

# Regional Planning Commission Transmittal Checklist

Hearing Date  
12/17/14  
Agenda Item No.  
8

Project Number: R2014-01883-(4)  
Case(s): Conditional Use Permit Case No. 201400076  
Planner: Steve Mar

- 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
- Applicant's Project Narrative and Supplemental Information
- Photo Sims
- Coverage Maps

Reviewed By: 



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

**PROJECT NUMBER**  
 R2014-01883-(4)

**HEARING DATE**  
 December 17, 2014

**REQUESTED ENTITLEMENTS**

Conditional Use Permit No. 201400076

**PROJECT SUMMARY**

**OWNER / APPLICANT**

Southern California Edison / Verizon Wireless

**MAP/EXHIBIT DATE**

1/29/14

**PROJECT OVERVIEW**

The applicant, Verizon Wireless, is requesting a Conditional Use Permit (CUP) for the construction and operation of a new wireless telecommunications facility (WTF) onto an existing Southern California Edison electrical transmission tower located at a plant nursery in the A-1 (Light Agricultural) zone pursuant to Los Angeles County Code Section 22.24.100. The project will install nine (9) panel antennas, four (4) raycaps, six (6) RRUs, and one (1) microwave dish on three (3) sectors with an antenna RAD center of 39 ft. mounted on a 113 ft. 8 in. transmission tower. A new 256 sq. ft. lease area surrounded by 8 ft. high concrete block walls will be built at the base of the tower and include equipment cabinets and a concrete pad for a future standby diesel generator.

**LOCATION**

Approx. 340 ft. north of Paso Verde Dr. & Clementina Dr.,  
 Hacienda Heights

**ACCESS**

via Clementina Dr.

**ASSESSORS PARCEL NUMBER(S)**

8207-019-801, -802

**SITE AREA**

5.6 Acres

**GENERAL PLAN / LOCAL PLAN**

Hacienda Heights Community Plan

**ZONED DISTRICT**

Hacienda Heights ZD

**LAND USE DESIGNATION**

P-UF (Public and Semi-Public Utilities and Facilities)

**ZONE**

A-1 (Light Agricultural)

**PROPOSED UNITS**

N/A

**MAX DENSITY/UNITS**

N/A

**COMMUNITY STANDARDS DISTRICT**

N/A

**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 1 Categorical Exemption – Existing Facilities

**KEY ISSUES**

- Consistency with the Hacienda Heights Community 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)
  - 22.24.110 (A-1 Zone Development Standards)

**CASE PLANNER:**

Steve Mar

**PHONE NUMBER:**

(213) 974-6435

**E-MAIL ADDRESS:**

smar@planning.lacounty.gov



**ENTITLEMENTS REQUESTED**

- Conditional Use Permit (CUP) for the construction and operation of a new wireless telecommunications facility (WTF) onto an existing Southern California Edison electrical transmission tower located at a plant nursery in the A-1 (Light Agricultural) Zone pursuant to County Code Section.

**PROJECT DESCRIPTION**

The applicant, Verizon Wireless, is requesting a Conditional Use Permit (CUP) for the construction and operation of a new wireless telecommunications facility (WTF) onto an existing Southern California Edison (SCE) electrical transmission tower located at a plant nursery in the A-1 (Light Agricultural) zone pursuant to Los Angeles County Code Section 22.24.100. The project will install nine (9) panel antennas, four (4) raycaps, six (6) RRUs, and one (1) microwave dish on three (3) sectors with an antenna RAD center of 39 ft. mounted on a 113 ft. 8 in. transmission tower. A new 256 sq. ft. lease area surrounded by 8 ft. high concrete block walls will be built at the base of the tower and include equipment cabinets and a concrete pad for a future standby diesel generator.

This project was referred to the Regional Planning Commission by the Hearing Officer on October 7, 2014.

**EXISTING ZONING**

The subject property is zoned A-1 (Light Agricultural).

Surrounding properties are zoned as follows:

- North: A-1 (Light Agricultural), R-A-10000 (Residential Agricultural – 10,000 sq. ft. Min. Req. Area)  
South: A-1 (Light Agricultural), R-A (Residential Agricultural), R-A-10000 (Residential Agricultural – 10,000 sq. ft. Min. Req. Area)  
East: A-1 (Light Agricultural), R-A (Residential Agricultural)  
West: O-S (Open Space), R-A-10000 (Residential Agricultural – 10,000 sq. ft. Min. Req. Area)

**EXISTING LAND USES**

The subject property is developed with a plant nursery containing electrical transmission lines.

Surrounding properties are developed as follows:

- North: Plant Nursery with Electrical Transmission Lines, Single-family Residences  
South: Single-family Residences  
East: Single-family Residences  
West: Thomas Burton Park, Single-family Residences

**PREVIOUS CASES/ZONING HISTORY**

The previous zoning history of the subject parcel is as follows: A1-5 (5/25/48), RA-10000 (4/8/60), A-1 (6/23/11).

Conditional Use Permit No. 200400046 – Approved 1/20/05 for the construction and operation of a new WTF onto an existing electrical transmission tower (located to the north of the proposed project site).

Revised Exhibit "A" No. 200900064 – Approved 2/25/10 for additional antennas onto an existing WTF authorized under Conditional Use Permit No. 200400046.

## ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") 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 involves the construction and operation of a new WTF onto an existing electrical transmission tower and will not expand the use of the existing tower and is a negligible addition to the site. Therefore, staff recommends that the Regional Planning Commission determine that the project is categorically exempt from CEQA.

## STAFF EVALUATION

### General Plan/Community Plan Consistency

The project site is located within the P-UF (Public and Semi-Public Utilities and Facilities) land use category of the Hacienda Heights Community Plan. This designation is intended for community-serving uses such as, but is not limited to, schools, daycare centers, major facilities such as landfills, and utilities such as drainage channels. The proposed WTF will not change the existing nature of the site and will provide a public service utility function by improving cellular service in the area and is therefore consistent with the intended uses of the underlying land use category.

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

- *Assure that new development is compatible with the natural and manmade environment by implementing appropriate locational controls and high quality design standards.*

The proposed WTF facility is compatible in design and function with the existing plant nursery and electrical transmission towers that are currently on the site.

- *In urban areas, encourage the retention of economically viable agricultural production, e.g., high value crops such as strawberries, cut flowers, nursery stock, etc., through the identification and mitigation of significant adverse impacts resulting from adjacent new development.*

The project will not affect the plant nursery where it will be located and protects the nursery plants on the site.

The following policies of the Hacienda Heights Community Plan are applicable to the proposed project:

- *Protect the character of existing single-family neighborhoods.*
- *When feasible, require transmission towers, lines and equipment to be co-located with existing towers, lines and equipment, or along existing transmission corridors.*

The project will construct a new WTF onto an existing electrical transmission tower and will not create a new significant visual or other environmental impact to the existing character of the surrounding single-family residential neighborhoods. The design of the proposed facility is compatible and appropriate with the electrical tower to which it will be installed onto.

### Zoning Ordinance and Development Standards Compliance

Title 22 of the Los Angeles County code (Zoning Ordinance) does not specify WTFs as a use. The use most closely matching a WTF specified in the Zoning Ordinance is radio or television stations and/or towers. Pursuant to Section 22.24.100 of the County Code, development of radio and television stations and towers is a permitted use in Zone A-1 (Light Agricultural),

provided that a CUP is obtained. The proposed facility complies with the County's Subdivision & Zoning Ordinance Policy memo No. 01-2010 that establishes policies and guidelines regarding permits for the siting and maintenance of WTFs.

Neighborhood Impact/Land Use Compatibility

Allowing the wireless telecommunication facility to be built and operate will ensure that local cellular service will remain readily available in the vicinity. The WTF will be located approximately 340 ft. north from the intersection of Paso Verde Dr. and Clementina Dr. The WTF will be built onto an existing electrical transmission tower located in a plant nursery. A new 256 sq. ft. lease area will be built at the base of the tower to contain appurtenant equipment cabinets and a standby diesel generator. The generator will be required to conform to noise and safety standards as prescribed by the County Department of Public Health and the County Fire Department and to air emissions standards as prescribed by the Southern California Air Quality Management District. The subject property's land use as a nursery extends to the north of the project site and is surrounded by single-family residences to the south and east and Thomas Burton Park to the west. There is an existing WTF mounted onto an existing electrical transmission tower to the north of the project site that is similar to the proposed project. The concern raised by a nearby property owner regarding the potential health effects for residents from radio frequency emissions from the facility antennas is not an issue that can be used for case determination. Section 704 of Title 7 of the Federal Telecommunications Act of 1996 contains the following stipulation:

"IV. No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions."

The closest residence to the proposed facility is at a distance of approximately 100 ft. As a condition of approval for this case, the applicant will have to comply with emission standards of the Public Utilities Commission of the State of California (CPUC).

The applicant carries the Burden of Proof to substantiate all facts as follows:

- A. That the requested use at the location proposed 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.

Verizon Wireless facilities are regulated by the FCC. The facility will be mounted onto an existing SCE tower with associated equipment enclosed within the tower's footprint. It will not create any hazardous materials, fumes, odors, light glare, traffic or noise. The facility will be fully secured by an enclosure and will provide needed voice, data, and E911 services to the area.

- 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, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

The project site is adequate in size and shape to accommodate all the development features prescribed in Title 22. The proposed facility will not impact any required yards/setbacks, parking or loading facilities, fencing or landscaping. The location on the property is unobtrusive and the antennas and equipment will appear as minor additions to the existing tower.

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.

The proposed facility will be unmanned. It will only be visited occasionally (about once a month) for maintenance purposes. The existing highways, streets and driveways will adequately provide access to the facility. The facility will be properly connected to all utilities such as power, telco and fiber utilities.

#### Burden of Proof

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

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

Wireless telecommunication facility projects do not require consultation with other County departments unless the subject property is located in the public right-of-way. The subject property is not located in the public right-of-way.

#### **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**

##### **Hacienda Heights Improvement Association**

The applicant presented the project to the Hacienda Heights Improvement Association (HHIA) at their monthly meeting on September 15, 2014. Due to voiced and written opposition to the project from the community, the HHIA does not support the project.

Staff has received a petition containing 32 signatures opposing the project based on concerns with aesthetics, health effects from radio frequencies, and how the project might negatively impact property values.

Staff has received three letters in opposition to the project. One letter states that the applicant has not met the Burden of Proof for a Conditional Use Permit based on the fact that the project's backup generator was not mentioned in the applicant's Burden of Proof statement. The letter also questions the need for a backup generator on the site, suggests alternative fuels other than diesel be considered for the generator, and questions the need for an additional wireless facility when there are other wireless facilities in the immediate vicinity.

The other two letters were from residents who wrote in opposition to the project due to potential health concerns from the proposed facility's radio frequency emissions.

**FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

**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 2014-01883-(4), Conditional Use Permit Number 201400076, subject to the attached conditions.

**SUGGESTED APPROVAL MOTION:**

**I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201400076 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

Prepared by Steve Mar, 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  
Site Photographs, Photo Simulations  
Correspondence  
Site Plan, Land Use Map

MM:SM  
12/17/14

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-01883-(4)  
CONDITIONAL USE PERMIT NO. 201400076**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400076 ("CUP") on September 2, 2014, and October 7, 2014. At the public hearing on October 7, 2014, the project was referred to the Regional Planning Commission by the Hearing Officer.
2. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400076 ("CUP") on December 17, 2014.
3. The permittee, Verizon Wireless ("permittee"), requests the CUP to authorize the construction and operation of a new wireless telecommunications facility (WTF) ("Project") onto an existing Southern California Edison (SCE) electrical transmission tower located at a plant nursery on a property located at the northeast intersection of Paso Verde Drive and Clementina Drive in the unincorporated community of Hacienda Heights ("Project Site") in the A-1 (Light Agricultural) zone pursuant to Los Angeles County Code ("County Code") section 22.24.100. The project will install nine (9) panel antennas, four (4) raycaps, six (6) RRUs, and one (1) microwave dish on three (3) sectors with an antenna RAD center of 39 ft. mounted on a 113 ft. 8 in. transmission tower. A new 256 sq. ft. lease area surrounded by 8 ft. high concrete block walls will be built at the base of the tower and include equipment cabinets and a concrete pad for a future standby diesel generator.
4. The Project Site is 5.6 acres in size and consists of two legal lots. The Project Site is rectangular in shape with flat topography and is developed with a plant nursery with electrical transmission towers.
5. The Project Site is located in the Hacienda Heights Zoned District and is currently zoned A-1 (Light Agricultural).
6. The Project Site is located within the P-UF (Public and Semi-Public Utilities and Facilities) land use category of the Hacienda Heights Community Plan Land Use Policy Map.
7. Surrounding Zoning within a 500-foot radius includes:
  - North: A-1 (Light Agricultural), R-A-10000 (Residential Agricultural – 10,000 sq. ft. Min. Req. Area)
  - South: A-1 (Light Agricultural), R-A (Residential Agricultural), R-A-10000 (Residential Agricultural – 10,000 sq. ft. Min. Req. Area)
  - East: A-1 (Light Agricultural), R-A (Residential Agricultural)
  - West: O-S (Open Space), R-A-10000 (Residential Agricultural – 10,000 sq. ft. Min. Req. Area)
8. Surrounding land uses within a 500-foot radius include:
  - North: Plant Nursery with Electrical Transmission Lines, Single-family Residences
  - South: Single-family Residences
  - East: Single-family Residences

West: Thomas Burton Park, Single-family Residences

9. The Project Site was zoned A1-5 in 1948 and was rezoned to RA-10000 in 1960 and to A-1 in 2011. On January 20, 2005, CUP No. 200400046 was approved for the construction and operation of a new WTF onto an existing electrical transmission tower located to the north of the proposed project site. On February 25, 2010, Revised Exhibit "A" No. 200900064 authorized the installation of additional antennas onto the existing WTF authorized under Conditional Use Permit No. 200400046.
10. The site plan for the Project depicts the Project Site with existing electrical transmission towers located approximately 340 ft. north of the intersection of Paso Verde Drive and Clementina Drive. The proposed WTF will be installed onto the 113 ft. western tower with the antenna array installed 39 ft. from the bottom of the tower. Access to the site is via an existing entry driveway off of Clementina Dr. The lease area plan and antenna plan show the proposed configuration of the antennas, lease area, and other associated equipment including a concrete pad for a future standby diesel generator.
11. The Project Site is accessible via Clementina Drive to the south. Primary access to the Project Site will be via an entrance/exit on Clementina Drive. Secondary access to the Project Site will be via an entrance/exit on Halliburton Road.
12. The Project does not propose any designated parking. However, there is ample space on the Project Site to provide parking for periodic maintenance vehicles.
13. Wireless telecommunication facility projects do not require consultation with other County departments unless the subject property is located in the public right-of-way. The subject property is not located in the public right-of-way.
14. Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, 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 involves the construction and operation of a new WTF onto an existing electrical transmission tower and will not expand the use of the existing tower and is a negligible addition to the site.
15. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
16. The applicant presented the project to the Hacienda Heights Improvement Association (HHIA) at their monthly meeting on September 15, 2014. Due to voiced and written opposition to the project from the community, the HHIA does not support the project.

Staff has received a petition containing 32 signatures opposing the project based on concerns with aesthetics, health effects from radio frequencies, and how the project might negatively impact property values

Staff has received three letters in opposition to the project. One letter states that the applicant has not met the Burden of Proof for a Conditional Use Permit based on the fact that the project's backup generator was not mentioned in the applicant's Burden of Proof statement. The letter also questions the need for a backup generator on the site, suggests

alternative fuels other than diesel be considered for the generator, and questions the need for an additional wireless facility when there are other wireless facilities in the immediate vicinity.

The other two letters were from residents who wrote in opposition to the project due to potential health concerns from the proposed facility's radio frequency emissions.

17. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*
18. The Commission finds that the project site is located within the P-UF (Public and Semi-Public Utilities and Facilities) land use category of the Hacienda Heights Community Plan. This designation is intended for community-serving uses such as, but is not limited to, schools, daycare centers, major facilities such as landfills, and utilities such as drainage channels. The proposed WTF will not change the existing nature of the site and will provide a public service utility function by improving cellular service in the area and is therefore consistent with the intended uses of the underlying land use category.
19. The Commission finds that Title 22 of the Los Angeles County code (Zoning Ordinance) does not specify WTFs as a use. The use most closely matching a WTF specified in the Zoning Ordinance is radio or television stations and/or towers. Pursuant to Section 22.24.100 of the County Code, development of radio and television stations and towers is a permitted use in Zone A-1 (Light Agricultural), provided that a CUP is obtained. The proposed facility complies with the County's Subdivision & Zoning Ordinance Policy memo No. 01-2010 that establishes policies and guidelines regarding permits for the siting and maintenance of WTFs.
20. The Commission finds that allowing the wireless telecommunication facility to be built and operate will ensure that local cellular service will remain readily available in the vicinity. The WTF will be located approximately 340 ft. north from the intersection of Paso Verde Dr. and Clementina Dr. The WTF will be built onto an existing electrical transmission tower located in a plant nursery. A new 256 sq. ft. lease area will be built at the base of the tower to contain appurtenant equipment cabinets and a standby diesel generator. The generator will be required to conform to noise and safety standards as prescribed by the County Department of Public Health and the County Fire Department and to air emissions standards as prescribed by the Southern California Air Quality Management District. The subject property's land use as a nursery extends to the north of the project site and is surrounded by single-family residences to the south and east and Thomas Burton Park to the west. There is an existing WTF mounted onto an existing electrical transmission tower to the north of the project site that is similar to the proposed project. The concern raised by a nearby property owner regarding the potential health effects for residents from radio frequency emissions from the facility antennas is not an issue that can be used for case determination. Section 704 of Title 7 of the Federal Telecommunications Act of 1996 contains the following stipulation:

"IV. No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions."

The closest residence to the proposed facility is at a distance of approximately 100 ft. As a condition of approval for this case, the applicant will have to comply with emission standards of the Public Utilities Commission of the State of California (CPUC).

21. The Commission finds that Verizon Wireless facilities are regulated by the FCC. The facility will be mounted onto an existing SCE tower with associated equipment enclosed within the tower's footprint. It will not create any hazardous materials, fumes, odors, light glare, traffic or noise. The facility will be fully secured by an enclosure and will provide needed voice, data, and E911 services to the area..
22. The Commission finds that the project site is adequate in size and shape to accommodate all the development features prescribed in Title 22. The proposed facility will not impact any required yards/setbacks, parking or loading facilities, fencing or landscaping. The location on the property is unobtrusive and the antennas and equipment will appear as minor additions to the existing tower.
23. The Commission finds that the proposed facility will be unmanned. It will only be visited occasionally (about once a month) for maintenance purposes. The existing highways, streets and driveways will adequately provide access to the facility. The facility will be properly connected to all utilities such as power, telco and fiber utilities.
24. The Commission finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 15 years.
25. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Hacienda Heights community. On July 29, 2014, a total of 212 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 4 notices to those on the courtesy mailing list for the Hacienda Heights Zoned District and to any additional interested parties.
26. The location of the documents and other materials constituting the record of proceedings upon which the Commission'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 REGIONAL PLANNING COMMISSION 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 REGIONAL PLANNING COMMISSION:**

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit No. 201400076, subject to the attached conditions.

**[DRAFT] CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-01833-(4)  
CONDITIONAL USE PERMIT NO. 201400076**

**PROJECT DESCRIPTION**

The project is a Conditional Use Permit for the construction and operation of a new wireless telecommunications facility (WTF) onto an existing Southern California Edison (SCE) electrical transmission tower located at a plant nursery 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 December 17, 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 compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
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 be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

**PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (WIRELESS TELECOMMUNICATION FACILITIES)**

19. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.

20. 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.
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 proposed facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.
23. 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.
24. 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.
25. 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.
26. Placement and height of all 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.
27. 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.
28. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
29. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.
30. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired by the permittee within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or

- replaced by the permittee within 30 days of notice. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.
31. Upon request, the permittee shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
  32. The project number, conditional use permit number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.
  33. The facility shall be secured by fencing, gates and/or locks. All fencing or walls used for screening or securing the facility shall be composed of wood, vinyl, stone, concrete, stucco or wrought iron. Chain links, chain link with slats, barbed and other types of wire fencing are prohibited. If the facility's fences or walls are visible from the public right-of-way, landscaping, in a minimum planter width of five feet, shall be provided to screen the fence or wall from the street.
  34. Upon termination of this grant or after the construction of this facility, the facility has ceased to operate; the permittee shall remove such facility and clear the site of all equipment within six months of the cease of operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility.
  35. This grant entitles the permittee to install the wireless telecommunications facility on the existing or a replacement electric transmission tower ("tower") but does not entitle the permittee to retain the tower for its sole use or to install a new tower for its facilities in the event the existing tower is removed, such as to accommodate the undergrounding of utilities. Notwithstanding the provision of Condition #8, if the existing tower is removed prior to the termination date of this grant, this grant shall thereupon terminate. The permittee will be required to either obtain a new conditional use permit to relocate its facilities or to install a new tower and continue the use at the present location. Application for a conditional use permit at such time shall be subject to the regulations then in effect.



Los Angeles County  
Department of Regional Planning

Planning for the Challenges Ahead



## CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

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.

Verizon Wireless facilities are regulated by the FCC. The facility will be mounted onto an existing SCE tower with associated equipment enclosed within the tower's footprint.

It will not create any hazardous materials, fumes, odors, light, glare, traffic or noise. The facility will be fully secured by an enclosure and will provide needed voice, data, and E911 services to the area. The proposed

diesel generator is well within LA County AQMD emissions levels, will not produce significant levels of emissions, and will comply with all fire department fuel and siting standards.

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 project site is adequate in size and shape to accommodate all the development features prescribed in Title 22. The proposed facility will not impact any required yards/setbacks, parking or loading facilities, fencing or landscaping. The location on the property is unobtrusive and the antennas and equipment will appear as a minor additions to the existing tower.

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.

The proposed facility will be unmanned. It will only be visited occasionally (about once a month) for maintenance purposes. The existing highways, streets and driveways will adequately provide access to the facility. The facility will be properly connected to all utilities such as power, telco and fiber utilities.

## Steven Mar

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**From:** Brent Palmer [brparch@msn.com]  
**Sent:** Thursday, September 25, 2014 8:03 AM  
**To:** Steven Mar  
**Cc:** Adria Ybarra; Ellen Gervase; Henry Gonzales; Jeff Yann; Jeffrey Lin; Joan Licari; Johanna Zamora; Lucy Pedregon; Maury Edwards; Mike Williams; Sandy Keat  
**Subject:** RE: Verizon wireless project on SCE tower

Hello Steve,

Per our previous conversation, the HHIA opposes this project due to the voiced and written opposition (petition) from the community and neighborhood residents in proximity to this proposed installation.

Sincerely,

Brent Palmer, President  
Hacienda Heights Improvement Association

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## Steven Mar

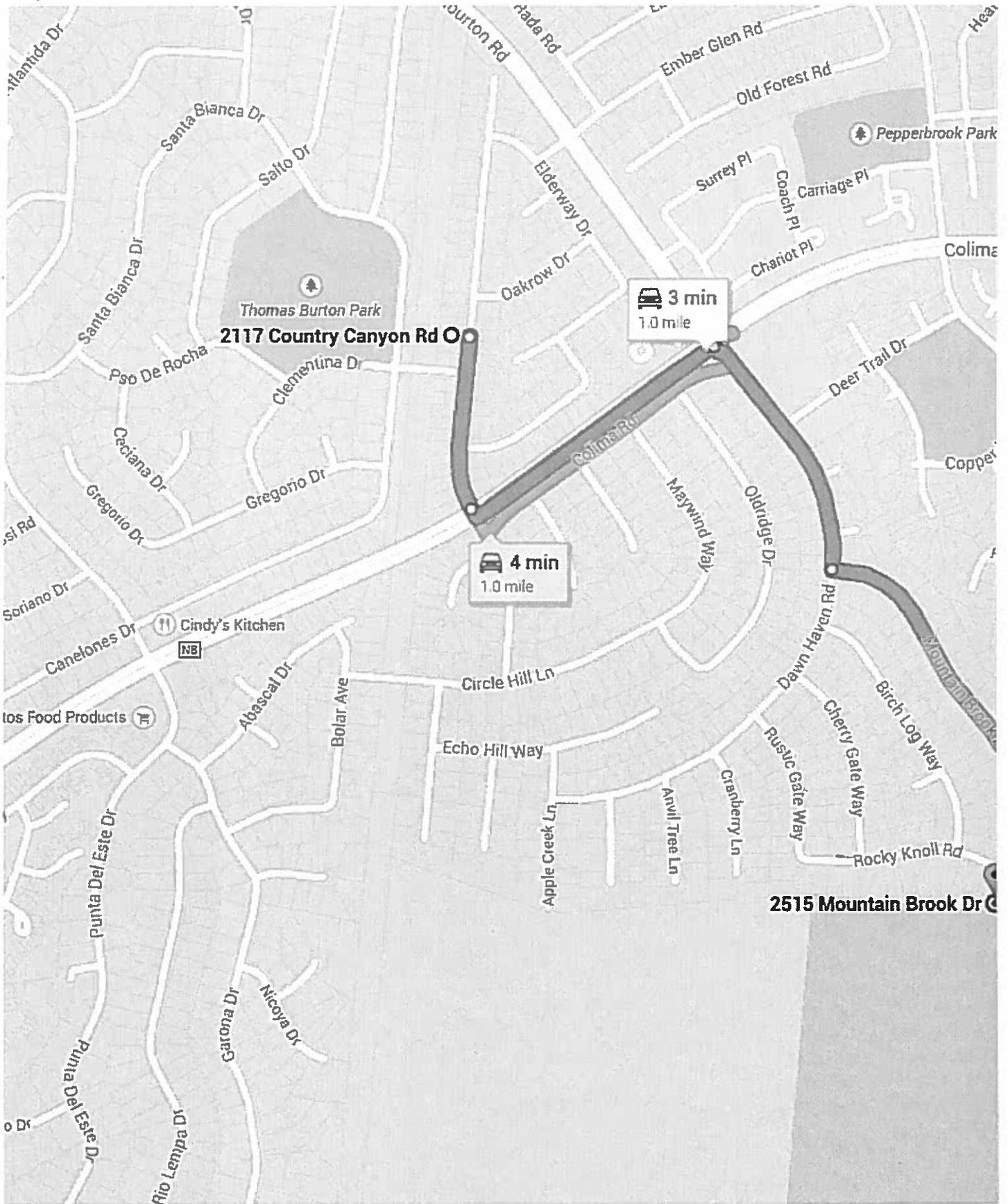
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**From:** Mandy Chow [mandydk83@gmail.com]  
**Sent:** Monday, December 01, 2014 10:34 PM  
**To:** Steven Mar  
**Subject:** inquiry for project no. 2014-01883-(4), CUP 201400076  
**Attachments:** Screen Shot 2014-12-01 at 10.29.20 PM.png

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Steve,

I am inquiry about the project No. 2014-01883-(4) for the construction of Verizon Wireless wireless telecommunication facility. My House is located within the project zone and right in front of the facility where that is going to built. The address is 2117 country canyon rd, Hacienda Heights, CA 91745. There are numerous studies, which show biological harm at RFR levels well below our environmental exposure from neighborhood cell towers. I do really concern the harm of the radiation after the project is completed. Hacienda Heights has been homes to a lot of single family residence and over 100 family will be within the range of the project. It will bring the health and pollution concern to families in that area. There is a lower residential density area cross the Colima rd a bit down to the south which is the Peter F Schabarum Regional Park area with higher slope and it's about 1 mile from the project zone. There should be a suitable spot close to the project area for Verizon to build their facilities without affecting the major residential area. I have also attached the map for reference. Please kindly advise what can we do to resolve my concern. Thank you!



Sincerely,  
Mandy Chow

## Steven Mar

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**From:** GFLHP [gflhp@roadrunner.com]  
**Sent:** Monday, October 06, 2014 1:59 PM  
**To:** Steven Mar  
**Cc:** GFLHP  
**Subject:** Project # R20014-00076 Verizon WTF in Hacienda Heights CA

To: Hearing Officer / Steve Mar  
Subject: Project # R20014-01883-(4)  
Conditional Permit # 201400076  
Regarding: Public Hearing  
Scheduled: October 7, 2014

Dated: 10/07/2014  
From: Glenn Fonseca  
2136 Elderway Dr. Hacienda Heights, CA

Mr Steve Mar

I am handicapped from a massive hear attack which, left me with a fraction rate of 20-30% of my heart working, my doctors have taken many evasive and non-evasive methods to keep me alive, in an attempt to keep my heart from having another massive attack

At this point my doctors have decide to and has installed an ICD - Implantable Cardiac Defibrillator installed into my chest cavity and is continually monitoring my heart rate and other functions to assist me in maintaining quality of life.

The proposal of project R20014-01883-(4) will greatly affect my life and could do major harm to me, up to but not limited to death, if I am continually exposed to the electromagnetic fields, microwave

exposure, RF, and other exposures, just to mention a few light effects that may affect me, that I may experience on a daily base; dizziness, light-headed-ness, shock or discomfort unto my body and at worst this could reset my ICD and cause pre-mature death.

Due to my failing health, and that I am in a hospital at any given time, I do not know if I can personally be present at the hearing, although this greatly effects me personally and wanted the right to be heard. # R20014-01883-(4) and according to the Burden of Proof Requirements: This will have a profound harm to me. the answer does not take into account for disable people with disabilities, such as mine. If this Project is to pass, I will be force out of my home. Will have the burden of health and finances to relocate in a bad state of health and greater cost to me, just so that Verizon can have "Circle Coverage" in Hacienda Heights, this coverage in which Verizon said is necessary for quality coverage, I find ridiculous; for I have an account with Verizon, and I get great coverage now, and as you can see; I live within that circle of coverage.

I would like to provide evidence and hearby request this document to be admitted into this hearing, as to how this effects my ICD

## Regarding Verizon's WTF Wireless Telecommunications Facility

## **RAD's and its health effect on people and those with ICD's**

To: Hearing Officer

From: Glenn Fonseca

Subject: Project # R2014-01886-(3)

Conditional Use Permit # 201400076

### **Radio frequency fields[edit]**

*See also: Mobile phone radiation and health*

Apart from some suspicion that the electromagnetic fields emitted by mobile phones may be responsible for an increased risk of glioma and acoustic neuroma, the fields otherwise pose no risk to human health.[24][25] This designation of mobile phone signals as "possibly carcinogenic" by the World Health Organization has often been misinterpreted as indicating that of some measure of risk has been observed – however the designation indicates that the possibility could not be conclusively ruled out using the available data.[26]

### **Microwaves[edit]**

Microwave exposure at low-power levels below the specific absorption rate set by government regulatory bodies are considered harmless non-ionizing radiation and have no effect on the human body. However, levels above the specific absorption rate set by the FCC are considered potentially harmful. ANSI standards for safe exposure levels to RF and microwave radiation are set to a SAR level of 4 W/kg, the threshold before hazardous biological effects occur due to energy absorption in the body. A safety factor of ten was then incorporated to arrive at the final recommended protection guidelines of a SAR exposure threshold of 0.4 W/kg for RF and microwave radiation. There is disagreement over exactly what levels of RF radiation are "safe," particularly with regard to low levels of exposure. For instance, Russia and eastern European

countries in particular set SAR thresholds for Microwaves and RF much lower than western countries.

Two areas of the body, the eyes and the testes, can be particularly susceptible to heating by RF energy because of the relative lack of available blood flow to dissipate the excessive heat load. Laboratory experiments have shown that short-term exposure to high levels of RF radiation (100-200 mW/cm<sup>2</sup>) can cause cataracts in rabbits. Temporary sterility, caused by such effects as changes in sperm count and in sperm motility, is possible after exposure of the testes to high-level RF radiation

Long-term exposure to high-levels of microwaves, is recognized, from experimental animal studies and epidemiological studies in humans, to cause cataracts. The mechanism is unclear but may include changes in heat sensitive enzymes that normally protect cell proteins in the lens. Another mechanism that has been advanced is direct damage to the lens from pressure waves induced in the aqueous humor.

Exposure to high-power microwave RF is known to create effects ranging from a burning sensation on the skin and microwave auditory effect, to extreme pain at the mid-range, to physical microwave burns and blistering of skin and internals at high power levels.

Receiving heat therapy, or diathermy, can cause complications to your defibrillator implant due to electromagnetic radiation from dielectric material. Try to avoid large motors and heavy machinery if you have a defibrillator implant. Exposing your implantable cardioverter defibrillator to this type of equipment can interfere with the devices functioning due to certain machinery's high energy output. Clinical testing concluded that some high-current machinery such as arc welders, smelting furnaces, and other similar industrial equipment can interfere with pacemakers. Therefore, the same precautions should be taken by someone that has a

defibrillator implant, which is to avoid this type of electrical machinery at all times.

**Electromagnetic interference from electric power transmissions, like those found in high tension wires, can also interfere with defibrillator implants. Try to avoid close proximity of anything that emits electromagnetic radiation.**

Besides being important information for the general population, it is especially important for physicians and cardiologists and patients with pacemakers and ICDs (implantable cardioverter defibrillators) since it highlights the need for wearers to be aware of electromagnetic fields that exist in their environment. Exposure to electromagnetic fields can, in certain situations, cause a malfunction in the normal operation of a pacemaker or ICD. It is reported that the malfunctions are usually temporary and not severe, but the frequency of occurrence could be problematic for the patient. Sometimes the patient may experience dizziness, light-headedness, a shock or discomfort. In any event, the episode should be reported to the patient's doctor.

**Employers sometimes request site surveys to limit the risk of the employee being harmed at work and to conform with the Americans with Disabilities Act of 1990 (also known as ADA).**

### **Report: EMI a Long-Term Risk in Implantable Cardioverter Defibrillators**

March 4, 2011

Electromagnetic interference could play a role in the long-term risks of having an implantable cardioverter-defibrillator (ICD), according to a recently published AccessMedicine report from McGraw-Hill. While the long-term risks, including lead- or device-related malfunction,

infection, and inappropriate shock, are felt to be low when compared to the benefits of a life-saving therapy, they are not necessarily the same for every patient, the authors wrote. Factors which predispose patients to increased risk include patient characteristics, type of procedure, and operator characteristics.

Inappropriate shocks occur because of supraventricular arrhythmias with rapid ventricular rates, T wave oversensing, lead malfunction, or electromagnetic interference. Inappropriate shocks occur in 12-36% of patients, with children having a higher likelihood (up to 47% in some series). Although rare, it has been associated with death, according to the report.

## **Implantable Cardiac Defibrillators May Be Damaged by Radiation Therapy**

- **S. Hoecht, P. Rosenthal, D. Sancar, S. Behrens, W. Hinkelbein and U. Hoeller + Author Affiliations**
- University Hospital Benjamin Franklin, Freie Universität
- Krankenhaus Neukoelln, Berlin, Germany

To the Editor:

In patients wearing pacemakers, malfunctions caused by radiotherapy are well known, although this in most cases is caused by direct exposure to the therapeutic beam with doses of at least 2 to 10 Gy.<sup>1,2</sup> To our knowledge, there are only sparse reports on interactions between implantable cardiac defibrillators (ICD) and radiotherapy.<sup>3,4</sup> Driven by clinical experience of an ICD malfunction obviously caused by radiotherapy, further studies were initiated. Three patients with ICDs were treated with radiotherapy; one of them suffered from ICD malfunction during the course of radiotherapy and therefore his ICD was replaced. The ICDs (two Guidant Mini IV [Guidant Corporation, Indianapolis, IN] and two Biotronik Mycrophylax [Biotronik GmbH and Co, Berlin, Germany]) were checked before and after every single session of radiotherapy. Whereas the two patients with Biotronik ICDs did not experience any dysfunction during therapy, the patient with a Guidant Mini IV ICD showed an identical malfunction of the initial and the replaced ICD, which fell into fallback mode. In fallback mode, the ICD has a fixed detection area and a fixed pace rate of 50/min ventricular sensing-ventricular pacing inhibition (VVI). Radiation ports of the treated area were in a fairly large distance to the ICD device, as the ICD was in a pectoral pocket and pelvic bone metastases were treated; thus the dose of scatter radiation was far below 0.5 Gy.

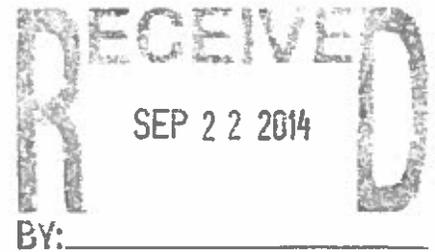
Five additional ICDs (Guidant Mini IV, Biotronik Phylax 06, Phylax AV, Medtronic [Minneapolis, MN] GEM 7227, and Jewel 7223) were examined in an experimental setup. The ICDs were covered with tissue equivalent material and connected to a

cardiac simulator while "treated" on a linear accelerator. At first, electromagnetic interference without radiation was examined, then scatter radiation and at last direct exposure to the therapeutic beam with stepwise increasing doses. Under experimental conditions, one ICD (Guidant Mini IV) fell into fallback mode when exposed to scatter radiation; the other ICDs did not show any problems due to scatter radiation—malfunctions occurred only after direct exposure to more than 50 Gy.

As radiotherapy obviously can induce ICD malfunction if the device is exposed to scatter radiation even at lower doses than 2 Gy, as recommended in the ASTRO guidelines,<sup>5</sup> we would recommend regular check-ups of the device during a course of radiotherapy. ICDs of different manufacturers show a huge variability in their sensitivity to scatter radiation. Further examinations of different ICD types would therefore be helpful in assessing the importance of this problem. Because of the costs of the ICDs, checking all commercially available devices would only be possible if initiated by the manufacturers.

## References

- ↵ Niehaus M, Tebbenjohanns J: *Electromagnetic interference in patients with implanted pacemakers or cardioverter-defibrillators. Heart 86: 246-248, 2001 (editorial) FREE Full Text*
  - ↵ Tsekos A, Momm F, Brunner M, et al: *The cardiac pacemaker patient: Might the pacer be directly irradiated? Acta Oncol 39: 881-883, 2000 Medline*
  - ↵ Rodriguez F, Filimonov A, Henning A, et al: *Radiation-induced effects in multiprogrammable pacemakers and implantable defibrillators. Pacing Clin Electrophys 14: 2143-2153, 1991 CrossRefMedline*
  - ↵ Last A: *Radiotherapy in patients with cardiac pacemakers. Br J Radiol 71: 4-10, 1998 Abstract*
- ↵ Marbach JR: *Recommended precautions in the management of radiation oncology patients with implanted cardiac pacemakers. ASTRO Newsletter VII: 7-8, 1990*



September 18, 2014

Steve Mar  
County of Los Angeles | Department of Regional Planning  
Zoning Permits East Section  
320 West Temple Street, Room 1346  
Los Angeles, California 90012

Re: Conditional Use Permit 201400076

Dear Mr. Mar:

Verizon Wireless has not met its burden of proof pursuant to Zoning Code section 22.54.040. Although the use of a future diesel powered standby generator is mentioned in the Project Summary for Conditional Use Permit 201400076, no direct reference is made to the use of a diesel powered standby generator on the Conditional Use Permit Burden of Proof form submitted by Verizon Wireless or its consultant. Silence with regard to the use of a diesel powered standby generator as a component of the proposed wireless facility does not constitute proof of its adverse affect, material detriment, and endangerment to residents of the surrounding community as mandated by Zoning Code section 22.54.040.

Verizon Wireless has not met its burden of proof pursuant to Zoning Code section 22.54.040, subsection (A)(1), in that it has not shown how a diesel powered standby generator will not adversely affect the health, peace, comfort or welfare of persons residing in the surrounding area. Instead, it states: "It will not create any hazardous materials, fumes, odors, . . . or noise." Diesel engines are notorious for their emission of hazardous fumes, odors and noise. It is long established and well documented that diesel engine exhaust emissions are potentially carcinogenic, potentially genotoxic, exacerbate respiratory conditions such as asthma and other respiratory ailments, are toxic to human cardiovascular systems, and are toxic to human immune systems.

Verizon Wireless has not met its burden of proof pursuant to Zoning Code section 22.54.040, subsection (A)(2), in that it has not addressed how the wireless facility with its accompanying diesel powered standby generator will not be a detriment to the use, enjoyment and valuation of real property of other persons located in the vicinity of the site. Instead, the statement offered is: "The facility will be fully secured by an enclosure and will provide needed voice, data, and E911 services to the area." This statement avoids addressing compliance with the code section. The site is referred to as if it stood alone, in isolation from, and away from any other property and devoid of any persons in the vicinity. Ignoring the fact that the proposed wireless facility is located next to a highly used and very popular park, and is in the midst of a residential area where perhaps more than a thousand people live and raise their families does not constitute proof and does not comply with the requirements of Zoning Code section 22.54.040, subsection (A) (2).

Moreover, there are two other existing electrical transmission towers with existing wireless transmission antennas affixed to them within sight of one another and in proximity to the Verizon Wireless proposed site. It appears that these other two existing

September 18, 2014

Page 2 of 2

wireless transmission facilities, likely owned by Verizon competitors, are not supported by a diesel powered standby generator, or any standby generator at all. If this is the case, it is more than reasonable to question the necessity for a diesel powered standby generator as a necessary component of the proposed Verizon Wireless facility when the two other existing wireless transmission facilities do not require a standby generator.

Further, it is reasonable to question the use of a standby generator that is fueled by diesel. There are alternative fuels, such as compressed natural gas or propane, that are less hazardous to human health, less noxious, and friendlier to the environment. A benefit to Verizon is that both of these alternatives are less expensive to use according to data provided by the U.S. Department of Energy, and maintenance costs using these alternative fuels are purported by some to be cheaper as well.

In addition, it is also more than reasonable to question the need for a third wireless transmission facility in the immediate area. Verizon states that its proposed wireless facility ". . . will provide needed voice, data, and E911 services to the area." This statement is more than disingenuous. Verizon appears to pretend that it is the only wireless provider in the area. It is not. Any assumptive "need" or alleged improvement in wireless service is, by its own analysis, only to a relatively small number of Verizon wireless subscribers as compared to the other wireless providers serving the area and the totality of their subscribers.

The quality of life interests of the larger community of citizens that Zoning Code section 22.54.040 was designed to protect must prevail over the pecuniary interests of Verizon Wireless.

Verizon Wireless has failed to comply with the requirements of Zoning Code section 22.54.040, subsections (A)(1) and (A)(2). The statements offered as proof pursuant to Zoning Code section 22.54.040, subsections (A)(1) and (A)(2), cannot be reasonably deemed to directly address the requirements of the law. There is only silence, denial and avoidance.

For all the foregoing reasons, Conditional Use Permit 201400076 should be denied.

Yours truly,



Al Daniels

cc: Brent Palmer, President, Hacienda Heights Improvement Association

August 7, 2014

Los Angeles County Department of Regional Planning  
320 W. Temple St.  
Los Angeles, CA 90012  
Attn: Steve Mar

RE: Project No. 2014-01883-(4)/Conditional Use Permit No. 201400076

Dear Mr. Mar:

On August 4, 2014, I was jogging around the Thomas Burton Park as usual. When I pass through the nursery, I found the above notice was posted on the fence. I am living in the area affected by the above project. I have listed comments below to protest Verizon Wireless plan to install telecommunications facility in my neighborhood.

- 1) The project will install an antenna RAD center with so many panel antennas, raycaps, PRUs and standby diesel generator. It will substantially change the physical dimensions of the existing tower and cause the ugly visual appearance of neighborhood.
- 2) We have infant and pregnant women in our community, for public health concern, we don't want the radio frequency created by the Wireless facility will affect the young generation.
- 3) The project is only 50 feet away from Thomas Burton Park. After school hours, a lot of sports activity held there. We need to care for the safety and health of kids.
- 4) It will negatively impact property value.
- 5) If we plan to sell the property, we need to disclose the pending project. It will definitely reduce the purchase desire of potential buyer. We as property owner will suffer a lot loss.

Name

Address

*[Signature]*  
Robert Nieu  
Mickie white

2112 Elderway Dr  
Hacienda Hts, CA  
91745

4032  
Elderway Dr.  
Hacienda Hts  
91745 - 8/7/14

Grace Kim

16339 oakrow Dr.  
Hacienda Hts CA 91745  
8/7/14

August 7, 2014

Los Angeles County Department of Regional Planning  
320 W. Temple St.  
Los Angeles, CA 90012  
Attn: Steve Mar

RE: Project No. 2014-01883-(4)/Conditional Use Permit No. 201400076

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Name

Address

~~Pat~~ PATRICK O'NEILL

16328 FOAKROCK DR

HACIENDA HTS

CALIF CITAS

Raymond Lee

16322 OAKROCK DR.

Hacienda HTS, CA 91745 J.

AUG 7/2014

8-7-14

August 7, 2014

Los Angeles County Department of Regional Planning  
320 W. Temple St.  
Los Angeles, CA 90012  
Attn: Steve Mar

RE: Project No. 2014-01883-(4)/Conditional Use Permit No. 201400076

Dear Mr. Mar:

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Name Yoon K Kang Address 16318 Quince Circle 8/7/14

Yoon K Kang 2044 Elder Way Dr. Hacienda 8/7/2014  
POUNCE WARE  
16318 QUINCE CIRCLE HAZENSB F HT. LA 9124

*Very concerned about proposed installation of a ~~red~~ diesel generator on this site with regard to health issues. Diesel engine exhaust is a major health hazard.*

*Al Daniels  
 11312 Quince Circle  
 Hacienda Heights 91745*

August 7, 2014

Los Angeles County Department of Regional Planning  
320 W. Temple St.  
Los Angeles, CA 90012  
Attn: Steve Mar

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Name	Address
JUNG WANG	16348 OAKROW DR. Hacienda Hts. CA. 91745 8/7/14
SUNDER CHANA	16357 OAKROW DR. HACIENDA HTS-CA 91745 8/7/14
MEI ONG	16338 OAKROW H H 91745 8/7/14
Hook Lee	16351 Ranmore Dr. H.H. 8/7/14
Jerry Zeng	2147 Elderway Dr. H.H. 8/7/14
David Lee	2124 Elderway Dr. H.H. 8/7/14
Andrea Sevilla	2108 Elderway Dr. H.H. 8/7/14

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Name	Address
08-07-14 CHARLES W. LEE Linda W Lee	16351 RANMORE DR HH, CA 91745
Jimmy Z. Tang 8/07/14	16316 Marvene Dr. HH. CA 9174
Ramon Arribera 8/07/14	16310 Marvene Dr. HH. CA 91745
ANGELI Tam 08/07/14	16319 MARVENE DR. HH. CA 9174
Yueh Shih 8/7/14	2131 Elderway Dr. HH. CA 917

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Name

SUSAN KWONG

8/7/14

ELLEN FOLSOCA

8/7/14

Margaret Wallace

8/7/14

Address

2135 ELDERWAY DR.

HACIENDA HTS

CA 91745

2136 ELDERWAY DR

HAC HTS CA

91745

2141 Elderway Dr

Hac Hts, Ca 91745 5

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Name

Address

Yunis Lopez      16334 OAKWOOD DR      1720 HTS.      8-9-14

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Name

Address

Jurliang Peng	16345 Oakrow Dr. HH. 8/9/2014
ANITA LAM	16351 - OAKROW DR. H.H. 8/9.2014

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Name

Address

Lupe Ramos

2021 Ederway Ave.

Hacienda Heights, Calif 91745

D.M. Moran

1735 Country Club Rd

Hacienda Heights 91747

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Name

Address

Stanley Gun

16311 Quince Cir HH 91785 8/07/14

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Authorized Agent for Verizon Wireless

Setting the new standard  
Core Development Services  
2749 Saturn Street  
Brea, CA 92521  
Main: (714)729-8404  
Fax: (714)333-4441  
web: www.core.us.com

**Project Narrative**  
Application for a Conditional Use Permit  
County of Los Angeles

Verizon Wireless is requesting approval of a Conditional Use Permit for the construction and operation of a disguised unmanned wireless telecommunications facility (cell site), and presents the following project information for your consideration.

**Project Location- Verizon Wireless "Pepperbrook"**

**Address:** No address- Paso Verde Dr and Clementina Dr (across from Thomas Burton Park)  
**APN:** 8207-019-801 and 802  
**Zoning:** A-1 (Light Agriculture)

**Project Representative**

Tiffany Chen, Zoning Manager  
Core Development Services (on behalf of Verizon Wireless)  
2749 Saturn Street  
Brea, CA 92821  
(714) 319-7837

**Project Description & Narrative**

The proposed installation is to mount onto an existing SCE tower. The facility will include (9) panel antennas, (4) Raycaps, (6) RRUs, and (1) microwave dish on the tower. A concrete block wall retaining wall and concrete pad will be located beneath the tower within the tower's footprint. (3) equipment cabinets, (2) battery cabinets, (4) GPS antenna will be located on the pad within the CMU block wall enclosure. A future standby generator is also proposed to be located on the concrete pad.

The property currently serves as a plant nursery. There are a total of 4 SCE towers on the property. The very northeast tower is currently hosting another carrier's wireless equipment. Verizon is proposing to mount onto the southwest tower. It will be located further away from residential structures than the existing wireless facility. A technician will visit the facility periodically for maintenance purposes.

The project is consistent with the General Plan in that it will not alter the current operation of the property as a SCE facility and nursery. The facility will be unobtrusive- it will not alter any existing pedestrian or vehicular traffic patterns.

Respectfully submitted,

Tiffany Chen  
Authorized Agent for Verizon Wireless



DEVELOPMENT SERVICES

Authorized Agent for Verizon Wireless

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**Supplemental Information for a Wireless Telecommunication Facility**  
Application for a Conditional Use Permit  
County of Los Angeles

**Project Location- Verizon Wireless "Pepperbrook"**

**Address:** No address- Paso Verde Dr and Clementina Dr (across from Thomas Burton Park)

**APN:** 8207-019-801 and 802

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**Project Representative**

Tiffany Chen, Zoning Manager

Core Development Services (on behalf of Verizon Wireless)

2749 Saturn Street

Brea, CA 92821

[tchen@core.us.com](mailto:tchen@core.us.com) | (714) 319-7837

**Coverage Analysis**

There are several reasons why a wireless carrier requires the installation of a cell site within a specified area to close a "significant gap coverage:"

- The radio signal must be of sufficient strength to achieve consistent, sustainable, and reliable service to customers at a level sufficient for outdoor, in-vehicle and in-building penetration with good voice quality (threshold, -75 db).
- When other nearby sites become overloaded and more enhanced voice and data services are used (4G, etc) signal contracts and a gap is created. With heavy use it is intensified due to the unique properties of digital radio transmissions.

This location was selected because Verizon's radio-frequency (RF) engineers have identified a significant deficiency in capacity. The proposed facility will greatly improve capacity in the surrounding residential areas, especially along Colima Rd and Halliburton Rd. The attached RF propagation maps illustrate the coverage area as it exists, the coverage area with the proposed facility functional and the proposed facility by itself. Green indicates optimal signal strength and red indicates weak signal strength.

**Alternative Site Analysis**

Various sites were investigated as candidates for this proposed facility. The capacity gap area/search ring and alternative sites considered are shown respectively in Figures 1 and 2 below.

The search area ring is largely residential with a few pockets of non-residential uses. Thomas Burton Park and Pepperbrook Park were considered, however no existing vertical elements (such as ball field lights) are present at either park. The Mormon Church was eliminated because Mormon churches are not presently interested in wireless deals. There are a total of four SCE towers on the narrow strip of land currently being used as a nursery. The northeast tower is already hosting a wireless facility. Of the two on the south end of the property, Verizon chose the western-most tower to be further away from the adjacent houses.

Figure 1: Search Area Ring

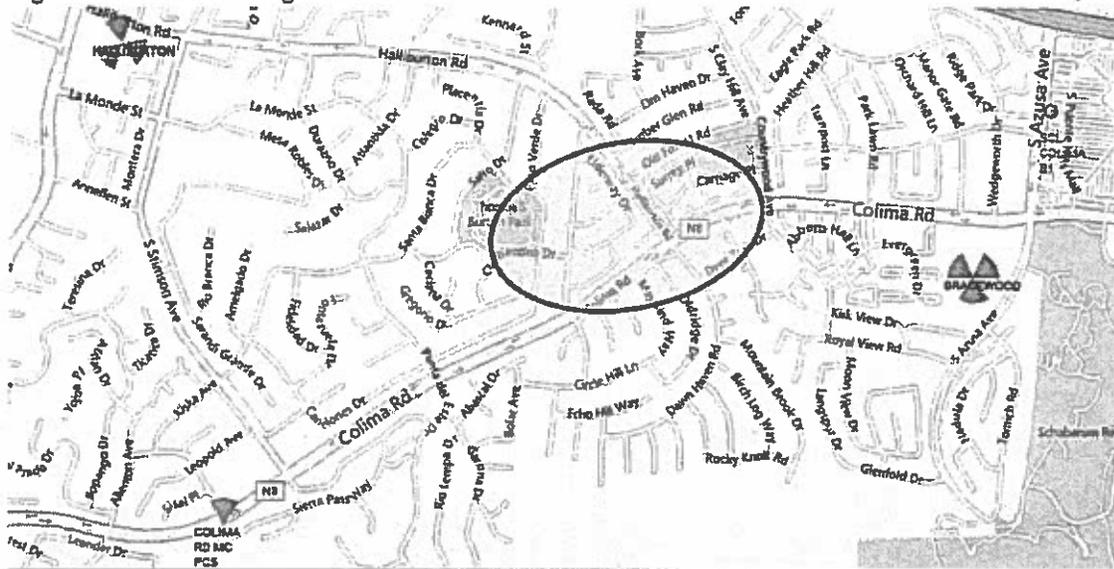


Figure 2: Locations of Candidates Considered





### **Design Analysis**

The design of the facility is proposed to be an SCE tower mount. Panel antennas will be mounted onto three corners of the tower with associated equipment to be located within a CMU wall enclosure within the tower's footprint. The addition of Verizon's equipment will not alter the tower's or property's current uses. In relation to the size and height of the tower, the antennas should appear as minor additions. The nearest residential structures are at least 120 feet away.

### **GENERAL INFORMATION**

#### **Site Selection Process**

Customer demand drives the need for new cell sites. Data relating to incomplete and dropped calls are gathered, drive-tests are conducted, and scientific modeling using sophisticated software is evaluated. Once the area requiring a new site is identified, a target ring on a map is provided to begin a search for a suitable location.

During initial reconnaissance, properties for consideration for the installation of a cell site must be located in the general vicinity of the ring, with an appropriate zoning designation, and appear to have enough space to accommodate an antenna structure and the supporting radio equipment. The size of this space will vary depending on the objective of the site. The owners of each prospective location are notified to assess their interest in partnering with Verizon.

Four key elements are considered in the selection process:

- **Leasing:** The property must have an owner who is willing to enter into a long-term lease agreement under very specific terms and conditions.
- **Zoning:** It must be suitably zoned in accordance with local land-use codes to allow for a successful permitting process.
- **Construction:** Construction constraints and costs must be reasonable from a business perspective, and the proposed project must be capable of being constructed in accordance with local building codes and safety standards.
- **RF:** It must be strategically located to be able to achieve the RF engineer's objective to close the significant gap with antennas at a height to clear nearby obstructions.

#### **The Benefits to the Community**

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

The installation and operation of the proposed facility will offer improved:

- Communications for local, state, and federal emergency services providers, such as police, fire, paramedics, and other first responders.



- Personal safety and security for community members in an emergency, or when there is an urgent need to reach family members or friends. Safety is the primary reason parents provide cell phones to their children.
- Capability of local businesses to better serve their customers.
- Opportunity for a city or county to attract businesses to their community for greater economic development.
- Enhanced 911 Services (E911)- The FCC mandates that all cell sites have location capability. Effective site geometry within the overall network is needed to achieve accurate location information for mobile users through triangulation with active cell sites. Over half of all 911 calls are made using mobile phones.

**Safety- RF is Radio**

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

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

The enclosed application is presented for your consideration. Verizon requests a favorable determination and approval of a Plot Plan to build the proposed disguised facility. Please contact me at (714) 319-7837 for any questions or requests for additional information.

Respectfully submitted,

Tiffany Chen  
Authorized Agent for Verizon Wireless