

Hearing Officer Transmittal Checklist

Hearing Date
10/21/2014
Agenda Item No.
6

Project Number: R2014-01651-(4)
Case(s): Conditional Use Permit Case No. 201400067
Environmental Assessment Case No. 201400129
Planner: Kristina Kulczycki

- 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
- Photo Simulations
- Coverage Maps

Reviewed By: 



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

PROJECT NUMBER
 R2014-01651-(4)

HEARING DATE
 October 21, 2014

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201400067
 Environmental Assessment No. 201400129

PROJECT SUMMARY

OWNER / APPLICANT

AT&T Mobility

MAP/EXHIBIT DATE

8/4/14

PROJECT OVERVIEW

The applicant is requesting a Conditional Use Permit (CUP) for the construction, operation, and maintenance of a new roof-mounted wireless telecommunications facility (WTF). The proposed WTF consists of 12 panel antennas on an existing two-story commercial building, with associated equipment. The antennas will be attached in three sectors near the rooflines of the southern and eastern building facades. The equipment is proposed within a 147-square-foot lease space on a rooftop platform.

LOCATION

18253 Colima Road, Rowland Heights

ACCESS

Colima Road and Fullerton Road

ASSESSORS PARCEL NUMBER(S)

8270-006-037 and 8270-006-039

SITE AREA

0.55 Acres

GENERAL PLAN / LOCAL PLAN

Rowland Heights Community Plan

ZONED DISTRICT

Puente

LAND USE DESIGNATION

C - Commercial

ZONE

C-1 (Restricted Business)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

Rowland Heights

ENVIRONMENTAL DETERMINATION (CEQA)

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

KEY ISSUES

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

CASE PLANNER:

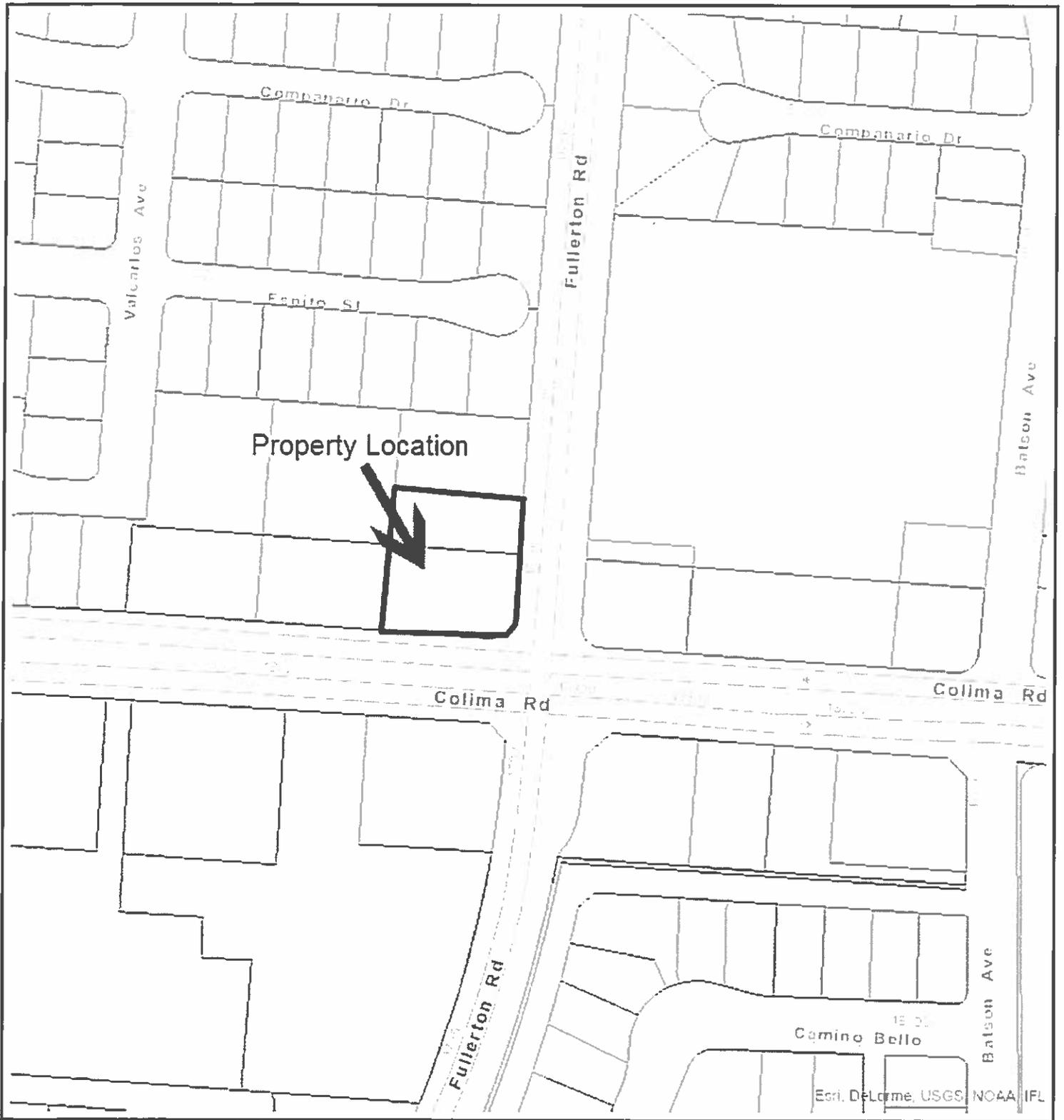
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RCUP 201400067

R2014-01651-(4)

Printed: Jun 24, 2014



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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) for the construction, operation, and maintenance of a new roof-mounted wireless telecommunications facility (WTF) with appurtenant equipment in the C-1 (Restricted Business) zone pursuant to County Code section 22.28.110.

PROJECT DESCRIPTION

The applicant is requesting a CUP to construct a WTF on the roof of an existing two-story commercial building. The proposed antennas will be divided into three sectors and will be positioned near the building rooflines adjacent to the southern and eastern building facades. The antennas and equipment will be screened behind 10-foot high walls and all the WTF-related equipment will be located within a 147-square foot lease space in the northwestern corner of the building roof.

EXISTING ZONING

The subject property is zoned C-1 (Restricted Business) in the Puente Zoned District and is located within the Rowland Heights Community Standards District.

Surrounding properties are zoned as follows:

- North: C-1, A-1-6000 (Light Agricultural – 6,000 Square Feet Minimum Required Lot Area), and P-R (Parking Restricted)
South: C-2-BE (Neighborhood Business – Billboard Exclusion), C-3-BE (Unlimited Commercial – Billboard Exclusion), and R-3-30U (Limited Multiple Residence – 30 Dwelling Units Maximum)
East: C-1, C-2-BE, and P-R
West: C-1, A-1-6000, and P-R

EXISTING LAND USES

The subject property is developed with a two-story building containing offices on the second floor and commercial retail uses on the first floor. There is an underground parking lot below the retail floor level and an on-grade parking lot to the east of the building.

Surrounding properties are developed as follows:

- North: Single-family residences, a restaurant and a commercial center
South: Condominiums, a commercial center, offices, retail, and multi-family residences
East: Offices, a restaurant, and commercial businesses
West: Single-family residences, commercial, and a restaurant

PREVIOUS CASES/ZONING HISTORY

Ordinance No. 8781 was adopted by the Board of Supervisors on February 9, 1965 and established the C-1 zone on the subject property.

Certificate of Compliance No. 200400086 was recorded on the property on January 7, 2005.

Site Plan Review No. 200400220 was approved by the Director on March 28, 2005 for the construction of a two-story commercial building with surface and underground parking.

Site Plan Review No. 200701139 was approved by the Director on October 22, 2007 and superseded Site Plan Review No. 200400220. This approval was for the construction of a 15,806-square-foot building with surface and underground parking.

Site Plan Review No. 200700888 was approved by the Director on November 29, 2007 and established a sign program for the commercial center.

Site Plan Review No. 201101281 is the most recent of several site plan review cases on this property for tenant improvements to individual tenant spaces and was approved by the Director on February 11, 2014 for a foot massage business in tenant space 204.

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 involves the installation of small equipment on the top of an existing building. 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 Commercial land use category of the Rowland Heights Community Plan. This designation is intended for retail commercial, service, and office uses. The WTF will share the use of the site with the existing commercial building and will provide a service to the surrounding community. Therefore, the WTF is consistent with the permitted uses of the underlying land use category.

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

- *Maintain high quality emergency response services. (Policy No. 58, Page I-25)*

The new WTF will provide cellular service to the neighborhood and such service is often used to make emergency calls. The project will ensure that such service will be available to this area.

The following policy of the Rowland Heights Community Plan is applicable to the proposed project:

- *Encourage the beautification of new and existing commercial areas. This can be achieved through the combined efforts of the public and private sectors. Where practical...all businesses in a center (three establishments or more) should present a general harmony of facades..." (Land Use Policy 8.g, Page Six).*

The existing building has a consistent design pattern on both street-facing facades. The WTF will include a 10-foot wall screen that will be painted to match the existing building façade. This will help to ensure that the building façade design remains harmonious.

Zoning Ordinance and Development Standards Compliance

Wireless telecommunications facilities are not a recognized use in the County Code, however, the use that is most closely related to a wireless telecommunications facility in the County Code is a radio or television tower. Radio and television towers are permitted in the C-1 zone under section 22.28.110 of the County Code, subject to the issuance of a conditional use permit pursuant to the provisions of part 1 of chapter 22.56.

Pursuant to section 22.28.120 of the County Code, establishments in the C-1 zone are subject to the following development standards:

Lot Coverage and Landscaping

- Not to exceed 90 percent of the net area shall be occupied by buildings, with a minimum of 10 percent of the net area landscaped. The existing building and parking was authorized and constructed after receiving a site plan review approval from the Director. The existing site complies with the lot coverage and landscaping requirements of the C-1 zone. The proposed WTF will be located on the roof of the existing building; therefore, it will not increase the lot coverage of the site.

Parking

- There shall be parking facilities as required by part 11 of chapter 22.52. For uses where the parking requirements are not specified in the County Code, section 22.52.1220 authorizes the director to impose an amount of parking spaces that he or she finds adequate to prevent traffic congestion and excessive on-street parking. The proposed WTF is unmanned and will require periodic maintenance visits, approximately once per month. There is adequate parking adjacent to the commercial building within the parking lot and parking garage to accommodate the necessary routine maintenance vehicles.

Setbacks

- Front and corner side yards shall have a setback of 20 feet where property adjoins a parkway, major or secondary highway. Fullerton Road and Colima Road are both existing major highways. The existing building adheres to these setbacks and the WTF will be located on the rooftop of the existing building. Therefore, the WTF will also observe the specified setbacks.

Architectural Appearance

- The architectural and general appearance of all such commercial buildings and grounds shall be in keeping with the character of the neighborhood. The existing building was constructed in 2008, but is similar in design to the commercial building on the southwestern corner of the intersection of Colima Road and

Fullerton Road. The proposed WTF will be screened with a 10-foot tall wall that will be painted to match the color of the existing building.

Height

- Buildings or structures shall not exceed 35 feet above grade, excluding signs which are permitted by part 10 of chapter 22.52, chimneys, and rooftop antennas. The existing building does not exceed 35 feet in height according to previous approvals. The new WTF will increase the overall height of the building to a maximum height of 45 feet. However, the WTF may be considered a rooftop antenna and is therefore exempt from the 35-foot height limitation and screening of the wireless facility is required by County policy. Furthermore, section 22.56.110 specifies that all regulations prescribed in the zone shall apply unless specifically modified by the CUP. Therefore, the overall height may be modified through the CUP process.

Outside Storage and Display

- No outside display or storage is proposed as part of this project.

Pursuant to section 22.44.132 of the County Code, establishments in the Rowland Heights Community Standards District (CSD) are subject to the following development standards:

Signs

- No signs are proposed as part of this project.

Setbacks

- The minimum setbacks from Fullerton Road and Colima Road to new structures and additions shall be 20 feet from the property line adjoining that respective highway or street. The existing building adheres to this setback requirement and the WTF will be located on the rooftop of the existing building. There are also development standards for corner cut-off heights and zero lot line setbacks adjacent to the rear and interior side yards. However, the property was previously developed and the WTF will be located on the roof of the existing building. Therefore, these requirements are not applicable to the project.

Landscaping

- No changes to the existing landscaping are proposed as part of this project.

Buffers

- This requirement only applies to new structures or additions to structures on properties adjacent to a residential zone. This property is not located adjacent to a residential zone. Therefore, this requirement does not apply.

Lot Coverage

- All new structures and additions to structures shall have a maximum cumulative 40 percent coverage of the net area of the lot or parcel of land. The existing

building was approved in 2007 and met the development standards at the time of construction. This WTF will not increase the lot coverage of the site as it will be located on the roof of the existing building.

Architectural Features

- For properties that adjoin a street, at least 25 percent of the structure's façade that faces such street shall consist of materials or designs that are distinguishable from the rest of the façade. The building's two street-facing facades contain multiple design elements such as balconies, unique elements for the corner of the building and the elevator, building articulation, and changes in the color tone of the building at the points of articulation. The purpose of the wall screens for the WTF is to protect the existing character of the building by providing equipment screening that will match the existing façade of the building. The proposed wall screens will be painted to match the building façade.

Site Visit

Staff conducted a site visit on July 24, 2014, and found that the plans are consistent with the site. The project site is most easily accessible when traveling southbound on Fullerton Road or eastbound on Colima Road. Staff observed a building on the south side of Colima Road across the street from the subject property that has an existing roof-mounted wireless facility that is similar to the proposed project.

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

This WTF will provide better network coverage to the surrounding community. The 10-foot wall screening will help to camouflage the facility and ensure compatibility with the existing building design. The design of the proposed WTF will be consistent with the existing neighborhood character. For example, the building on the south side of Colima across from the project site has a similar design to this project and also includes a rooftop WTF that is screened with a wall. The area is also characterized by power/utility poles and lines. Additionally, the facility will comply with all FCC regulations and limitations.

The project is well served by all applicable and necessary infrastructure, including roads, electricity, and telephone service. The site is accessible to maintenance vehicles from Colima Road and Fullerton Road. There is adequate parking for maintenance vehicles within the parking lot or underground garage on the subject property. The addition of a WTF on the subject property will not increase any service demands, such as Sheriff, Fire, or transit, because the site will be unmanned.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

A comment letter was received from the County Fire Department dated August 4, 2014 that cleared the project for public hearing with the following condition:

“Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5”

The County Department of Public Works also submitted a clearance letter dated August 25, 2014 with a request that the following conditions be added to the permit:

“Submit plans to Public Works’ Building and Safety Division, La Puente District office for review and permit issuance. Provide engineering calculations to justify the existing building is capable to withstand the additional loads created by the new telecommunication facility.”

“The project must ensure that all California Department of Transportation, Division of Aeronautics, and Federal Aviation Administration protocols and regulations are adhered to and implemented. The project coordinator should contact Caltrans and FAA for compliance.”

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 R2014-01651-(4), Conditional Use Permit Number 201400067, subject to the attached 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 201400067 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Kristina Kulczycki, Regional Planning Assistant II, Zoning Permits East Section

Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings, Draft Conditions of Approval

Applicant's Burden of Proof statement

Correspondence

Site Photographs

Site Plan, Land Use Map

MM:KK

9/8/14

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01651-(4)
CONDITIONAL USE PERMIT NO. 201400067**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400067 ("CUP") on October 21, 2014.
2. The permittee, AT&T Mobility ("permittee"), requests the CUP to authorize the construction, operation, and maintenance of a new roof-mounted wireless telecommunications facility ("WTF") with appurtenant equipment ("Project") on a property located at 18253 Colima Road in the unincorporated community of Rowland Heights ("Project Site") in the C-1 zone pursuant to Los Angeles County Code ("County Code") section 22.28.110.
3. The Project Site is 0.93 gross acres (0.55 net acres) in size and consists of two parcels. The Project Site is rectangular in shape with gentle-sloping topography and is developed with a two-story commercial building, a parking lot, and underground parking.
4. The Project Site is located in the Puente Zoned District and the Rowland Heights Community Standards District ("CSD") and is currently zoned C-1 (Restricted Business).
5. The Project Site is located within the Commercial land use category of the Rowland Heights Community Plan Land Use Policy Map.
6. Surrounding zoning within a 500-foot radius includes:
 - North: C-1, A-1-6000 (Light Agricultural – 6,000 Square Feet Minimum Required Lot Area), and P-R (Parking Restricted)
 - South: C-2-BE (Neighborhood Business – Billboard Exclusion), C-3-BE (Unlimited Commercial – Billboard Exclusion), and R-3-30U (Limited Multiple Residence – 30 Dwelling Units Maximum)
 - East: C-1, C-2-BE, and P-R
 - West: C-1, A-1-6000, and P-R
7. Surrounding land uses within a 500-foot radius include:
 - North: Single-family residences, a restaurant and a commercial center
 - South: Condominiums, a commercial center, offices, retail, and multi-family residences
 - East: Offices, a restaurant, and commercial businesses
 - West: Single-family residences, commercial, and a restaurant

8. The Project Site was zoned C-1 in 1965 and was developed with the current commercial building after receiving approval from the Director on October 22, 2007 for Site Plan Review No. 200701139. Certificate of Compliance No. 200400086 was recorded on the property on January 7, 2005 and Site Plan Review No. 200700888 was approved by the Director on November 29, 2007 for a sign program. Between 2008 and the present day, there are numerous site plan review approvals for individual signs and tenant improvements. The most recent approval is Site Plan Review No. 201101281 which was approved by the Director for a foot massage business in tenant space 204 on February 11, 2014.
9. The site plan for the Project depicts a parking lot on the eastern side of the property with driveways on Fullerton Road and Colima Road. The two-story commercial building is on the western side of the lot with a landscaping strip adjacent to the southern and eastern property boundaries. There are underground parking spaces available below the commercial building and can be accessed from the northeastern side of the building. The site plan includes a roof plan depicting the existing mechanical equipment as well as the proposed WTF. There will be three sectors of panel antennas located in the southwest, southeast, and northeast corners of the roof. The associated equipment will be stored within a 147-square-foot lease area in the northwestern corner of the roof. Ten-foot tall walls will surround each antenna array and the lease area to provide screening.
10. The Project Site is accessible via Colima Road to the south and Fullerton Road to the east. The roof is accessible through an existing hatch as depicted on the site plan. A new ladder is depicted on the eastern side of the lease area as well.
11. Site Plan Review No. 200701139 approved the development of the site, including the commercial building, in October of 2007. The approval specified that the total area of the commercial building would be 15,806 square feet including 9,926 square feet of non-medical office area, 3,279 square feet of retail, and a 2,490-square-foot restaurant. The total number of parking spaces approved for this site is 68 with one additional space designated for loading. The WTF does not include a proposal to alter the existing parking or tenant spaces. No additional parking will be required for the new WTF.
12. The County Department of Public Works ("Public Works") and the County Fire Department ("Fire Department") recommend approval of this Project and have recommended conditions of approval, which are included in the Project's conditions.
13. 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 only involves the installation of small equipment on the roof of an existing structure.

14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. No correspondence was received from the public regarding the Project.
16. *To be inserted after the public hearing to reflect hearing proceedings.*
17. The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan and the Rowland Heights Community Plan. The Commercial land use designation is intended for retail commercial, service, and office uses. The WTF will provide a service to the surrounding neighborhood and will reduce the impact on the Project Site by locating on the roof of the existing commercial building.
18. The Hearing Officer finds that the Project is consistent with the C-1 zoning classification. Pursuant to section 22.28.110, radio and television towers are permitted in the C-1 zone with the approval of a CUP. Most of the requirements listed under the C-1 zone and the CSD relate to the original development. The new WTF will adhere to the setbacks, landscaping, and parking requirements because the site is already developed and the WTF will be located on the roof of the existing building. The C-1 zone restricts building and structure heights to a maximum of 35 feet. The new WTF will increase the overall height to 45 feet, but rooftop antennas are exempted from the 35 feet height restriction. The wall screening will be painted to match the existing building color in order to maintain the existing architectural design.
19. The Hearing Officer finds that the Project 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 Project Site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The new WTF will provide improved cellular telephone service to the area which will result in fewer dropped calls in times of emergency. Thus, more cell phone reliability and an enhanced level of safety.
20. The Hearing Officer finds that the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features as are required in order to integrate the Project into the surrounding area. The existing building, parking, circulation, and landscaping were evaluated and approved through Site Plan Review No. 200701139. This WTF will be located on the roof and therefore, will not increase the lot coverage nor will it trigger changes to the parking, landscaping, or any of the existing tenant spaces.
21. The Hearing Officer finds that the Project 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. Colima Road and Fullerton Road are both existing major highways. The WTF will not generate additional traffic to the site because it is unmanned.

There will be occasional maintenance vehicles occupying one of the existing parking spaces, but there is adequate parking to accommodate this occasional use as well as the other tenants on the property.

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 Permit to fifteen (15) 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 Regional Planning's website and at the Rowland Heights Library. On September 3, 2014, a total of 68 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 13 notices to those on the courtesy mailing list for the Puente Zoned District and to any additional interested parties.
24. 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 East 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 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
2. Approves Conditional Use Permit No. 201400067, subject to the attached conditions.

MM:KK
9/18/14

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01651-(4)
CONDITIONAL USE PERMIT NO. 201400067**

PROJECT DESCRIPTION

The project is for the construction, operation, and maintenance of a roof-mounted wireless telecommunications facility with appurtenant equipment 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 October 21, 2029.** 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 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 **December 22, 2014**.
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. This grant shall authorize the construction, operation, and maintenance of an unmanned, roof-mounted wireless telecommunications facility and appurtenant equipment.
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. All structures shall conform to the requirements of the Division of Building and Safety of Public Works or other appropriate agency and obtain an encroachment permit if deemed necessary.
23. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Pole mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
24. Construction and maintenance of the facility shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday. Emergency repairs of the facility may occur at any time.

25. The project shall be developed and maintained in substantial compliance with the approved plans market Exhibit "A." Placement and height of all roof-mounted equipment shall be in substantial conformance with that shown on said Exhibit "A." The facility shall be built as depicted in the photo simulations presented at the public hearing.
26. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.
27. The maximum height of the facility shall not exceed 10 feet above the building roof line and shall not extend above the wall screen.
28. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
29. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.
30. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired by the permittee within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced by the permittee within 30 days of notice.
31. Upon request, the permittee shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
32. The Regional Planning project number, conditional use permit number and leaseholder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level. The same information shall be available from building management upon request.
33. The facility shall be secured by a locked rooftop door and/or fencing. 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.
34. Upon termination of this grant or after the construction of this facility, 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.

35. New equipment added to the facility shall not compromise the stealth design of the facility.
36. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated August 25, 2014.
37. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated August 4, 2014.

Attachments:

Fire Department Letter dated August 4, 2014

Public Works Department Letter dated August 25, 2014

8. Burden of Proof

Proposed AT&T Mobility Wireless Facility
NLO528 JJ Plaza
18253 Colima Road, Rowland Heights
APN: 8270-006-037-039

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.

1. The wireless facility will positively affect the public welfare of persons residing or working in the surrounding area by delivering the community with better network coverage enhancing public safety. The proposed wireless facility will have no affect on the community's health.
2. The antennas will be concealed within a screening wall, and will be compatible with the architecture of the existing building so as not to be easily recognized as a wireless facility.
3. The proposed project is required to be licensed by the FCC (Federal Communications Commission); the proposed facility, in accordance with the FCC regulations does not pose health, safety, or general welfare concerns.

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

The proposed wireless facility is a rooftop design that will be incorporated into the existing building. The proposed project will not be using ground space for equipment or antennas. All equipment and antennas will be located on the roof. The site has been designed in accordance with the Rowland Heights District Standards, County of LA Commercial code requirements as well as the LA County wireless guidelines.

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.

1. The proposed project is an unmanned wireless telecommunication facility. The proposed project will not generate any traffic, and will not adversely affect the surrounding streets or highways.
2. The unmanned wireless telecommunications facility will not increase any service demands such as Sheriff, Fire Department, or transit. Because the proposed project is unmanned, the project does not need the services of water, sewer, trash, etc. The proposed project will not increase the demands of public or private service facilities.



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-01651

MAP DATE: August 4, 2014

LOCATION: 18253 Colima Road, Rowland Heights

REVISED CONDITIONS: Supersedes Fire Dept. Conditions dated July 25, 2014

THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.

CONDITIONS OF APPROVAL – ACCESS

1. Security barriers, visual screen barriers or other obstructions shall not be installed on the roof of any building in such a manner as to obstruct firefighter access or egress in the event of fire or other emergency. Parapets shall not exceed 48 inches from the top of the parapet to the roof surface on more than two sides. Fire Code 504.5

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 25, 2014

IN REPLY PLEASE
REFER TO FILE **LD-2**

TO: Maria Masis
Zoning Permits East Section
Department of Regional Planning

Attention Kristina Kulczycki

FROM:  Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201400067
PROJECT NO. R2014-01651
18253 COLIMA ROAD
ASSESSOR'S MAP BOOK NO. 8270, PAGE 6, PARCEL NOS. 37 AND 39
UNINCORPORATED COMMUNITY OF ROWLAND HEIGHTS

We reviewed the site plan for the construction and maintenance of an unmanned wireless telecommunication facility that will be located on the rooftop of the existing building. The maximum height of the proposed antenna and the existing building will be 44 feet and will include 12 panel antennas along with other equipment to power the antennas.

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

1. Building and Safety

- 1.1 Submit plans to Public Works' Building and Safety Division, La Puente District office for review and permit issuance. Provide engineering calculations to justify the existing building is capable to withstand the additional loads created by the new telecommunication facility.

For questions regarding the building and safety condition, please contact Clint Lee of Building and Safety Division at (626) 458-3154 or clee@dpw.lacounty.gov.

Maria Masis
August 25, 2014
Page 2

2. Aviation

- 2.1 The project must ensure that all California Department of Transportation, Division of Aeronautics, and Federal Aviation Administration protocols and regulations are adhered to and implemented. The project coordinator should contact Caltrans and FAA for compliance. The following represents the contact information for these agencies:

Federal Aviation Division
Western Pacific Region
Airport Division
(310) 725-3608

Caltrans
Division of Aeronautics
(916) 654-4959

For questions regarding the aviation condition, please contact Jason Morgan of Public Works' Aviation Division at (626) 300-4602 or jmorgan@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz of Public Works' Land Development Division at (626) 458-4910 or rcruz@dpw.lacounty.gov.

RC:tb

P:\dpub\subpcheck\Plan\CUP\CUP 201400067-18253 colima rd\2014-07-10 Submittal\CUP 201400067 Project No R2014-01651, 18253 Colima .docx



16. Print Photographs

Proposed AT&T Mobility Wireless Facility
NL0528 JJ Plaza
18253 Colima Road, Rowland Heights
APN: 8270-006-037-039



View 1



View 2



View 3



View 4



16. Print Photographs (cont.)

Proposed AT&T Mobility Wireless Facility
NL0528 JJ Plaza
18253 Colima Road, Rowland Heights
APN: 8270-006-037-039



View 5



View 6

Photo Key



EXISTING



PROPOSED



PROPOSED ANTENNA FRP SCREEN LOCATION (24 RRUs & (6) Surge Suppressors Total)

PROPOSED ANTENNA FRP SCREEN LOCATION (24 RRUs & (6) Surge Suppressors Total)

NL0588 (CLV1702)
JL Plaza
18255 Colton Road
Rowland Heights, CA 91248

APPLICANT
at&t Mobility
12900 Park Plaza Drive
Cerritos, CA 90703

CONTACT
Coastal Business Group Inc.
18150 Scientific Way
Irvine, CA 92618
1-949-361-1930



BLU WATER DESIGN
bluewater-design.net
michelle@bluewater-design.net
p 714.423.2942

Completed June 02, 2014

VIEW 1

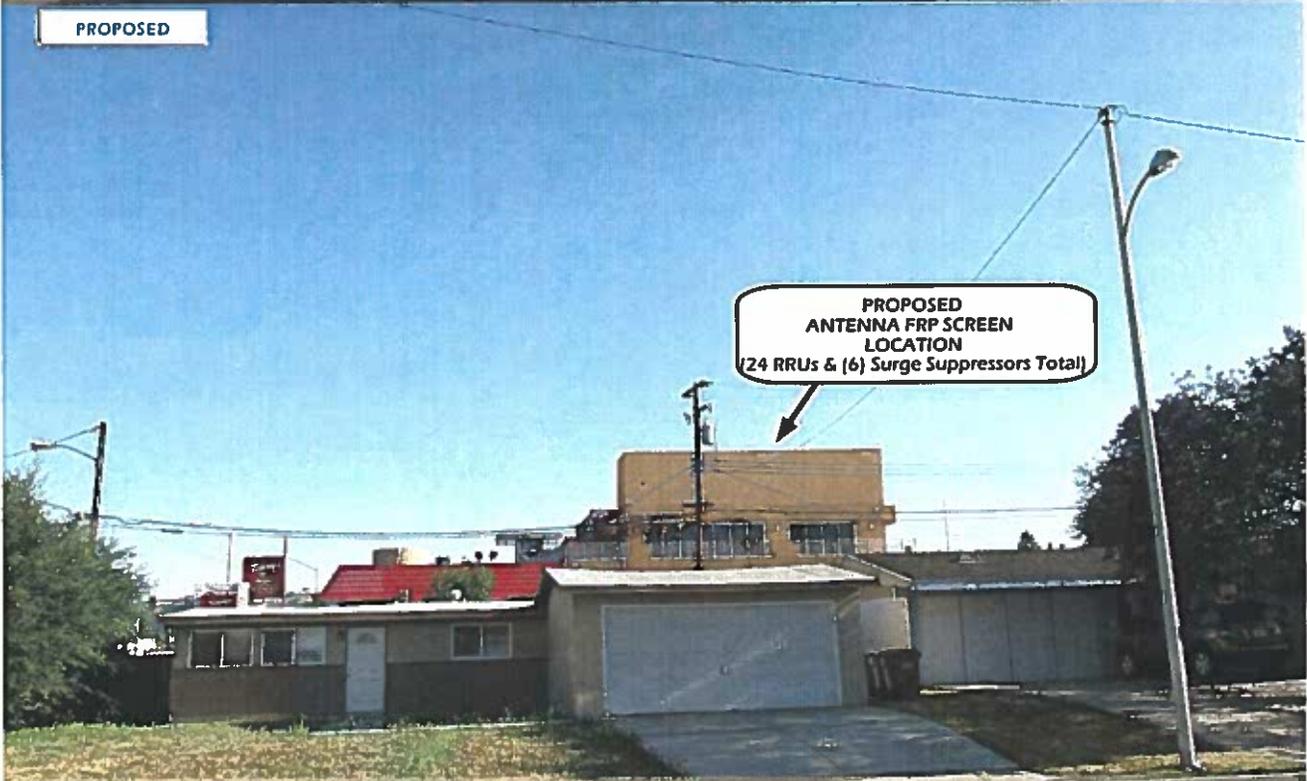
Please do not alter or remove any information provided to Blue Water Design by the applicant.

EXISTING



PROPOSED

PROPOSED
ANTENNA FRP SCREEN
LOCATION
(24 RRUs & (6) Surge Suppressors Total)



NL0528 (CLV1702)
JJ Plaza
18253 Colima Road
Rowland Heights, CA 91748

APPLICANT

AT&T Mobility
12900 Park Plaza Drive
Cerritos, CA 90703

CONTACT

Coastal Business Group Inc.
16150 Sycamore Way
Irvine, CA 92618



BLUE WATER DESIGN
bluewater-design.net
michelle@bluewater-design.net
p 714 973 2942

Completed June 02, 2014

VIEW 2

EXISTING



PROPOSED



PROPOSED ANTENNA FRP SCREEN LOCATION (24 RRUs & (6) Surge Suppressors Total)

NL0528 (CLM1702)
JUN 18 2014
18253 Colima Blvd
Bowling Green, CA 92428

APPLICANT
Just Mobility
12400 E. 1st Ave
Centris, CA 92703

OWNER
Coastal Business Group Inc.
16150 Scientific Way
Irvine, CA 92618
949.336.1550



Completed June 02, 2014
BLUE WATER DESIGN
bluewaterdesign.com
michelle@bluewaterdesign.com
p. 714.473.2900

VIEW 3

From elevation camera & based on information provided to Blue Water Design by JLM, June 2014

EXISTING



PROPOSED



PROPOSED ANTENNA FRP SCREEN LOCATION (24 RRUs & (6) Surge Suppressors Total)

NL0528 (CLV1702) JJ Plaza 18253 Colima Road Rowland Heights, CA 91748

GOVIA Mobility 15000 Light Plaza Drive Celstron, CA 90703

GOASTAL Business Group Inc. 16150 Scientific Way Irvine, CA 92618 949-336-1550



Blue Water DESIGN 100 Water Design Way michelle@bluewater-design.net p 714.473.2544

Completed June 02, 2014

VIEW 4

Photo simulation courtesy of... provided to Blue Water Design by the applicant.

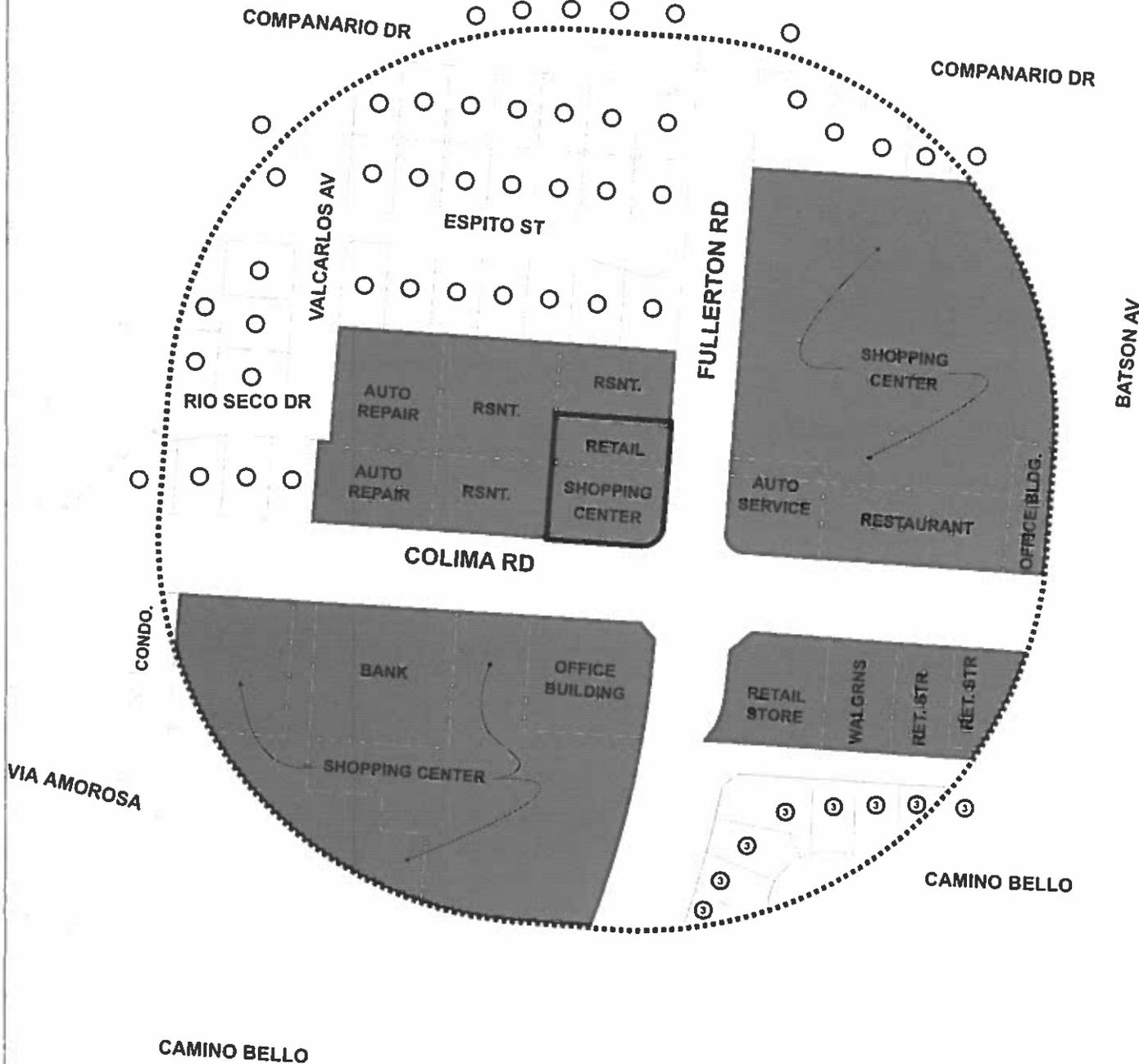
LAND USE

LAND USE 500 FOOT RADIUS MAP

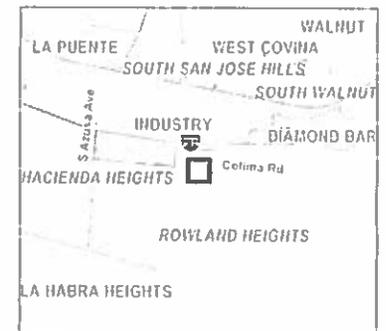
Proj. R2014-01651 (4)
RCUP 2014-00067

Legend

- SINGLE-FAMILY RESIDENCE
- ⊙ MULTI-FAMILY RESIDENCE
- SINGLE-FAMILY RESIDENCE
- MULTI-FAMILY RESIDENCE
- COMMERCIAL
- VACANT



VICINITY MAP



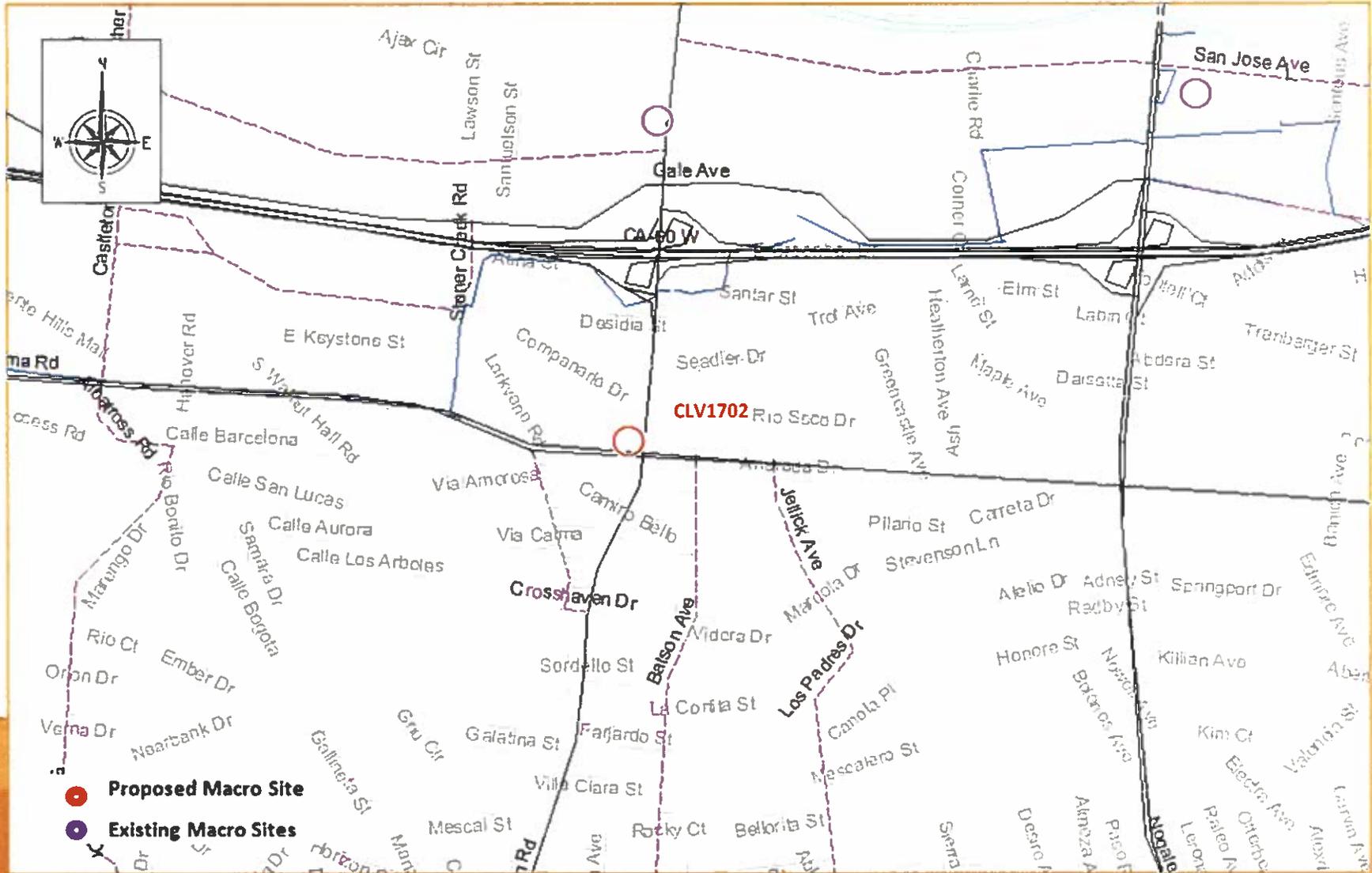
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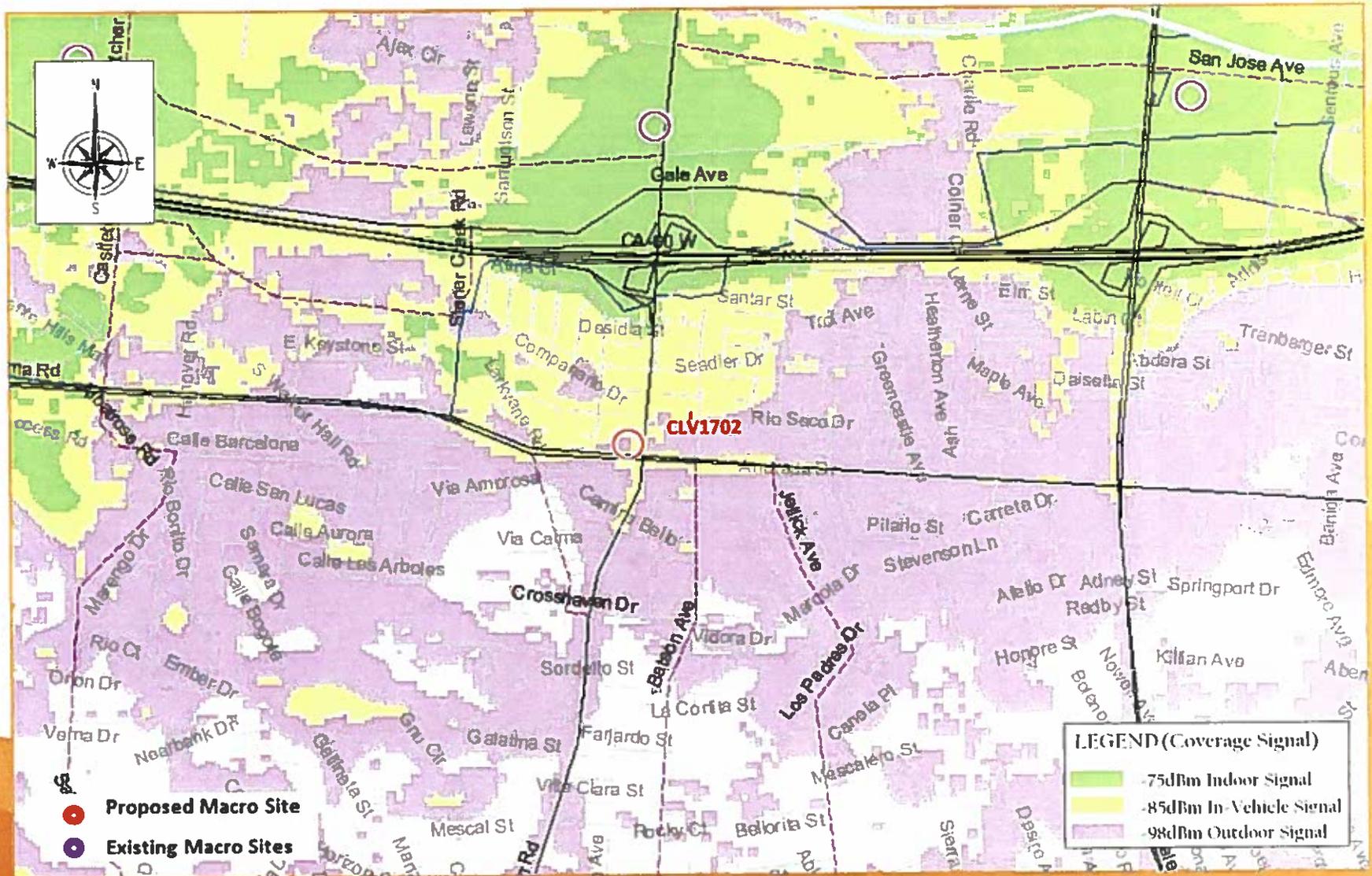
LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

AT&T Coverage Site: NL0528

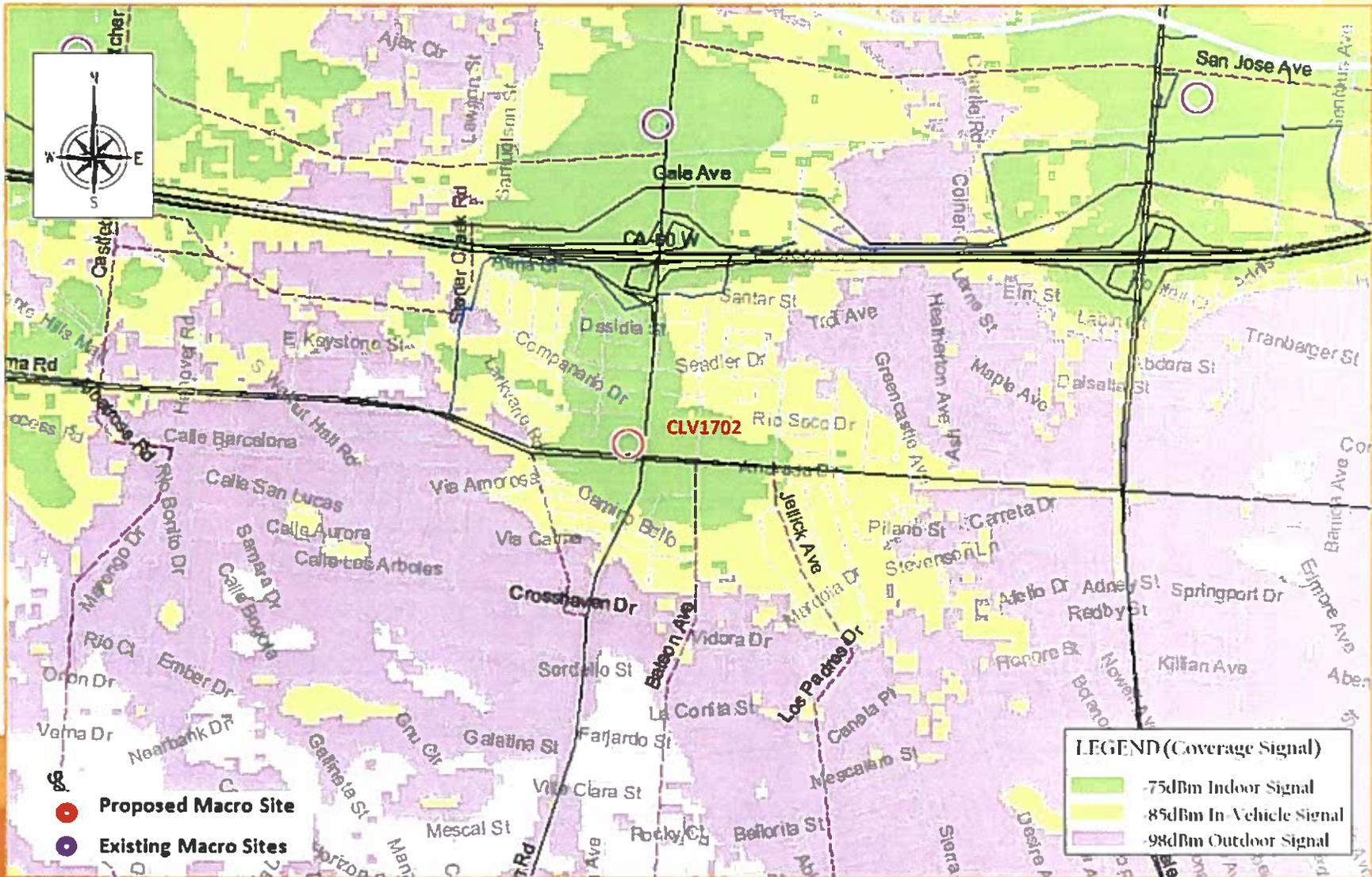
Vicinity Map: (18253 Colima Rd., Rowland Heights, CA 91748)



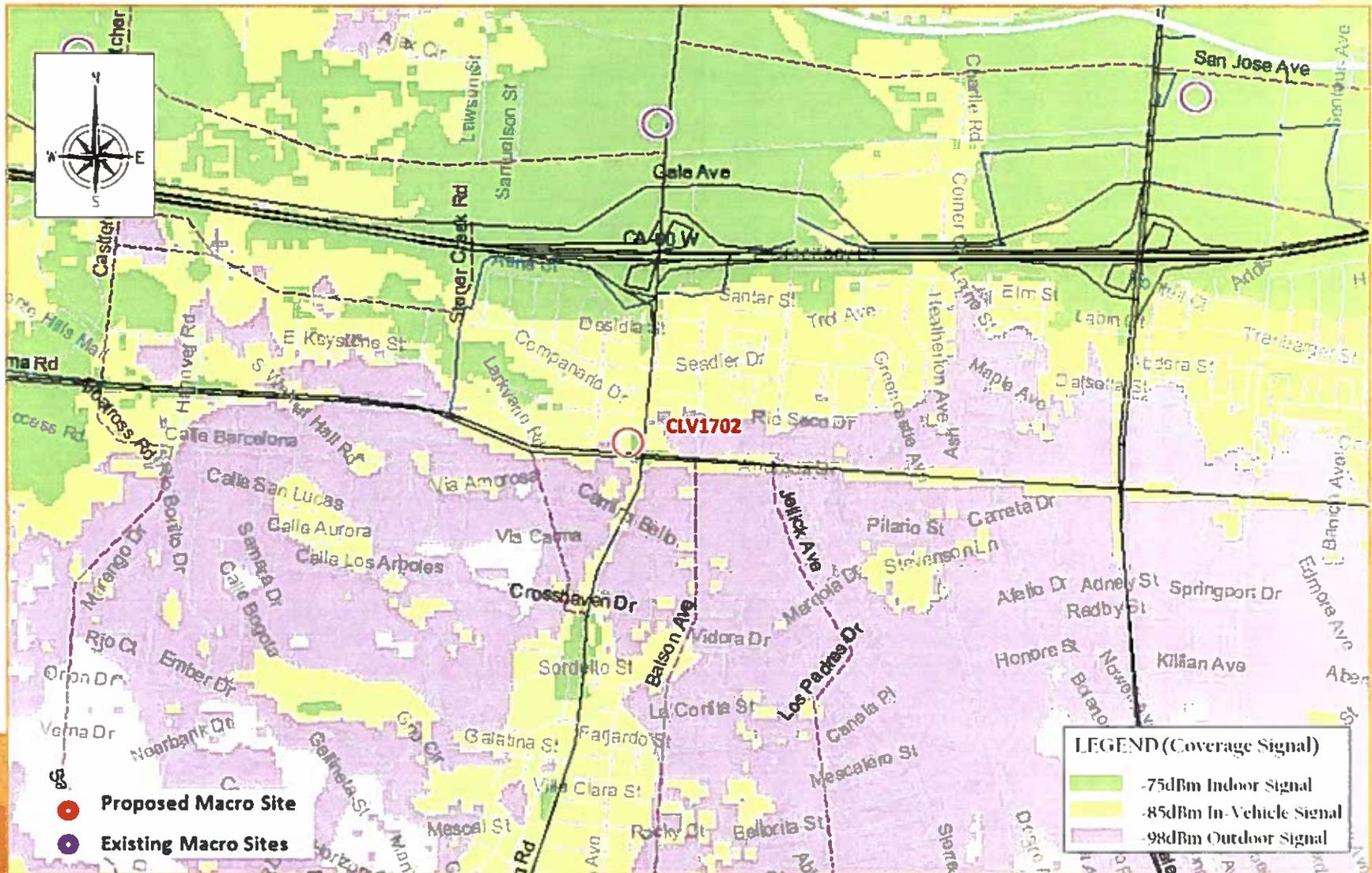
AT&T NL0528—3G Coverage (UMTS) Before Site



AT&T NL0528—3G Coverage (UMTS) After Site



AT&T NL0528—4G Coverage (LTE) Before Site



Coverage Legend

In-Building Service: In general, the areas shown in dark green should have the strongest signal strength and be sufficient for most in-building coverage. However, in-building coverage can and will be adversely affected by the thickness/construction type of walls, or your location in the building (i.e., in the basement, in the middle of the building with multiple walls, etc.)

In-Transit Service: The areas shown in the yellow should be sufficient for on-street or in-the-open coverage, most in-vehicle coverage and possibly some in-building coverage.

Outdoor Service: The areas shown in the purple should have sufficient signal strength for on-street or in-the-open coverage, but may not have it for in-vehicle coverage or in-building coverage.