



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

September 1, 2015

Richard J. Bruckner
Director

Areej Rajput
2749 Saturn St.
Brea, CA 92821

**REGARDING: PROJECT NO. R2014-02012-(2)
CONDITIONAL USE PERMIT NO. 201400087
1150 E. 58th Place, Florence-Firestone (APN: 6008-003-019)**

Hearing Officer Alejandro Garcia, by his action of **September 1, 2015**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **September 15, 2015**. **Appeals must be delivered in person.**

Appeals: To file an appeal, please contact:
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Travis Seawards of the Zoning Permits West Section at (213) 974-6462, or by email at TSeawards@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Mi Kim, Supervising Regional Planner
Zoning Permits West Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion),
c: DPW (Building and Safety); Zoning Enforcement;

MKK:TSS

**FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02012-(2)
CONDITIONAL USE PERMIT NO. 201400087**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400087 ("CUP") on September 1, 2014.
2. The permittee, Crown Castle ("permittee"), requests the CUP to authorize the continued operation of a wireless telecommunications facility ("Project") on a property located at 1150 E. 58th Place in the unincorporated community of Florence-Firestone ("Project Site") in the Light Manufacturing Zone (M-1) pursuant to Los Angeles County Code ("County Code") Section 22.32.080.
3. The Project Site is 0.12 gross acres in size and consists of one legal lot. The Project Site is rectangular in shape with flat topography and is developed with ground-mounted wireless telecommunications facility.
4. The Project Site is located in the Compton-Florence Zoned District and is currently zoned M-1.
5. Project Site is located within the Major Industrial (I) land use category of the Los Angeles County General Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: M-2 and City of Los Angeles, developed with industrial uses
 - South: M-1, R-2 (Two-Family Residence) and R-3 (Unlimited Multiple Residence)
 - East: M-1
 - West: M-1
7. Surrounding land uses within a 500-foot radius include:
 - North: Light and heavy industrial uses, City of Los Angeles, developed with industrial uses
 - South: Single-family and multi-family residences, a public works sewer maintenance facility, and auto service uses
 - East: Parking lot, industrial and warehouse uses
 - West: Parking, single-family residences
8. The wireless telecommunications facility has five previous planning approvals.
 - CUP No. 99-214-(2) approved a 79-foot-tall monopalm wireless telecommunications facility on May 18, 2000.
 - CUP No. 03-394-(2) approved an 80-foot tall monopalm wireless facility with the co-location of an additional wireless facility on June 1, 2014. The 80-foot-tall

- monopine replaced the 79-foot-tall monopalm that was approved by CUP No. 99-241-(2).
- Revised Exhibit "A" (REA) No. 200900108 approved three new panel antennas, three new microwave dishes, and an additional equipment cabinet to the existing monopine wireless facility on October 29, 2009.
 - REA No. 201200019 approved the swapping of antennas and the addition of new associated wireless equipment on March 11, 2013.
 - REA No. 201200273 on April 30, 2013 approved and additional antenna and associated power cables on April 30, 2013.
9. The site plan for the Project depicts the 0.12-acre parcel that is developed with an 80-foot-tall ground-mounted wireless telecommunications facility. The wireless facility is designed as a monopine. All associated equipment and cabinets are located on at the ground level and are enclosed by a 12-foot-tall fence.
10. The Project Site is accessible via E. 58th Place to the south. Primary access to the Project Site will be via an entrance/exit on E. 58th Place.
11. Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1 Categorical Exemption (Existing Facilities) 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 continued operation of a wireless telecommunications facility, with no proposed, that is located in a heavily urbanized area with no sensitive environmental resources.
12. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
13. Staff has not received any correspondence regarding the Project.
14. A duly noticed public hearing was held on September 1, 2015 before the Hearing Officer. The applicant's representative, Areej Rajput, presented testimony in favor of the request and answered questions presented by the Hearing Officer. The Hearing Officer inquired about the condition for additional fronds to conceal the facility. Staff clarified that the Exhibit "A" is the approved construction of the facility, and that the condition requires the applicant to add more camouflaging so that the facility is constructed to match the Exhibit "A". Ms. Rajput agreed to the condition, but asked for additional 90 days to complete this condition. Therefore, Condition No. 36 is amended to say that this requirement must be met within 180 days (March 1, 2016). There being no further testimony, the Hearing Officer closed the public hearing and adopted the recommended changes by staff and agreed to by the applicant.
15. The Hearing Officer finds that the Project is consistent with the General Plan and underlying land use designation. The project site is designated Major Industrial (I) by the Los Angeles County General Plan, which is intended for major industrial uses

including manufacturing of all types, mineral extraction sites, refineries, warehousing and storage, and product research and development. The existing wireless facility provides telecommunications and data network capacity for businesses and residences in the area.

16. The Hearing Officer finds that the Project is consistent with the development standards for the M-1 Zone regarding outside storage and display and signage. The existing wireless facility is located in a lease area that screens all associated equipment within a 12-foot-tall fence, and the lease area is not used for storage or display of raw materials or finished products, and the facility has no signage.
17. The Hearing Officer finds that the Project is consistent with the development standard for required parking. Parking requirements for wireless telecommunications facilities are not listed in Part 11 of Chapter 22.52, and therefore the Director can establish the appropriate amount of parking that is needed to ensure that the use is served with adequate parking and prevents traffic congestion and excessive on-street parking. The wireless telecommunications facility is unmanned and requires only periodic, monthly, maintenance visits. The facility is located on a street that allows on-street parking, and site visits have verified there is ample on-street parking to accommodate monthly maintenance visits.
18. The Hearing Officer finds that the Project is a legally established, non-conforming structure and is therefore not subject to the development standards for height per the policy memorandum that relates to wireless telecommunications facilities (Subdivision & Zoning Ordinance Policy No. 01-2010 regarding Wireless Telecommunications Facilities, dated July 26, 2010). The 80-foot-tall structure was approved by CUP No. 03-394-(2) in 2004 in an M-1 Zone, which does not have a height limit, and the approval pre-dates the passage of the Florence-Firestone Community Standards District (CSD), which limits new structures to 45 feet. Therefore the existing wireless facility on the 80-foot-tall monopine is a legally established, non-conforming structure and is not subject to the 45-foot-tall height limit.
19. The Hearing Officer finds that the Project is compliant with the development standards for design per the policy memorandum that relates to wireless telecommunications facilities (Subdivision & Zoning Ordinance Policy No. 01-2010 regarding Wireless Telecommunications Facilities, dated July 26, 2010). All wireless facilities are required to use camouflage techniques to minimize visual impacts. The existing wireless facility is designed as a monopine to camouflage the antenna equipment, and all associated equipment at the ground level is screened by a 12-foot-tall fence and is not visible from the street level, which is required for all ground-mounted wireless facilities. Chain link fences are not allowed per the Department's policy memo for wireless facilities; however, the existing facility was approved in 2004, which pre-dates the policy memo, and the facility is therefore a legally established, non-conforming structure. Previous CUP approvals of the wireless facility show that the camouflage fronds of the monopine are required to extend beyond the panel antennas. The wireless facility, as currently constructed, does not meet this design requirement. Staff has added a condition of approval that within 90

days, new camouflaging fronds will be placed on the monopine structure to meet this requirement.

20. The Hearing Officer finds that the Project does not negatively affect the health, peace, comfort or welfare of persons residing or working in the area, and is not materially detrimental to the use, enjoyment, or valuation of property in the area. The wireless facility has been operating since 2000 with no record of public complaints. The facility provides communications and data network capabilities to the businesses and residences in the area, and the facility is well-screened and camouflaged so any potential visual impacts are mitigated.
21. The Hearing Officer finds that the Project meets all required development standards for the M-1 Zone. The Project Site provides adequate parking for the facility, and all ground-level equipment is screened by a 12-foot-tall fence.
22. The Hearing Officer finds that the Project does not require the need for street improvements or the need for additional public utility services. The wireless facility has been operating since 2000. The Project includes no modifications to the existing facility and thus no new infrastructure is needed to continue to operate the wireless facility.
23. 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.
24. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of West Carson. On June 6, 2015, a total of 45 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. There are no names or interested parties on the courtesy list for the Harbor City Zoned District.
25. 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 West 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 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit No. 201400087, subject to the attached conditions.

ACTION DATE: September 1, 2015

MKK:TSS
7/2/15

c: Hearing Officer, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02012-(2)
CONDITIONAL USE PERMIT NO. 201400087**

PROJECT DESCRIPTION

The project is a request for a conditional use permit to authorize the continued operation of an 80-foot tall, ground-mounted monopine wireless telecommunications facility, 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 September 1, 2030.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional 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 ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the rooftop wireless facility and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken

on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$1,600.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for eight (8) biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works 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 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 **November 1, 2015**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS – WIRELESS TELECOMMUNICATIONS FACILITIES

19. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
20. The permittee shall provide, upon request, to the Zoning Enforcement Section of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
21. Insofar as is feasible, the permittee shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.
22. Any proposed WTF that will be co-locating on the 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. If any external lighting is proposed, including security lighting, it shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Pole mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
25. 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. 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, as depicted in the photo simulations presented at public hearing.
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. Upon termination of this grant, if the facility has ceased to operate; the permittee shall remove such facility and clear the site of all equipment within six months of the cease of operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility.
33. New equipment added to the facility shall not compromise the stealth design of the facility.

PROJECT SITE SPECIFIC CONDITIONS

34. This grant shall authorize the continued operation of a ground-mounted, 80-foot-tall monopine wireless telecommunications facility.
35. The maximum height of the facility shall not exceed 80 above grade.
36. The permitte shall provide additional camouflaging to meet the requirements to fully camouflage the wireless equipment on the monopine structure, as depicted on the Exhibit "A". The additional camouflaging will be completed within 180 days from approval of this grant (March 1, 2016), as agreed to by the permittee.