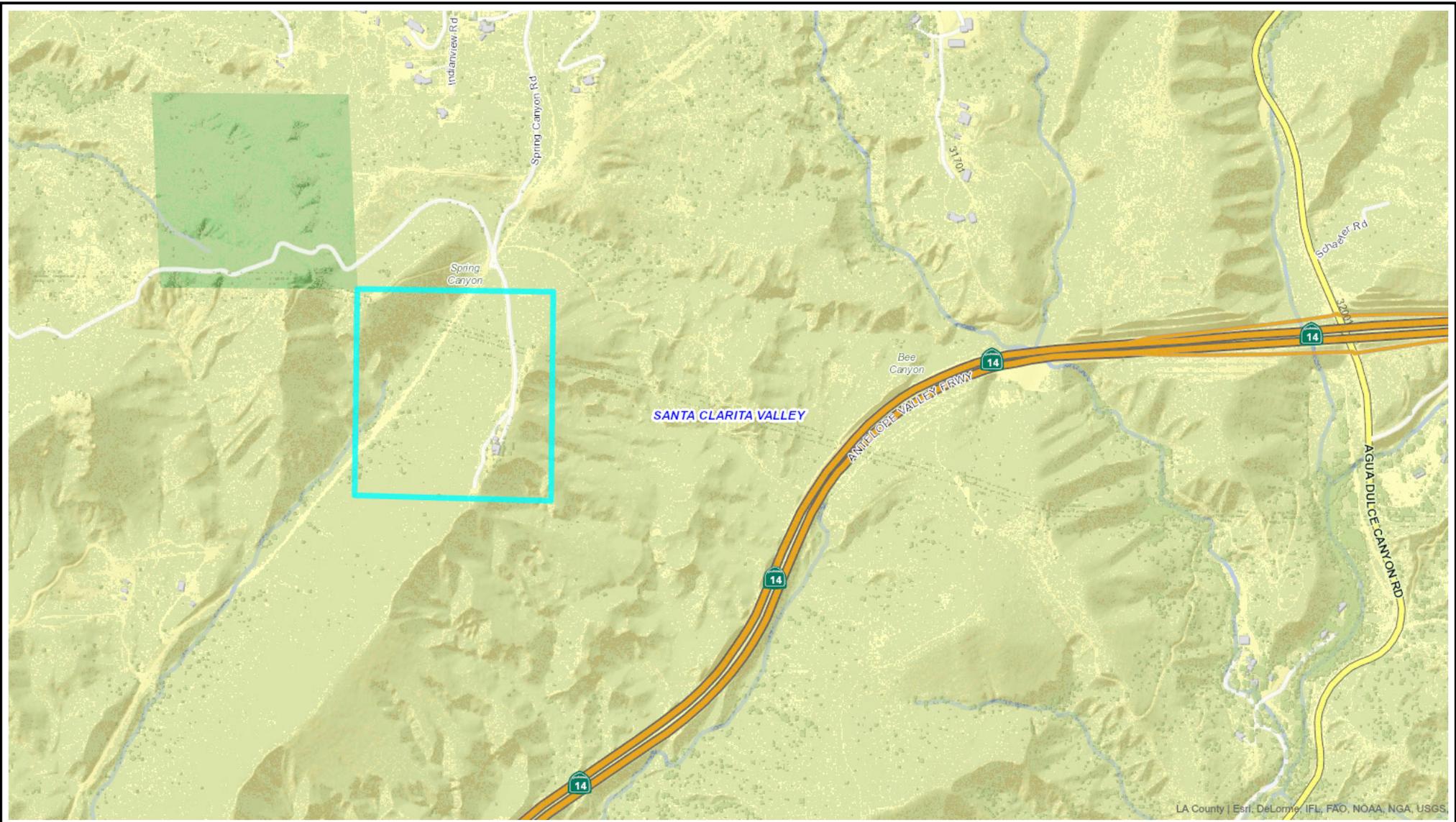
# Hearing Officer Transmittal Checklist

Hearing Date  
07/21/2015  
Agenda Item No.  
6

Project Number: R2014-01506-(5)  
Case(s): Conditional Use Permit Case No. 201400060  
Environmental Assessment Case No. 201400119  
Planner: Thuy Hua

- 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

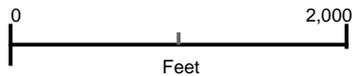
Reviewed By:  \_\_\_\_\_



**Project No. R2014-01506 / CUP 201400060**

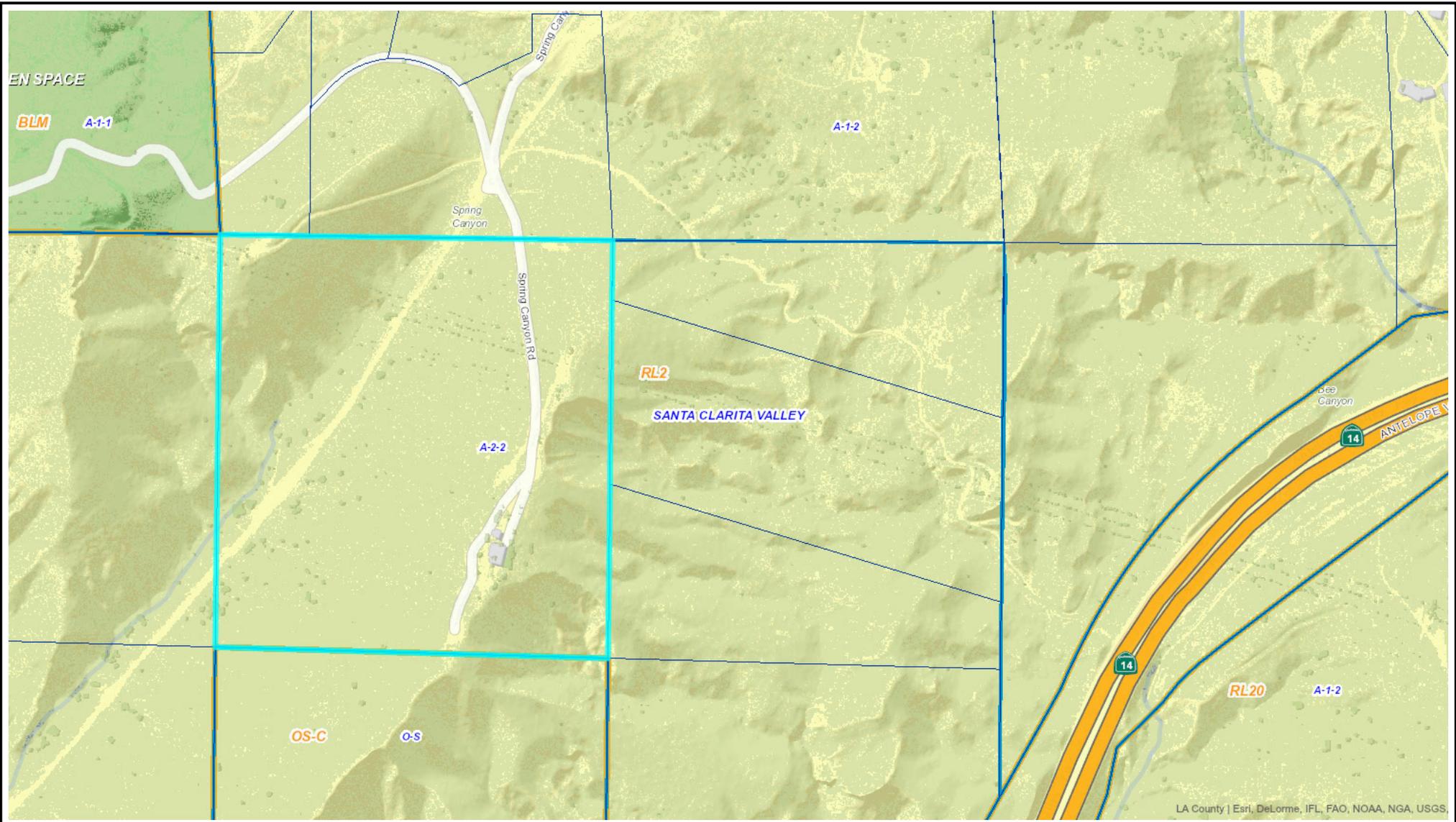
## Location Map

Printed: Jul 06, 2015



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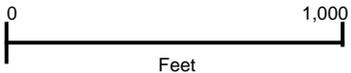


LA County | Esri, DeLorme, IFL, FAO, NOAA, NGA, USGS.

**Project No. R2014-01506 / CUP 201400060**

# Land Use & Zoning Map

Printed: Jul 06, 2015



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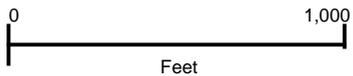




**Project No. R2014-01506 / CUP 201400060**

## **Aerial Map**

Printed: Jul 06, 2015



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

**PROJECT NUMBER**

R2014-01506-(5)

**HEARING DATE**

July 21, 2015

**REQUESTED ENTITLEMENTS**

Conditional Use Permit No. 201400060  
 Environmental Assessment No. 201400119

# PROJECT SUMMARY

**OWNER / APPLICANT**

Crown Castle

**MAP/EXHIBIT DATE**

May 13, 2015

**PROJECT OVERVIEW**

The applicant is requesting a conditional use permit to authorize the continued operation and maintenance of an existing unmanned wireless telecommunications facility. The project consists of two (2) wooden monopoles - the first pole mounted with two panel antennas and the second mounted with one (1) microwave dish, one (1) GPS antenna, and two (2) antenna pipe mounts. Additional appurtenant equipment include an equipment cabinet, meter pedestal, base transceiver station cabinet, power protection cabinet, and water tank. Previously approved through Project No. 96067 / Conditional Use Permit No. 200700006.

**LOCATION**

31650 Spring Canyon Rd

**ACCESS**

Spring Canyon Rd

**ASSESSORS PARCEL NUMBER(S)**

3211-016-039

**SITE AREA**

40.36 Gross Acres

**GENERAL PLAN / LOCAL PLAN**

Santa Clarita Valley Area Plan

**ZONED DISTRICT**

Soledad

**LAND USE DESIGNATION**

RL2 (Rural Land 2)

**ZONE**

A-2-2 (Heavy Agricultural with Two Acre Minimum Lot Required Area)

**PROPOSED UNITS**

N/A

**MAX DENSITY/UNITS**

N/A

**COMMUNITY STANDARDS DISTRICT**

N/A

**ENVIRONMENTAL DETERMINATION (CEQA)**

Categorical Exemption – Class 1: Existing Facilities

**KEY ISSUES**

- Consistency with the Santa Clarita 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:**

Thuy Hua

**PHONE NUMBER:**

(213) 974 - 6443

**E-MAIL ADDRESS:**

thua@planning.lacounty.gov

**ENTITLEMENT REQUESTED**

- Conditional Use Permit (“CUP”) for the continued operation and maintenance of an existing unmanned wireless telecommunications facility (“WTF”) in the A-2-2 (Heavy Agricultural – Two Acre Minimum Lot Required Area) Zone pursuant to Los Angeles County (“County”) Code Section 22.24.150.

**PROJECT DESCRIPTION**

The applicant, Crown Castle, is requesting a CUP to authorize the continued operation and maintenance of an existing unmanned WTF located in the A-2-2 Zone. The WTF consists of two (2) 20-foot wooden monopoles - the first pole is mounted with two panel antennas and the second mounted with one (1) microwave dish, one (1) GPS antenna, and two (2) antenna pipe mounts. The poles and associated equipment cabinets are all located within a 324-square foot leasehold area surrounded by a 6-foot high chain link fence for security purposes. Previously approved CUP 200700006 will expire on September 16, 2018.

**SITE PLAN DESCRIPTION**

The subject property is 40.36 acres in size located at 31650 Spring Canyon Road (APN 3211-016-039), approximately 0.4 miles west of the Antelope Valley Freeway. Spring Canyon Road which is a dirt road that dead ends on the property. The site is largely undeveloped except for the existing single-family residence, the subject WTF, and four leasehold areas by other wireless carriers located in the southeast quadrant of the parcel. The WTF is located 190 feet south of the single-family residence.

**EXISTING ZONING**

The subject property is zoned A-2-2.

Surrounding properties are zoned as follows:

North: A-1-2 (Light Agricultural – Two Acre Minimum Lot Required Area), A-1-1 (Light Agricultural – One Acre Minimum Lot Required Area)

South: O-S (Open Space), A-2-2

East: A-2-2

West: A-2-2

**EXISTING LAND USES**

The subject property is located at 31650 Spring Canyon Road (APN 3211-016-039) and developed with one single-family residence and five WTF facilities.

Surrounding properties are developed as follows:

North: Vacant

South: Vacant

East: Vacant

West: Vacant

**PREVIOUS CASES/ZONING HISTORY**

The following permits exist for this project on this property:

| CASE NUMBER   | PROJECT DETAIL  |
|---|---|
| CP 96067  | Authorized construction, operation, and maintenance of the unmanned WTF. Approved June 13, 1996.  |
| RCUP 200700006  | Renewal of CP 96067. *Proposed replacement of existing two wooden utility poles with one steel utility pole. Approved September 16, 2008. |
| <i>* After the permit was granted, the two wooden utility poles were not replaced and remained as constructed under CP 96067.</i> |   |

**ENVIRONMENTAL DETERMINATION**

Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project is exempt and is not an exception to the exemption since it is not located within 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 Rural Land 2 (RL2) land use category of the Santa Clarita Valley Area Plan (Area Plan). This designation provides for the maintenance and expansion of rural communities in the planning area that are distinguished by large lot sizes (generally two acres or greater), agricultural and equestrian uses, and an absence of urban services. Allowable uses in this designation include single-family homes at a maximum density of 1 dwelling unit per 2 acres, agriculture, equestrian uses, private recreation, and public and institutional facilities serving the local area. Specific allowable uses and development standards are determined by the underlying zoning designation.

The WTF is an existing use located at the end of a dirt road on a property developed with a single-family residence. Given its location on a large parcel and undeveloped areas surrounding the property, it is minimally intrusive to the use or expansion of the primary residential and surrounding uses. The project is therefore consistent with the permitted uses of the underlying land use category.

The following policy of the General Plan is applicable to the project:

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

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

The following policy of the Area Plan is applicable to the project:

- *Area Plan, Policy LU-4.4.1: Promote extension of state of the art communication facilities to serve commercial and industrial areas, including fiber optic cable, telecommunication facilities, and other technology as deemed appropriate.*

The WTF increases the telecommunication facilities within the area. This particular site will continue to provide the coverage necessary to provide safe and reliable wireless service to those traveling on the Antelope Valley Freeway and residents of the community of Agua Dulce. The exclusion of this site would significantly reduce the coverage needs for the users of this carrier.

#### 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 and 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 the A-2-2 Zone, provided that a CUP is first obtained. There is no expansion of the WTF proposed and the use continues to meet the development standards for the zone which consists of a minimum lot size of two acres, minimum front yard depth of 20 feet, minimum side yard depth of five feet, and minimum rear yard depth of 15 feet. The continuation of the WTF within the leasehold area does not impact the ability of the existing single-family residence to remain in compliance with the development standards of the A-2-2 Zone pursuant to Section 22.24.170. A dedicated parking space is not required for the WTF since it requires only periodic maintenance. During periods of required maintenance, such vehicles are able to park on the dirt road since it is a dead end and the road is not traveled by commuters as a through-street. Immediately adjacent to the equipment area is a large dirt and gravel parking area with enough area to accommodate multiple vehicles.

#### Wireless Telecommunication Facilities Standards

The existing ground-mounted WTF is 20 feet tall and is within the 75-foot height limit as prescribed by the Subdivision and Zoning Ordinance Policy No. 01-2010. The design of the WTF minimizes its visual impact by screening the fence enclosure from the nearest adjacent roadway and Antelope Valley Freeway with tall bushes and shrubs. The design of the existing poles is slight in mass and is only visible from the adjacent residence and essentially not visible from the Antelope Valley Freeway due to the significant distance from the freeway along with the rolling topography of the area and adjacent large bushes and shrubs. The predominant vertical features in the immediate area are the existing transmission poles of similar size and design, to which the

project's poles closely match and are compatible with. The WTF is screened and is similar with existing vertical features and as such meets the requirements for ground-mounted WTFs per the Subdivision and Zoning Ordinance Policy No. 01-2010.

#### 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.

#### Neighborhood Impact/Land Use Compatibility

The WTF design is appropriate for the site and area. There is a major transmission corridor that runs along the northern boundary of the subject property. The WTF is of a similar infrastructure design and does not extend beyond the 75-foot height limit as prescribed by Subdivision and Zoning Ordinance Policy No. 01-2010. The color of the wooden poles matches the surrounding vegetation and helps it blend into the environment when viewed from a distance.

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.

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

Per the Departmental consultation procedures, the renewal of this specific use did not require consultations with the other County departments.

### **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 R2014-01506-(5), Conditional Use Permit Number 201400060, subject to the attached findings and conditions.

**SUGGESTED APPROVAL MOTION**

**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 201400060 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

Prepared by Thuy Hua, Senior Planner, Zoning Permits North Section  
Reviewed by Robert Glaser, Acting Supervising Regional Planner, Zoning Permits North 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

RG:TH  
7/7/15

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-01506-(5)  
CONDITIONAL USE PERMIT NO. 201400060**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400060 ("CUP") on July 21, 2015.
2. The permittee, Crown Castle ("permittee"), requests the CUP to authorize the continued operation and maintenance of an existing unmanned wireless telecommunications facility ("Project") on a property located at 31650 Spring Canyon Road (APN 3211-016-039) in the unincorporated community of Santa Clarita ("Project Site").
3. The CUP is a request to authorize the continued operation and maintenance of an existing unmanned WTF located in the A-2-2 Zone. The WTF consists of two (2) 20-foot wooden monopoles - the first pole is mounted with two panel antennas and the second mounted with one (1) microwave dish, one (1) GPS antenna, and two (2) antenna pipe mounts. The poles and associated equipment cabinets are all located within a 324-square foot leasehold area surrounded by a 6-foot high chain link fence for security purposes. Previously approved CUP 200700006 will expire on September 16, 2018.
4. The Project Site is 40.36 gross acres in size and consists of one legal lot. The Project Site is square in shape and is developed with an existing single-family residence and five wireless telecommunication facilities in the southeast quadrant of the parcel. Two major utility easement corridors run through the parcel.
5. The Project Site is located in the Soledad Zoned District and is currently zoned A-2-2 (Heavy Agricultural – Two Acre Minimum Lot Required Area).
6. The Project Site is located within the RL2 (Rural Land 2) land use category of the Santa Clarita Valley Area Plan Land Use Policy Map.
7. Surrounding Zoning within a 500-foot radius includes:
  - North: A-1-2 (Light Agricultural – Two Acre Minimum Lot Required Area), A-1-1 (Light Agricultural – One Acre Minimum Lot Required Area)
  - South: O-S (Open Space), A-2-2
  - East: A-2-2
  - West: A-2-2
8. Surrounding land uses within a 500-foot radius include:
  - North: Vacant
  - South: Vacant

East: Vacant  
West: Vacant

9. The following permits have been granted for this Project on this property:

| CASE NUMBER    | PROJECT DETAIL   |
|----------------|--|
| CP 96067       | Authorized construction, operation, and maintenance of the unmanned WTF. Approved June 13, 1996.   |
| RCUP 200700006 | Renewal of CP 96067. Proposed replacement of existing two wooden utility poles with one steel utility pole. Approved September 16, 2008. |

10. The site plan for the Project depicts one single-family residence and five wireless telecommunication facility leasehold areas in the southeast quadrant of the 40.36 acre parcel. The existing Project is located 190 feet south of the single-family residence. Spring Canyon Road, a dirt road, runs north-south and dead ends on the property.
11. The Project Site is accessible via Spring Canyon Road which enters the property from the northern boundary of the parcel.
12. The Project requires only periodic maintenance and the maintenance vehicle can use the large dirt and gravel area immediately that accommodates multiple vehicles adjacent to the equipment area. No additional parking is required to be provided.
13. Prior to the Hearing Officer's public hearing on the Project, the Department of Regional Planning Staff ("Staff") determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code Section 2100, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the continued operation and maintenance of a wireless telecommunication facility, with negligible or no expansion of the use beyond that which was previously existing.
14. 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 hearing by mail, newspaper, and property posting.
15. Prior to the Hearing Officer's public hearing, Staff did not receive any comments from the public regarding the Project.
16. **[Hearing Proceedings]**
17. The Hearing Officer finds that the Project is consistent with the goals and policies of the Santa Clarita Valley Area Plan. The project site is located within the Rural Land 2 (RL2) land use category of the Santa Clarita Valley Area Plan. This designation

provides for the maintenance and expansion of rural communities in the planning area that are distinguished by large lot sizes (generally two acres or greater), agricultural and equestrian uses, and an absence of urban services. Allowable uses in this designation include single-family homes at a maximum density of 1 dwelling unit per 2 acres, agriculture, equestrian uses, private recreation, and public and institutional facilities serving the local area. Specific allowable uses and development standards are determined by the underlying zoning designation. The project is therefore consistent with the permitted uses of the underlying land use category.

18. The Hearing Officer finds that the Project is consistent with the County Code. A wireless telecommunications facility is a use not specified in the County Code. The closest described uses are radio and television towers. Section 22.24.150 of the County Code permits these uses in the A-2 zone, provided a conditional use permit has first been obtained.
19. The Hearing Officer finds that the Project has been in operation for 19 years without any zoning violations. It provides critical wireless communications service for travelers along a rural portion of the Antelope Valley Freeway as well as the southern portions of the community of Agua Dulce. The design of the facility utilizes 20-foot tall wooden utility poles with shrubs planted adjacent to the facility, making it hardly visible from the Antelope Valley Freeway. The Project Site is largely undeveloped with only the single-family residence onsite along with the other four wireless telecommunication facilities. The surrounding properties are undeveloped open space areas with single-family residences more than 500 feet from the perimeter of the Project Site. The WTF will be unmanned, so it will have no impact on traffic or have any adverse impact on adjacent land uses. Therefore, the requested use at the proposed 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.
20. The Hearing Officer finds that there is no proposed expansion of the wireless telecommunication facility and the use continues to meet the development standards for the zone which consists of a minimum lot size of two acres, minimum front yard depth of 20 feet, minimum side yard depth of five feet, and minimum rear yard depth of 15 feet. The continuation of the wireless telecommunication facility within the leasehold area does not impact the ability of the existing single-family residence to remain in compliance with the development standards of the A-2-2 Zone pursuant to Section 22.24.170. A dedicated parking space is not required for the WTF since it requires only periodic maintenance. During periods of required maintenance, such vehicles are able to park on the dirt road since it is a dead end and the road is not traveled by commuters as a through-street. Immediately adjacent to the equipment area is a large dirt and gravel parking area with enough area to accommodate multiple vehicles. 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 Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

21. The Hearing Officer finds that the wireless telecommunication facility is an existing use with no proposed expansion and does not require any new public infrastructure to operate or maintain. Access to the Project Site is via Spring Canyon Road on private property with an adequate parking area to accommodate multiple vehicles. The operating characteristics of the wireless telecommunication facility are that it is unmanned and will not generate additional traffic. 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 that such use would generate, and by other public or private service facilities as are required.
22. 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 to eighteen (18) years.
23. 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 the Department of Regional Planning's website and at the Acton Agua Dulce Library. On June 1, 2015, a total of 32 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.
24. The location of the documents and other materials constituting the record of the proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> 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 Santa Clarita Valley Area Plan and Countywide 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 15303 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit 201400060, subject to the attached conditions.

**ACTION DATE: July 21, 2015**

RG:TH  
7/8/15

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-01506-(5)  
CONDITIONAL USE PERMIT NO. 201400060**

**PROJECT DESCRIPTION**

The project is a request to authorize the continued operation and maintenance of an existing unmanned wireless telecommunications facility (“WTF”) located at 31650 Spring Canyon Road (APN 3211-016-039). The WTF consists of two (2) 20-foot wooden monopoles – the first pole is mounted with two panel antennas and the second mounted with on (1) microwave dish, one (1) GPS antenna, and two (2) antenna pipe mounts. The poles and associated equipment cabinets are all located within a 324-square foot leasehold area surrounded by a 6-foot high chain link fence for security purposes. This grant 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 July 21, 2033.** 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.
9. This grant shall expire unless used by **October 19, 2015**, which is 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 telecommunication facility and satisfaction of Condition No. 2 shall be considered use of this grant.

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 ("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 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 by **September 21, 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.

#### PERMIT SPECIFIC CONDITIONS

19. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
20. 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.
21. 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.
22. Any proposed WTF that will be co-locating on the 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.

23. All structures shall conform to the requirements of the Department of Public Works Division of Building and Safety or other appropriate agency.
24. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences and open space. 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.
25. Placement and height of all pole pointed equipment shall be in substantial conformance with that shown on said Exhibit "A." The facility shall remain essentially as depicted in the photographs presented at the public hearing.
26. The maximum height of the WTF shall not exceed 20 feet above finished grade.
27. Appurtenant equipment boxes shall be screened or camouflaged.
28. 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.
29. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles.
30. 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.
31. 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.
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 thirty (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 thirty (30) days of notice.
33. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.

34. 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.
35. Upon termination of this grant or after the facility has ceased to operate, the permittee shall remove such facility and clear the site of all equipment within six months of the cease-of-operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility. Failure to remove such facility as required herein shall constitute a public nuisance and be subject to appropriate enforcement actions by the Zoning Enforcement Section of Regional Planning and any other government agency. In the event the facility is not so removed within ninety (90) days after the permittee's receipt of notice requiring removal, the County may itself cause the facility to be removed at the permittee's expense.

7/8/15



Los Angeles County  
Department of Regional Planning  
320 W. Temple Street Los Angeles, CA 90012

Re: **Conditional Use Permit (Renewal) of “Conditional Use Permit 96-067 (5)” - “Burden of Proof” and “Project Narrative”**

This correspondence serves as the formal “Burden of Proof” and “Project Narrative” statements that together with the application and attached support documents will provide all the information/background and analysis required for authorizing a Conditional Use Permit under the provisions of Policy No. 01-2010 (*Wireless Telecommunications Guidelines*) and pursuant to Zoning Code Section 22.56.090.

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***Burden of Proof***

The following recitals present each code section requirement followed by a narrative that substantiates compliance.

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

***Compliance Statement(s)***

The existing wireless telecommunications facility has been in operation for approximately seventeen (17) years. This wireless facility is currently a single-carrier facility (T-Mobile) and provides critical wireless communications services for travelers along a rural portion of Highway 14 which serves as the primary route between Interstate 5, west of this facility, Santa Clarita, and the high desert communities of Lancaster and Palmdale to the northeast. This facility also provides critical wireless communications for the southern portions of the small rural community of Agua Dulce northeast of the subject site.

The predominant topography/geography of the subject property (*40 acre parcel*) and surrounding areas is best described as rolling hills with chaparral type vegetation consisting of small bush and ground cover with limited areas of small trees/taller bush-shrubs. There is one (1) single family residence (primary residence of property owner) which is adjacent to the site approximately 200’ north. Although this facility primarily serves travelers along Hwy 14, this facility is hardly visible from Hwy 14 as a result of the design of the facility at only 20’ in height, the significant distance away from Hwy 14 (approximately 2,200 feet to Hwy 14 via google earth), the larger shrubs planted adjacent to the facility, and the topography in proximity to this facility.

The subject property is predominately vacant with a residence/landowner and accessory structures adjacent to the subject facility. This residence is the only other habitable structure within reasonable proximity to the subject facility and it is approximately 200 feet to the north.

The properties to the north, west and south of the subject facility are predominately undisturbed, undeveloped, open space areas with very limited small scale residential development. The predominate character of the surrounding built environment is dominated by adjacent transmission poles that provide the same type of wireless transmission as the subject facility to the area. These structures are similar in height and design to the subject facility.

Due to the factors stipulated above concerning the character of the land use environment on the subject property as well as surrounding areas and the fact that there are no sensitive residential neighborhoods in proximity, and that the facility is consistent with the other transmission poles in proximity, and it is essentially not visible from Highway 14, the following statements can be made in the affirmative:

- This existing facility has not nor will not result in any adverse effect on the health, peace, comfort or welfare of persons residing or working in the surrounding area;
  - In fact this facility serves to support critical communications for travelers along Highway 14 and the surrounding communities in the event of any disaster, manmade or otherwise. It is important to note that this facility can receive and transmit potentially lifesaving communications in case of emergencies in that this facility maintains backup generator power.
- This existing facility has not nor will not in any way be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site;
  - In fact this facility supports the use and enjoyment of the surrounding rural and recreational areas as it provides critical communications with little impacts as this site is strategically designed to blend in with the visual character of the area and is located so that it is only visible for a short stretch of dirt road close to Spring Canyon Rd, and since there is only one residence and are few if any surrounding residences in proximity, none closer than 1000 feet.
- The facility as it exists in no way jeopardizes, endangers or otherwise constitutes a menace to the public health, safety or general welfare;
  - In fact because this facility is compatible with the surrounding environment as it is designed as a fairly low profile facility and has tall bushes in proximity and is located adjacent to only one residence but is not located in proximity to a high concentration of residential developments or other sensitive land uses, and serves to support better public health, safety and general welfare in that it provides critical communications support that will be available in the event of manmade or natural disasters this use enhances the public's health, safety and general welfare.

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"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.”

***Compliance Statement(s)***

The existing wireless telecommunications facility is located on a parcel that is approximately 40 acres in size. The subject facilities are set back more than 200 feet from the only residence. The equipment area (*equipment cabinets, backup generator, electric meters, telephone equipment*) is all located at the base of the monopoles within a secured 324 square foot (18' x 18') area surrounded by a 6 foot tall fence that is screened from the nearest adjacent roadway, and Highway 14 with tall bushes/shrubs. Access to the facility is provided via a short dirt/gravel driveway directly from Spring Canyon Rd. approximately 200 feet to the north. Immediately adjacent to the equipment area is a large dirt/gravel parking area with enough area to accommodate multiple vehicles.

The zoning of the subject parcel is A-2-2 (*Heavy Agricultural-minimum lot size <sup>two</sup> ~~one~~ acre*). The setbacks are pursuant to the properties as set within the R-1 zoning and are 20' for the front yard, 5' for the side yard, and 15' for the rear yard. All setback requirements are easily met by the subject facility.

As was previously discussed the design of the existing poles are slight in mass and are only visible from the adjacent residence and essentially not visible from Highway 14 due to the significant distance from Highway 14 along with the rolling topography of the area and adjacent large bushes/shrubs. Also due to the habitat in the area, consisting predominately of ground cover and small bush, any other design would create a much larger visual impact as it would be more massive and bulky and could serve to draw more attention to the facility. Again the predominate vertical features in the immediate area are the existing transmission poles of similar size and design, to which the subject poles closely matches and are compatible with.

Concerning height, at 20', this facility is able to accommodate multiple carries from this single location. Also due to the surrounding topography, which consists of rolling hills that are fairly severe in elevation changes, in order to provide maximum coverage particularly to the south and northeast to connect with facilities along Highway 14 and adequately cover the Santa Clarita area, the existing height is adequate. It is also important to note that the design and height of this facility serves to reduce the need for any other future additional wireless facilities as this site can accommodate additional facilities with only minor changes in its height.

This facility is located within the Santa Clarita Valley Area-wide Plan with a designation as Hillside Management. Pursuant to the Hillside Management designation the subject property has a residential land use designation of "Rural Land 2" (~~NU4 Non-Urban~~) with a density of one (1) dwelling unit per two (2) acres. While there are no specific polices related to the use of unmanned wireless telecommunication facilities in the Area Plan, the Summary of Needs section within the Land Use Policy section (*Policy 13*) reads as follows:

“13. Provide for the orderly phasing of infrastructure and public improvements to meet the needs of residents and business as development occurs and require new development to provide services needed to support growth.”

The subject land use significantly supports most of the specific services identified as required for ensuring this policy statement is met. It's also important to note that as designed, this facility is expandable as future needs dictate.

Finally with respect to General Plan compatibility it's important to note that the subject facility is located within the Santa Clara River Significant Ecological Area (SEA).

Due to the factors stipulated above concerning the compatibility of the existing facilities with the character of the land use environment on the subject property as well as its compliance with applicable zoning and general plan regulations/policies cited, the following statement can be made in the affirmative:

- 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.

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"C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required."

#### ***Compliance Statement(s)***

The existing wireless telecommunications facility has been in operation for approximately seventeen (17) years. There is little or no regular traffic generated by this land use/facility as it is an "unmanned" wireless telecommunication facility. There are maintenance trips to the subject facility at a rate of approximately 1-2 per 4 month period. There is ample area to park immediately outside the fenced lease area on dirt/gravel at the end of the approximately 200 foot driveway from the existing residence to the subject facility.

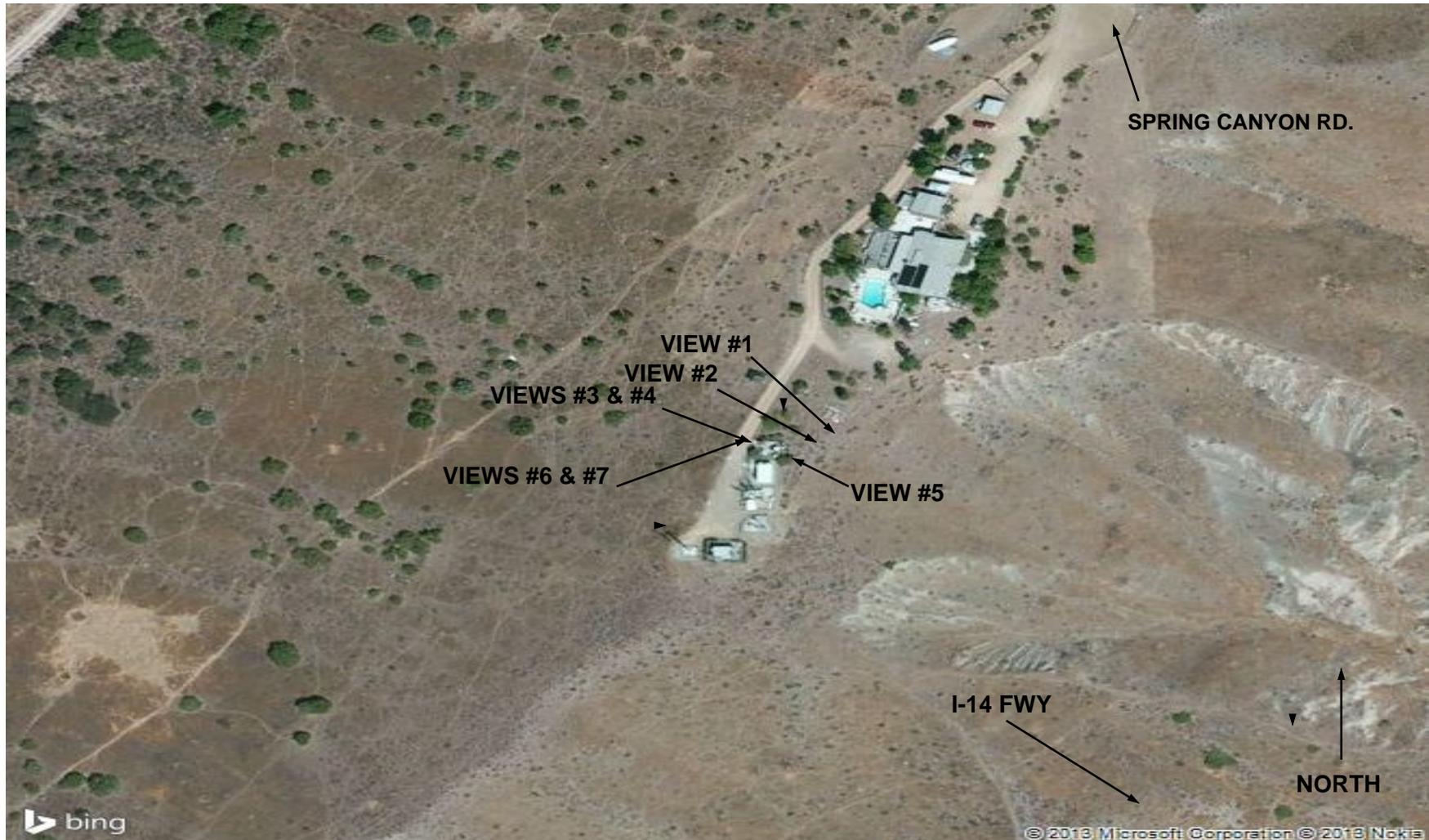
Concerning the use of public services, again since this facility is an "unmanned" facility on private land there is rarely if ever a need for public safety related service. It is important to note and recognize as has been pointed out previously herein the critical support these facilities provide in terms of emergency services in the way of communications in the event of natural and/or manmade disasters. This facility also has backup power equipment to ensure communications are available in the event of any future power outages.

Due to the factors stipulated above concerning traffic generation, or the lack thereof in this case, and the significant and critical role these facilities play in terms of communications support of public safety services the following statement can be made in the affirmative:

- 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.

# Print Photographs with Photo-key

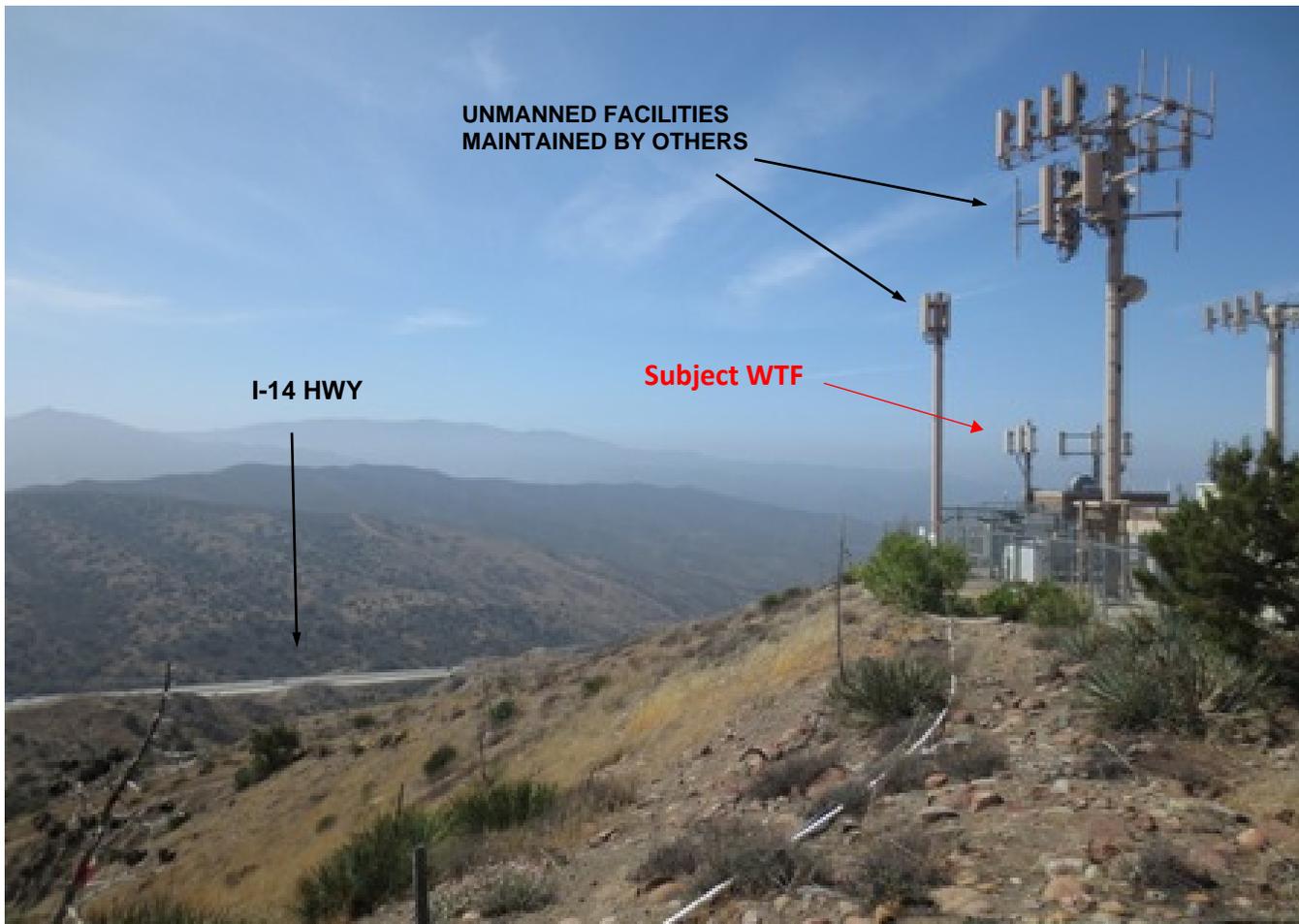
|                          |   |                             |   |
|--------------------------|---|-----------------------------|---|
| <b>Project Location:</b> | 31650 Spring Canyon Rd.<br>Santa Clarita, CA 91350<br>APN: 3211-016-039 | <b>Project Description:</b> | This application is for the purpose of renewing the existing Conditional Use Permit Case No. 96-067(5) for the continued operation and maintenance (with no changes proposed) of an unmanned Wireless Telecommunications Facility consisting of two (2) 20' wooden monopoles and associated equipment both located within a +/- 324 S.F. leasehold area adjacent to other existing WTF's on private property zoned A-2-1. |
|--------------------------|---|-----------------------------|---|





## View 1

Off-Site View looking  
Southeast from Dirt  
Access Road towards  
HWY 14



## View 2

Off-Site View looking South from Dirt Access Road towards Existing WTF's with HWY 14 Beyond



### **View 3**

**On-Site View of the  
Subject Facility Looking  
East from the Dirt Road**



**View 4**

**On-Site View (Closer) of the Subject Facility Looking East from the Dirt Road**



## **View 5**

On-Site View of the  
Subject Facility Looking  
Northwest.



## View 6

On-Site View of  
Northwestern 20'  
Wooden Monopole.



## **View 7**

On-Site View of  
Northwestern 20'  
Wooden Monopole.









