

Hearing Officer Transmittal Checklist

Hearing Date
07/21/2015
Agenda Item No.
8

Project Number: R2014-02389-(4)
Case(s): Conditional Use Permit Case No. 201400111
Planner: Michele Bush

- 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
- Photo Simulations
- Landscaping Plans

Reviewed By: _____





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

PROJECT NUMBER **HEARING DATE**
 R2014-02389-**(4)** 07/21/2015

REQUESTED ENTITLEMENTS
 Conditional Use Permit No. 201400111

PROJECT SUMMARY

OWNER / APPLICANT
 Samir E. and Marie A. Bahouth / Verizon Wireless

MAP/EXHIBIT DATE
 06/16/2014

PROJECT OVERVIEW

The applicant is requesting a Conditional Use Permit (CUP) to authorize the construction and maintenance of a 50-foot high unmanned monoecalyptus wireless telecommunications facility to include 12 panel antennas, one (1) microwave dish, two (2) fiber demarcation boxes and 12 RRU's. Verizon wireless will also install three (3) equipment cabinets, two (2) battery cabinets and one (1) stand-by generator within a CMU enclosure. Two (2) GPS antennas will be mounted to the proposed equipment cabinets.

LOCATION
 2356 Fullerton Road, Unincorporated Rowland Heights

ACCESS
 Fullerton Road and Mescal Street

ASSESSORS PARCEL NUMBER(S)
 8268-017-035 and 054

SITE AREA
 0.49 Acre

GENERAL PLAN / LOCAL PLAN
 Rowland Heights Community Plan

ZONED DISTRICT
 Puente

LAND USE DESIGNATION
 U2 – Urban 2 (3.3 to 6.0 du/ac)

ZONE
 A-1-6,000 (Light Agricultural-6,000sf minimum lot)

PROPOSED UNITS **MAX DENSITY/UNITS**
 N/A N/A

COMMUNITY STANDARDS DISTRICT
 Rowland Heights

ENVIRONMENTAL DETERMINATION (CEQA)

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

KEY ISSUES

- o Los Angeles County Zoning Code Section 22.56.040

CASE PLANNER:
 Michele Bush

PHONE NUMBER:
 (213) 974 - 6435

E-MAIL ADDRESS:
 mbush@planning.lacounty.gov



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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) for the construction and maintenance of an unmanned 50-foot high monoecalyptus wireless telecommunications facility in the A-1-6,000 (Light Agricultural-6,000 sf minimum lot) Zone pursuant to County Code Section 22.24.100.

PROJECT DESCRIPTION

The project is a request to authorize the construction and maintenance of a 50-foot high unmanned monoecalyptus wireless telecommunications facility which consists of the monoecalyptus, 12 panel antennas, one (1) microwave dish, two (2) fiber demarcation boxes and 12 RRUs. Verizon wireless will also install three (3) equipment cabinets, two (2) battery cabinets and one (1) stand-by generator within a CMU enclosure. Two (2) GPS antennas will be mounted to the proposed equipment cabinets. The wireless telecommunications facility will be located within a 690.33 square-foot lease area.

The site plan for the Project depicts the project site developed with an existing gas station. The Chevron gas station occupies the southern half of the property. The northern portion of the property, where the wireless telecommunications facility will be located, is used for parking. Adequate parking will be maintained to serve the gas station use. The wireless telecommunications facility will be located along the northern boundary of the property along Fullerton Road and Bellorita Street.

EXISTING ZONING

The subject property is zoned A-1-6,000.

Surrounding properties are zoned as follows:

North: A-1-6,000

South: C-1 (Restricted Business)

East: A-1-6,000

West: R-A-9,000 (Residential Agricultural)

EXISTING LAND USES

The subject property is developed with an existing Chevron gas station.

Surrounding properties are developed as follows:

North: Single-Family Residential

South: Commercial

East: Single-Family Residential

West: Single-Family Residential

PREVIOUS CASES/ZONING HISTORY

The subject property has existed as a gas station use (Arco and Chevron) for more than 20 years. Several building permits have been issued for the existing use.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 3 Exemption, New Construction or Conversion of Small

Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project involves the installation of a new wireless telecommunications facility in an urbanized, developed area. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the U2 – Urban 2 (3.3 to 6.0 du/ac) land use category of the Rowland Heights Community Plan. While the primary use of land within the U2 designation is urban low density residential, all urban classifications, within the Rowland Heights Community Plan, may include such services and facilities as schools, utility stations and churches, subject to necessary permit procedures. The wireless telecommunications facility provides such a service and is therefore consistent with the permitted uses of the underlying land use category.

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

- *Encourage the beautification of new and existing commercial areas. This can be achieved through the combined efforts of the public and private sectors.*

The proposed project includes landscaping to screen walls visible from the public right-of-way.

Zoning Ordinance and Development Standards Compliance

A wireless telecommunications facility is a use not specified in the Zoning Ordinance. The closest described uses are radio and television towers. Pursuant to Section 22.24.100 of the County Code, these are permissible uses in the A-1 Zone, provided a Conditional Use Permit has first been obtained, subject to the following development standards:

- Pursuant to Section 22.52.1220 of the County Code, one parking space should be provided. The parking space is required for site visits done on a monthly basis by maintenance personnel. The project site provides parking to meet this requirement.
- Pursuant to Subdivision & Zoning Ordinance Policy No. 01-2010 Wireless Telecommunications Facilities, appurtenant equipment boxes shall be screened or camouflaged. The appurtenant equipment will be screen within a 690.33 square-foot lease area.
- Pursuant to Subdivision & Zoning Ordinance Policy No. 01-2010 Wireless Telecommunications Facilities, when the wireless facility's fences or walls are visible from the public right-of-way, landscaping shall be provided to screen the fence or wall from the street. A minimum planter width of five feet shall be provided. The project will provide landscaping to meet this policy requirement.

Burden of Proof

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

Neighborhood Impact/Land Use Compatibility

The subject property has existed as a gas station use (Arco and Chevron) for more than 20 years. Several building permits have been issued for the existing use. The Chevron gas station occupies the southern half of the property. The northern portion of the property, where the wireless telecommunications facility will be located, is used for parking. Adequate parking will be maintained to serve the gas station use. The wireless telecommunications facility will be located along the northern boundary of the property along Fullerton Road and Bellorita Street.

Allowing the wireless telecommunications facility to be built and operate will ensure that local cellular service will remain readily available in the vicinity. Verizon wireless facilities are regulated by the FCC. The disguised nature of the facility as a eucalyptus tree and its location towards the rear of the property allow the gas station to be used just as it is currently. It will not affect vehicular circulation within the customer parking lot. No discernible noises, smells, light, glare or traffic will be produced by the proposed facility. The equipment will be fully secured by an enclosure and will provide needed voice, data and 911 services to the area. Allowing the wireless telecommunications facility to be built and operate will ensure that local cellular service will remain readily available in the vicinity. Any concern raised 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 emission."

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).

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Based on a letter from the County of Los Angeles Department of Public Works, dated January 14, 2015, Public Works recommends approval of this Conditional Use Permit.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

Based on a letter from Rowland Heights Community Coordinating Council, Inc., dated April 13, 2015, there were no oppositions to the project request. The only concern among the community was the issue of graffiti which the applicant agreed to address with landscaping. The conditions of approval have been written to address this concern.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff received one email in support of the project request and one phone call in opposition.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2014-02389-(4), Conditional Use Permit Number 201400111, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

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

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NUMBER 201400111 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Michele Bush, Principal Regional Planner, Zoning Permits East Section
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

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

MM:MRB
07/21/15

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02389-(4)
CONDITIONAL USE PERMIT NO. 201400111**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400111 ("CUP") on July 21, 2015.
2. The permittee, Verizon Wireless ("permittee"), requests the CUP to authorize the construction and maintenance of a 50-foot high unmanned monoecalyptus wireless telecommunications facility ("Project") on a property located at 2356 Fullerton Road in the unincorporated community of Rowland Heights ("Project Site") in the A-1-6,000 (Light Agricultural-6,000sf minimum lot) zone pursuant to Los Angeles County Code ("County Code") section 22.24.100.
3. The Project Site is 0.49 gross acres in size and consists of two legal lots. The Project Site is irregular in shape with relatively flat topography and is developed with an existing Chevron gas station with parking lot.
4. The Project Site is located in the Puente Zoned District and is currently zoned A-1-6,000 to the north and along a portion to the southeast, and C-1 (Restricted Business) along a portion to the southwest. The wireless telecommunications facility will be located within the A-1 zone to the north.
5. The Project Site is located within the U2-Urban 2 (3.3 to 6.0 du/ac) land use category of the Rowland Heights Community Plan.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: A-1-6,000
 - South: C-1
 - East: A-1-6,000
 - West: R-A-9,000 (Residential Agricultural)
7. Surrounding land uses within a 500-foot radius include:
 - North: Single-Family Residential
 - South: Commercial
 - East: Single-Family Residential
 - West: Single-Family Residential
8. The subject property has existed as a gas station use (Arco and Chevron) for more than 20 years. Several building permits have been issued for the existing use.
9. The site plan for the Project depicts the project site developed with an existing gas station. The Chevron gas station occupies the southern half of the property. The

northern portion of the property, where the wireless telecommunications facility will be located, is used for parking. Adequate parking will be maintained to serve the gas station use. The wireless telecommunications facility will be located along the northern boundary of the property along Fullerton Road and Bellorita Street. The wireless telecommunications facility consists of a 50-foot high unmanned monoecalyptus wireless telecommunications facility to include 12 panel antennas, one (1) microwave dish, two (2) fiber demarcation boxes and 12 RRUs. Verizon wireless will also install three (3) equipment cabinets, two (2) battery cabinets and one (1) stand-by generator within a CMU enclosure. Two (2) GPS antennas will be mounted to the proposed equipment cabinets. The wireless telecommunications facility will be located within a 690.33 square-foot lease area.

10. The Project Site is accessible via Fullerton Road and Mescal Street to the west and south.
11. Adequate parking is provided to serve the gas station use. Two existing parking spaces will be relocated on-site to accommodate the wireless telecommunications facility. One parking space is necessary for site visits done on a monthly basis by maintenance personnel. The project site provides parking to meet this requirement.
12. Based on a letter from the County of Los Angeles Department of Public Works, dated January 14, 2015, Public Works recommends approval of this Conditional Use Permit.
13. Based on a letter from Rowland Heights Community Coordinating Council, Inc., dated April 13, 2015, there were no oppositions to the project request. The only concern among the community was the issue of graffiti which the applicant agreed to address with landscaping. The conditions of approval have been written to address this concern.
14. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 3, New Construction or Conversion of Small Structures, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County because the Project involved the installation of a new wireless telecommunications facility.
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, property posting, library posting and DRP website posting.
16. Prior to the Hearing Officer's public hearing, The Department of Regional Planning ("Regional Planning") staff received one email in support of the project request and one phone call in opposition.
17. *To be inserted after the public hearing to reflect hearing proceedings.*

18. The Hearing Officer finds that the Project is consistent with the goals and policies of the Rowland Heights Community Plan. The subject project is located within the U2 – Urban 2 (3.3 to 6.0 du/ac) land use designation. While the primary use of land within the U2 designation is urban low density residential, all urban classifications, within the Rowland Heights Community Plan, may include such services and facilities as schools, utility stations and churches, subject to necessary permit procedures.
19. The Hearing Officer finds that the Project is consistent with the Zoning Code. A wireless telecommunications facility is a use not specified in the Zoning Ordinance. The closest described uses are radio and television towers. Pursuant to Section 22.24.100 of Title 22 of the Los Angeles County Code, these are permissible uses in the A-1 (Light Agricultural) zone, provided a Conditional Use Permit has first been obtained.
20. Verizon wireless facilities are regulated by the FCC. The disguised nature of the facility as a eucalyptus tree and its location towards the rear of the property allow the gas station to be used just as it is currently. It will not affect vehicular circulation within the customer parking lot. No discernible noises, smells, light, glare or traffic will be produced by the proposed facility. The equipment will be fully secured by an enclosure and will provide needed voice, data and 911 services to the area. Allowing the wireless telecommunications facility to be built and operate will ensure that local cellular service will remain readily available in the vicinity. Any concern raised 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 emission.”

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). Accordingly, the Hearing Officer finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare.

21. The proposed wireless facility will be located in the northwestern portion of the property. The proposed 50-foot mono-eucalyptus and associated equipment will be contained in an eight-foot tall CMU wall. The total lease area is 690 square feet. This proposed project can physically occupy the property without negatively impacting its current and surrounding uses. Accordingly, the Hearing Officer finds that the Project site is adequate in size and shape to accommodate the yards, walls, fences, parking

and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

22. The proposed project is an unmanned wireless telecommunications facility that will only require a once-per-month visit by a maintenance technician and will not generate any significant changes to the existing traffic. Accordingly, the Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public private service facilities as are required.
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 20 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 the Rowland Heights Library located in the vicinity of Rowland Heights community. On May 6, 2015, a total of 114 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 11 notices to those on the courtesy mailing list for the Puente Zoned District and to any additional interested parties.
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 East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
2. Approves Conditional Use Permit 201400111, subject to the attached conditions.

ACTION DATE: July, 21, 2015

MM:MRB
07/21/15

c: Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02389-(4)
CONDITIONAL USE PERMIT NO. 201400111**

PROJECT DESCRIPTION

The project is a request to authorize the construction and maintenance of an unmanned 50-foot high monoecalyptus wireless telecommunications facility and appurtenant equipment, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Conditions No. 10. Notwithstanding the foregoing, this Condition No. 2 and Conditions No. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on July 21, 2035.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used by August 5, 2017. 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 **\$2,200.00**. 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 eleven (11) (one the first year and ten 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 adhere to the requirements contained in Title 12 12.08 of the Los Angeles County Noise Control Ordinance.
15. 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").
16. 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.
17. 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.

18. 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 **September 21, 2015**.
19. 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

20. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
21. Upon completion of construction of the facility, the permittee shall provide upon request to the Zoning Enforcement Section of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
22. Insofar as is feasible, the permittee shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.
23. Any proposed WTF that will be co-locating on the proposed facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.
24. All structures shall conform to the requirements of the Division of Building and Safety of Public Works or other appropriate agency and obtain an encroachment permit if deemed necessary.

25. 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.
26. 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.
27. Placement and height of all pole mounted equipment shall be in substantial conformance with that shown on said Exhibit "A". The facility shall be built as depicted in the photo simulations presented at the public hearing.
28. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.
29. The maximum height of the facility shall not exceed 50 feet above finished grade.
30. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
31. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant.
32. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired by the permittee within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced by the permittee within 30 days of notice. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.
33. Upon request, the permittee shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
34. The project number, conditional use permit number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.
35. The facility shall be secured by fencing, gates and/or locks. All fencing or walls used for screening or securing the facility shall be composed of wood, vinyl, stone, concrete, stucco or wrought iron. Chain links, chain link with slats, barbed and

other types of wire fencing are prohibited. If the facility's fences or walls are visible from the public right-of-way, landscaping, in a minimum planter width of five feet, shall be provided to screen the fence or wall from the street.

36. Upon termination of this grant or after the construction of this facility, if the facility has ceased to operate; the permittee shall remove such facility and clear the site of all equipment within six months of the cease of operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility.
37. New equipment added to the facility shall not compromise the stealth design of the facility.
38. Antennas shall be painted or covered to match their background (branches or trunk). The antennas shall not extend beyond the monotree branches or fronds. There shall be ample branch coverage to hide the antennas from view as effectively as possible. Faux bark cladding shall be provided from the ground to five feet beyond where the faux branches begin; above the faux bark shall be flat non-reflective brown paint to match the bark.
39. Appurtenant equipment boxes shall be screened or camouflaged.

PROJECT SITE SPECIFIC CONDITIONS

40. This grant shall authorize the construction and maintenance of an unmanned 50-foot high monoecalyptus wireless telecommunications facility and appurtenant equipment.
41. Submit plans to the County of Los Angeles Department of Public Works, Building and Safety Division, La Puente District Office for review and permit issuance.
42. The permittee shall comply with all conditions set forth in the attached County of Los Angeles Department of Public Works letter dated January 14, 2015.

Attachments:

Public Works Department Letter dated January 14, 2015

07/21/15



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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

GAIL FARBER, Director

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

January 14, 2015

IN REPLY PLEASE
REFER TO FILE LD-2

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

Attention Michelle Bush

FROM: Art Vander Vis
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201400111
PROJECT NO. R2014-02389-(1)
2356 FULLERTON ROAD
ASSESSOR'S MAP BOOK NO. 8268, PAGE 17, PARCEL NOS. 35 AND 54
UNINCORPORATED COUNTY COMMUNITY OF ROWLAND HEIGHTS

We reviewed the CUP for the proposed project located at 2356 Fullerton Road in the unincorporated County community of Rowland Heights. The proposed project includes the construction and maintenance of a 50-foot-high, monoecalyptus antenna with appurtenant equipment.

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

Upon approval of the CUP, we recommend the following condition:

1. Building and Safety

- 1.1 Submit plans to Public Works' Building and Safety Division, La Puente District office, for review and permit issuance.

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

For any questions or if you require additional information, please contact Juan Sarda of Public Works' Land Development Division at (626) 458-4921 or jsarda@dpw.lacounty.gov

JS:tb



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.

Please see attachment.

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.

Please see attachment.

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.

Please see attachment.

GALATINA | *Burden of Proof*

A.

The proposed wireless facility will be designed and meet all health and safety regulations and standards. The Federal Communications Commission (FCC) has set safe operating standards that all wireless carriers must abide by and Verizon Wireless telecommunications facilities always operate well below the allowed levels of emissions. Therefore the community's health will not be at risk due to the operation of the proposed WTF. Rather than endangering the community, the wireless project will improve telecommunications in the area and will thus afford Verizon Wireless users improved wireless uses, which is particularly beneficial when residents need to call for help in emergency situations. Additionally, the improved wireless coverage and capacity that the project will produce may pose as a draw for residents to live in the area and may thus improve the value of the positively affected properties.

B.

The proposed wireless facility will be located in the northwestern portion of the property. The proposed 50 foot mono eucalyptus and associated equipment will be contained in an eight foot tall CMU wall. The total lease area is 690 square feet. This proposed project can physically occupy the property without negatively impacting its current and surrounding uses. While the proposed project may not meet the required setbacks, the use is allowable and suitable for the site.

C.

The proposed project is an unmanned wireless telecommunications facility that will only require a once per month visit by a maintenance technician and will not generate any significant changes to the existing traffic. Therefore, the existing roadways will adequately serve the project and will not be negatively impacted by the project.

KINGDON CHEW – PRESIDENT, VACANT – 1ST VICE PRESIDENT, DAVID KOO – 2ND VICE PRESIDENT,
HENRY WOO – 3RD VICE PRESIDENT, DEANNE JOYCE – RECORDING SECRETARY, JOHN GRANT – CORRESPONDING SECRETARY
CARLA SANCEZ – TREASURER, CHARLES LIU – HISTORIAN, TED EBENKAMP – PAST PRESIDENT



ROWLAND HEIGHTS COMMUNITY COORDINATING COUNCIL, INC.

WWW.ROWLAND-HEIGHTS.ORG

P.O. Box 8171, Rowland Heights, CA 91748

April 13, 2015

Dear Mr. Miletech,

Per our meeting and presentation to the Rowland Heights residents and Board members to your installation of a new Verizon facility on Fullerton Road there have been no oppositions. We are gladly awaiting your proposed project as you have indicated there is a great gap of Verizon coverage to our area.

The only concern among the community is the issue of graffiti which you mentioned with some landscaping as you have with other locations will mitigate this possible issue.

If there's any questions feel free to contact me directly @ kingdonchew@usa.net.

Sincerely,

Kingdon W. Chew
President- Rowland Heights Community Coordinating Council

Michele Bush

From: MnJGrant@aol.com
Sent: Monday, May 11, 2015 9:53 AM
To: Michele Bush
Subject: Public Hearing Vote

Michele Bush,

I vote YES on project & permit(s): R2014-02389-(1), conditional use permit 201400111. construct and maintenance of a 50-foot high unmanned monoecalyptus wireless telecommunications facility.

Thank you,

John Grant

GALATINA | *Site Photographs*

2356 Fullerton Road,
Rowland Heights, CA 91748

APN: 8268-017-035 & 8268-017-054

GALATINA PROPERTY MAP KEY

1 - Southwest Property Corner

2 - West Side of Property

3 - Northwest Property Corner

4 - Closer Look at Northwest Property Corner,
location of proposed wireless facility

5 - Closer Look at Northwest Property Corner,
location of proposed wireless facility

6 - East Side of Property

7 - North of Property, beyond property line



VIEW 1 | Southwest Property Corner



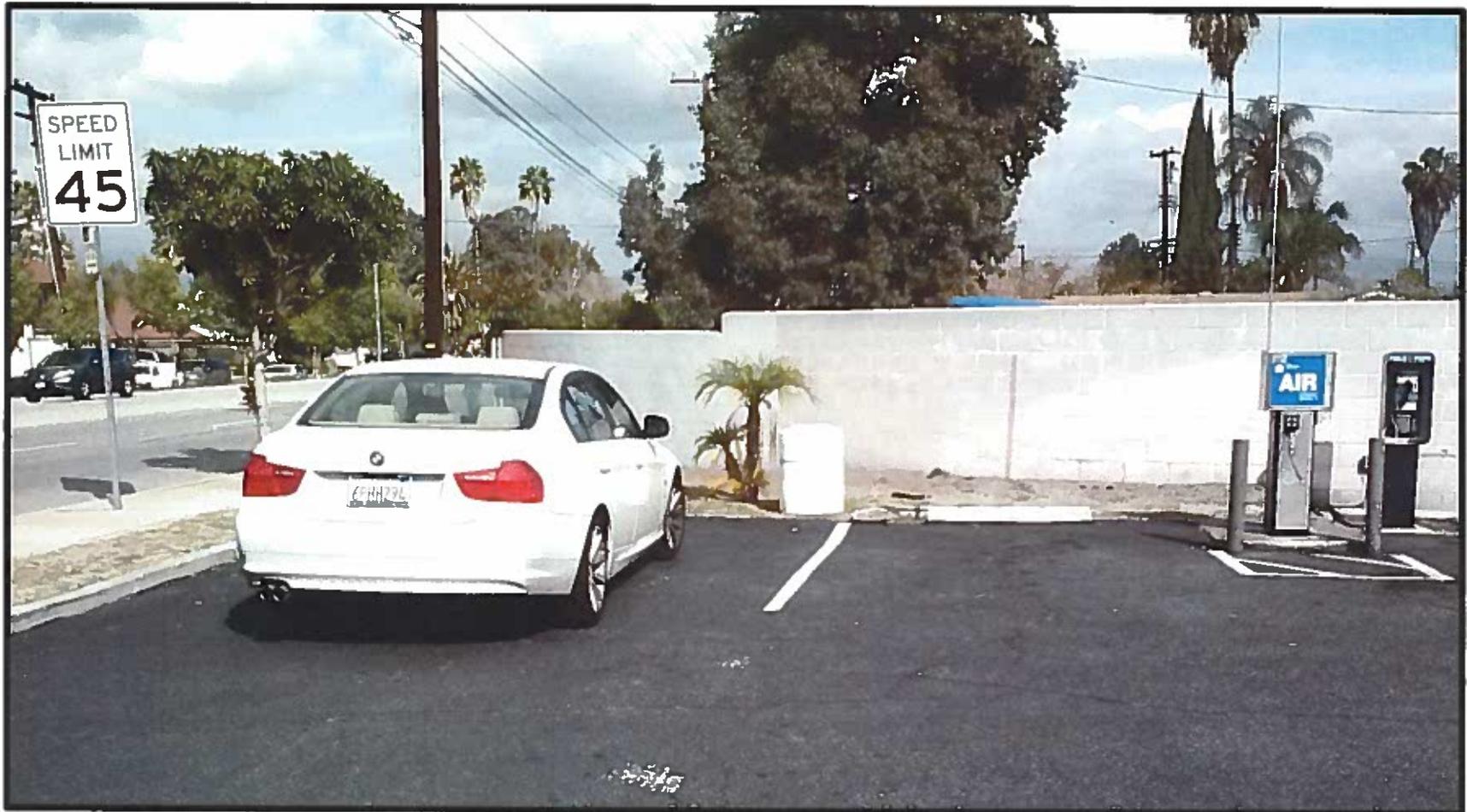
VIEW 2 | West Side of Property



VIEW 3 | Northwest Property Corner



VIEW 4 | Proposed Wireless Facility Area



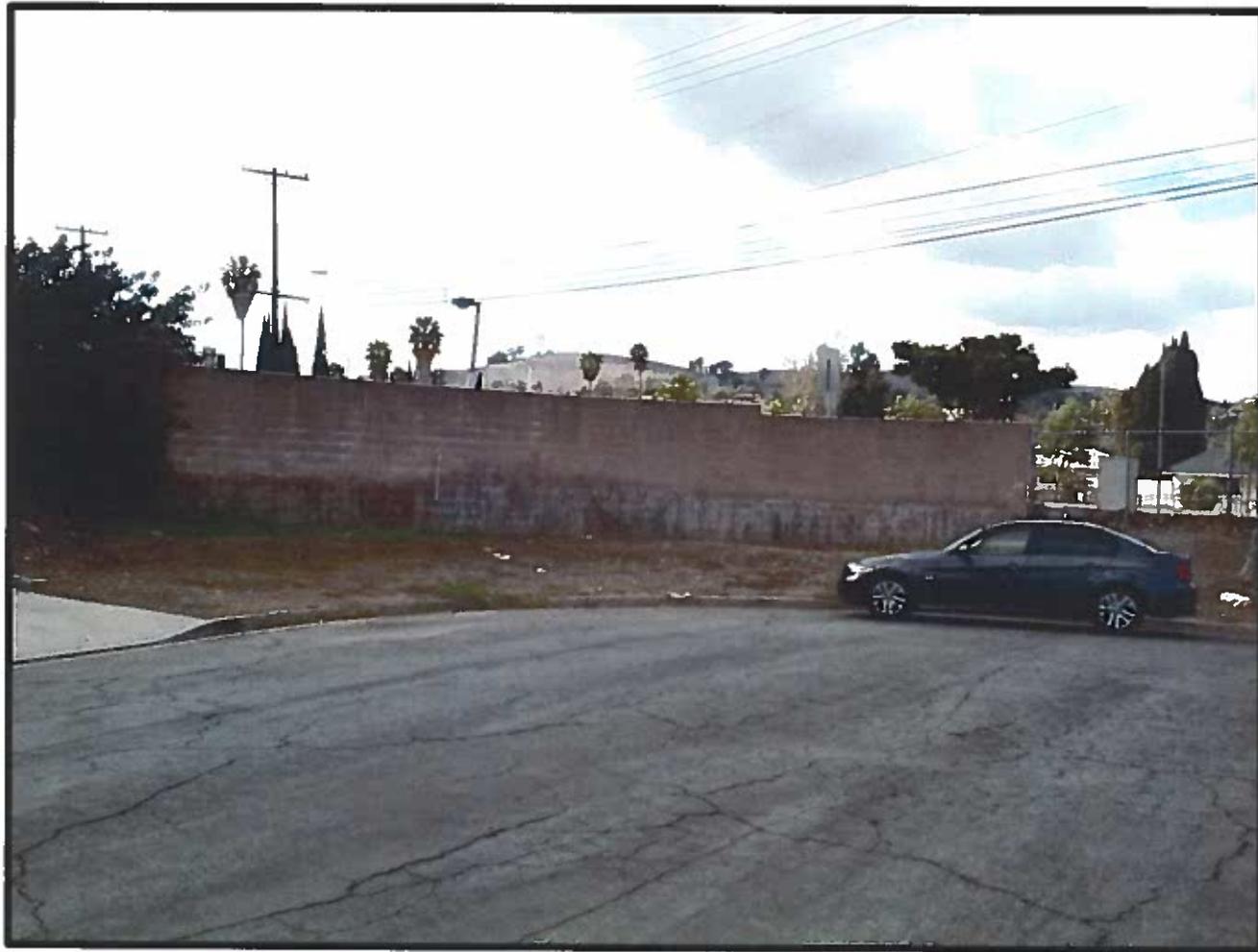
VIEW 5 | Close Up of Proposed Wireless Facility Area



VIEW 6 | Northeast Property View



VIEW 7 | Area Just North of Project Property



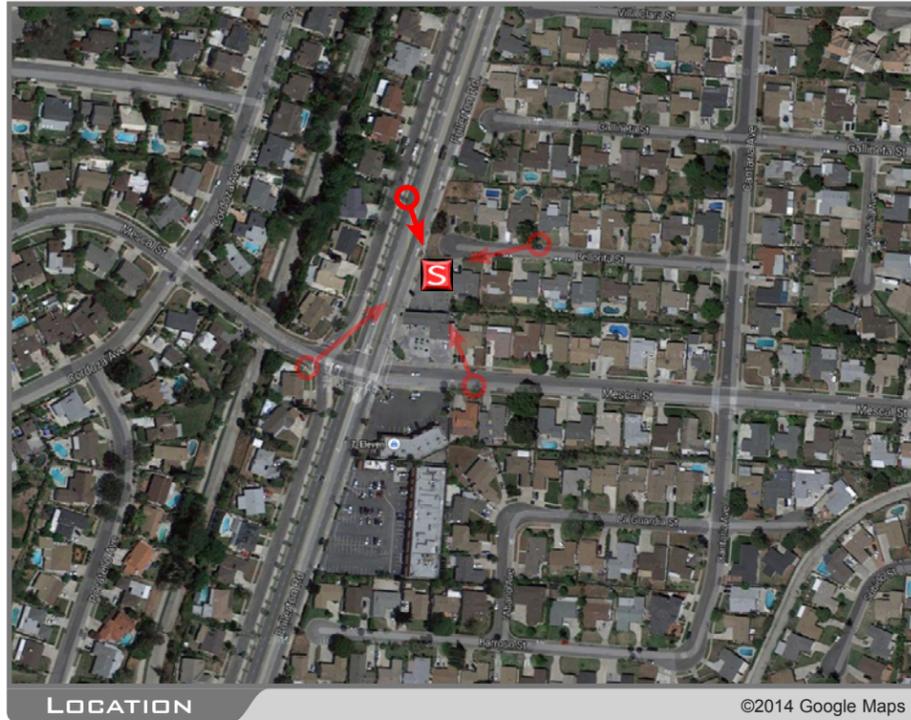


GALATINA

2356 FULLERTON ROAD ROWLAND HEIGHTS CA 91748



VIEW 1



LOCATION

©2014 Google Maps



EXISTING



PROPOSED

LOOKING SOUTHEAST FROM FULLERTON ROAD

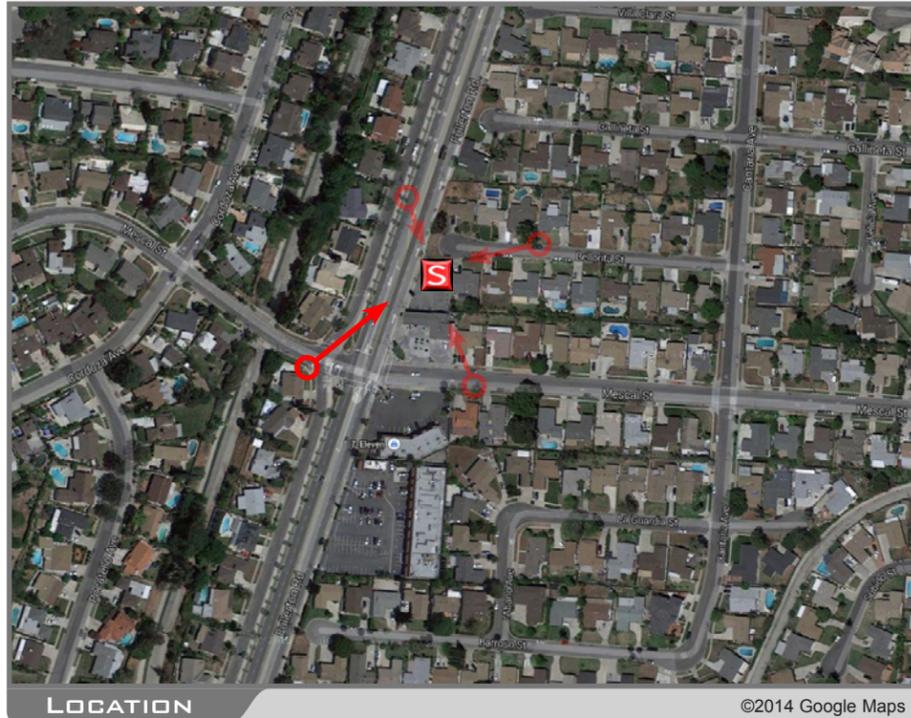


GALATINA

2356 FULLERTON ROAD ROWLAND HEIGHTS CA 91748

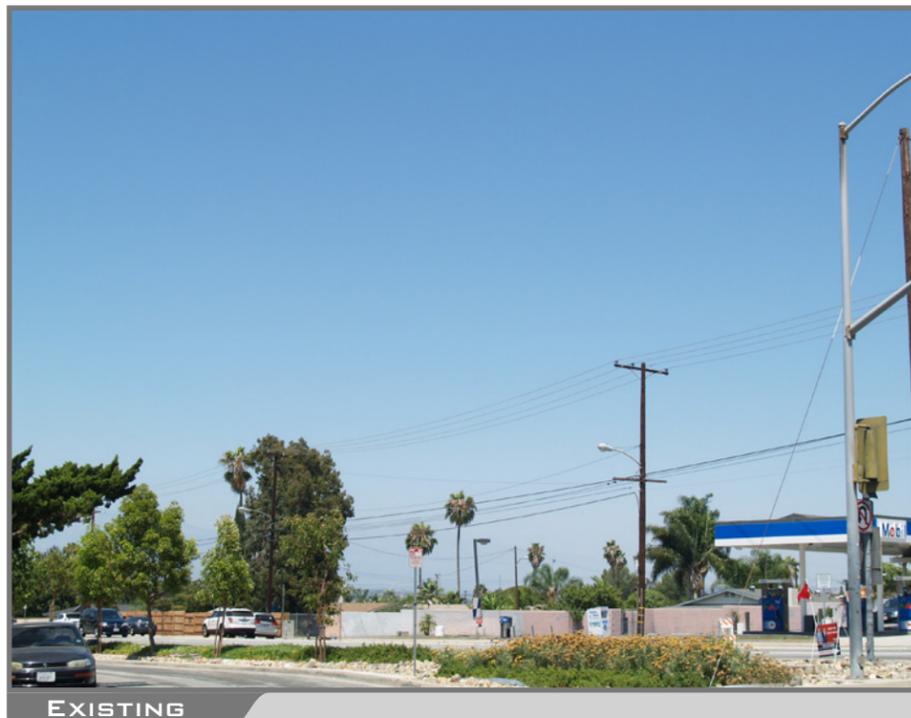


VIEW 2



LOCATION

©2014 Google Maps



EXISTING



PROPOSED

LOOKING NORTHEAST FROM MESCAL STREET

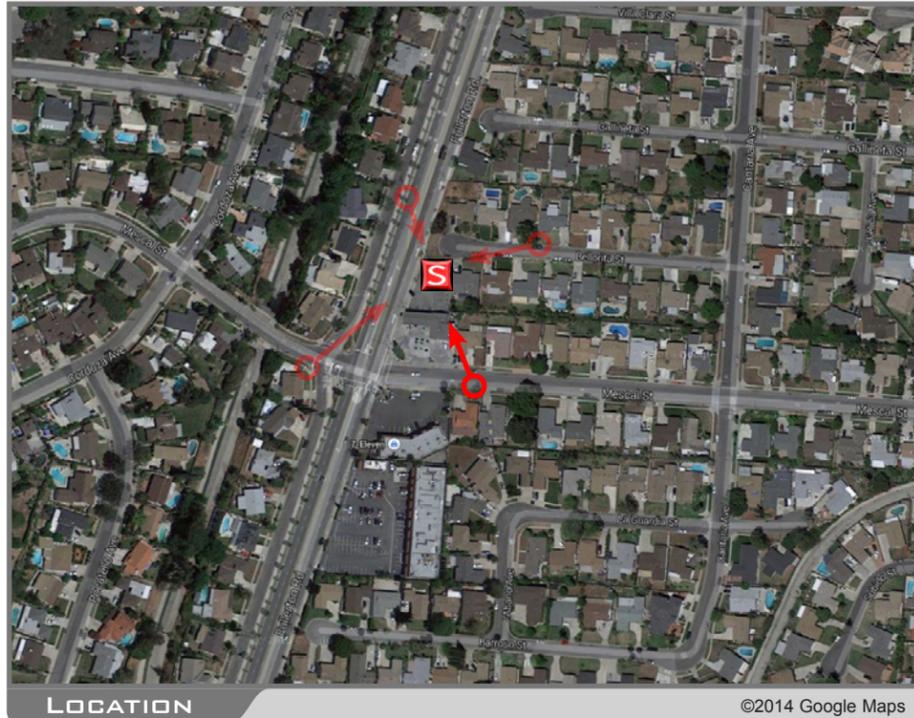


GALATINA

2356 FULLERTON ROAD ROWLAND HEIGHTS CA 91748



VIEW 3



LOCATION

©2014 Google Maps



EXISTING



PROPOSED

LOOKING NORTHWEST FROM MESCAL STREET

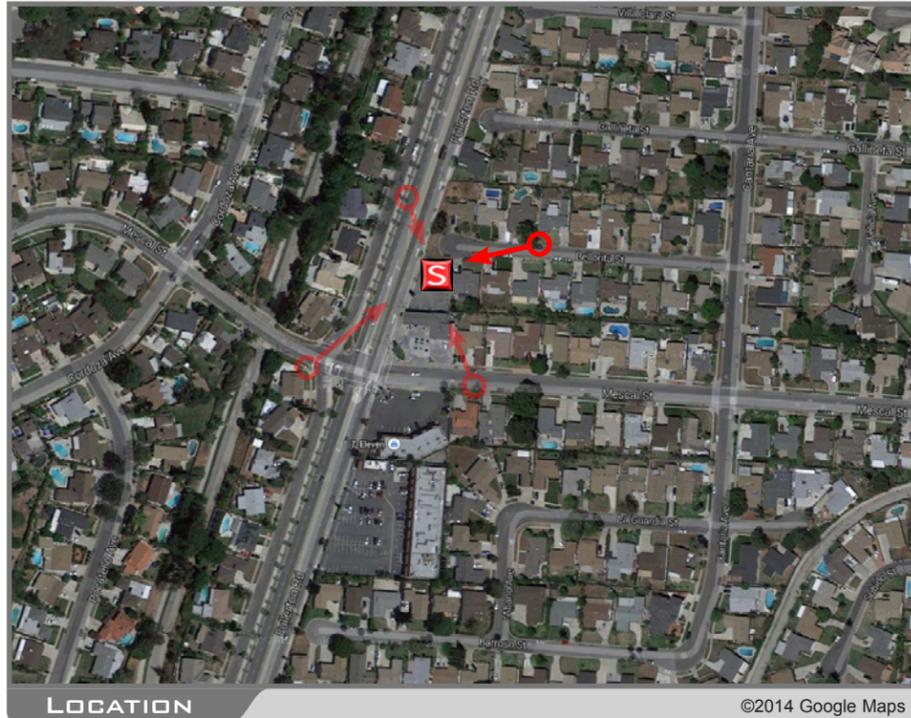


GALATINA

2356 FULLERTON ROAD ROWLAND HEIGHTS CA 91748



VIEW 4



LOCATION

©2014 Google Maps



EXISTING



PROPOSED

LOOKING SOUTHWEST FROM BELLORITA STREET

Alternative Candidates for WTF

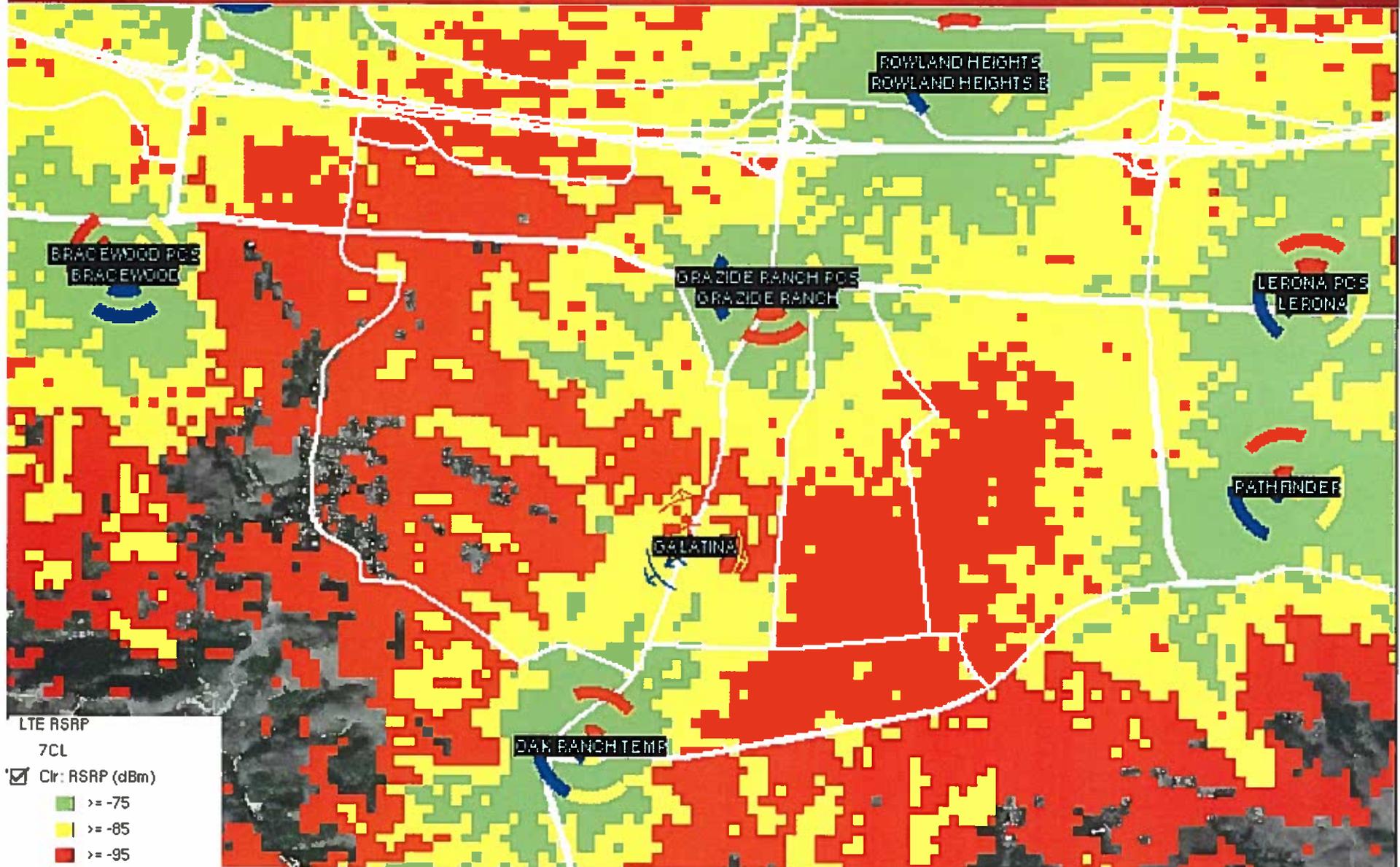


- **Candidate 1** | Carolyn Rosas Country Park | 18500 FARJARDO ST, ROWLAND HEIGHTS, CA 91748 | The landlord was interested, but the rest was cost prohibitive.
- **Candidate 2** | Monopalm | 2414 FULLERTON RD, ROWLAND HEIGHTS, CA 91748 | The landlord already has cell site on their property, but there is not enough space for collocation or for equipment with generator.
- **Candidate 3** | Queen of Heaven Cemetery | 2161 FULLERTON RD, ROWLAND HEIGHTS, CA 91748 | Landowner was not interested in the cell site on their property.
- **Candidate 4** | Evangelical Formosan Church | 18555 FARIJARDO ST, ROWLAND HEIGHTS, CA 91748 | Landowner was not interested in the cell site on their property.
- **Candidate 5** | Gloria Heer Park | 18109 GALLINETA ST, ROWLAND HEIGHTS, CA 91748 | Landlord was interested, but requested rent was exorbitant.
- **Candidate 6** | CALVARY CHURCH OF EASTWOOD | 2103 BATSON AVE, ROWLAND HEIGHTS, CA 91748 | Landlord is in the process of improving and building additional garage structure on the property. This process will limit the potential cell site location to the west corner of the property, which is surrounded by single family residences.
- **Candidate 7** | The Ever Shining Church located | 2151 BATSON AVE, ROWLAND HEIGHTS, CA | LL was not interested in the wireless facility.
- **Candidate 8** | Ron & Alicia Robinson Florist | 2110 Fullerton Rd | no space available.

Ultimately, the proposed project site at 2356 FULLERTON RD was chosen above the other candidates because:

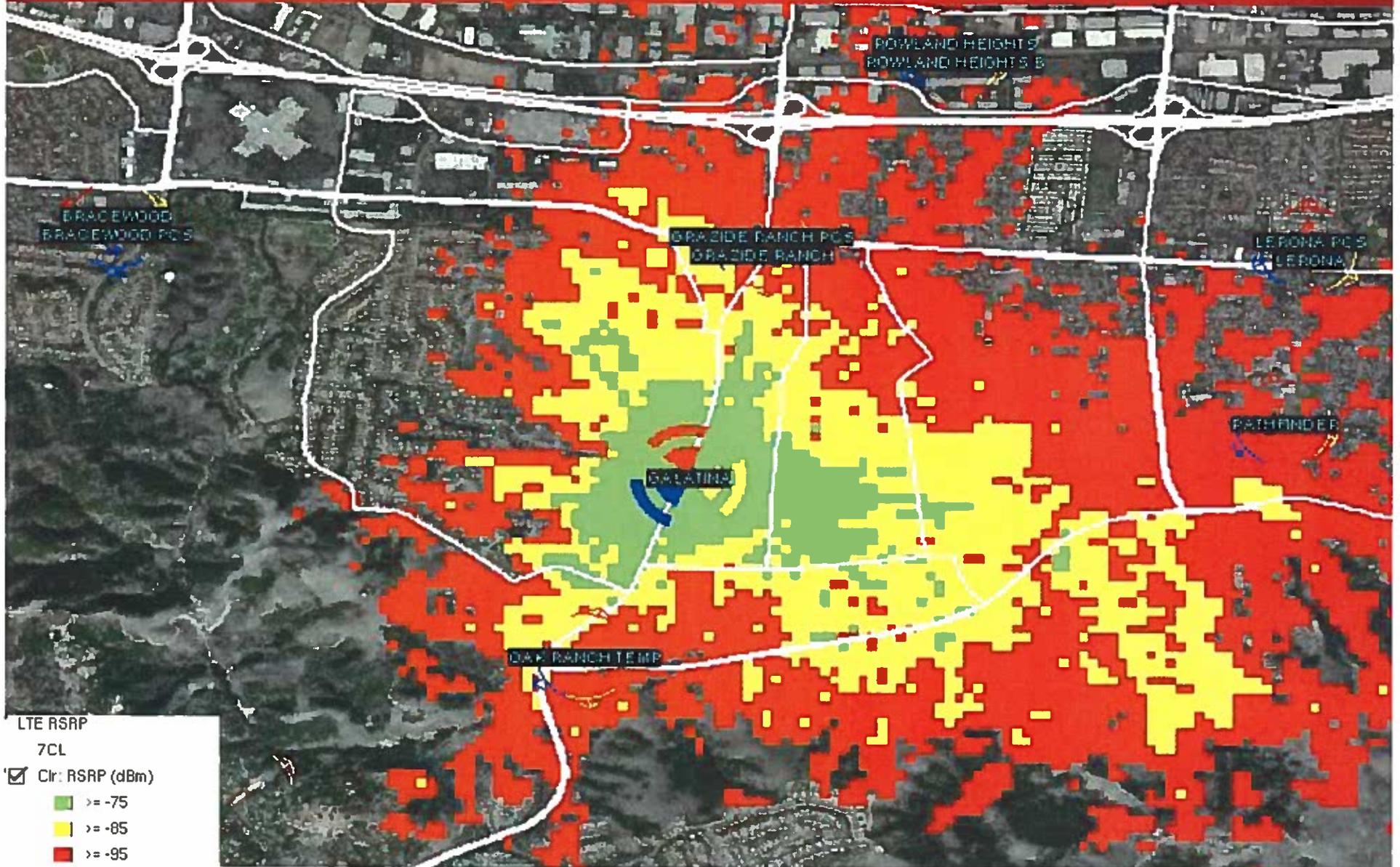
- 1) The location would allow the Radio Frequency engineer to achieve the height needed for the WTF.
- 2) The ample space lease available can accommodate the WTF and associated equipment.
- 3) The zoning of the property is compatible with the proposed project use.

Without Galatina



LTE RSRP
7CL
 Clr: RSRP (dBm)
■ ≥ -75
■ ≥ -85
■ ≥ -95

Galatina Coverage – Site by itself



Galatina and Neighboring Sites

