



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

June 16, 2015

Richard J. Bruckner
Director

Verizon Wireless
2749 Saturn Street
Brea CA 92821
Attn: Ross Miletich

**REGARDING: PROJECT NO. R2014-02565-(5)
CONDITIONAL USE PERMIT NO. 201400121
4337 N. SUNFLOWER AVENUE (APN: 8426-016-033)**

Hearing Officer Pat Hachiya, by her action of **June 16, 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 **June 30, 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 Jeantine Nazar of the Zoning Permits East Section at (213) 974-6435, or by email at jnazar@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


Maria Masis, Supervising Regional Planner
Zoning Permits East Section

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

CC.060412

**FINAL FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02565 - (5)
CONDITONAL USE PERMIT NO. 201400121**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400121 ("CUP") on June 16, 2015.
2. The permittee, Verizon Wireless ("permittee"), requests the CUP to authorize construction, operation, and maintenance of a wireless telecommunications facility (WTF) ("Project") on a property located at 4337 N Sunflower Avenue in the unincorporated community of Charter Oak ("Project Site") in the A-1-10,000 (Light Agricultural – 10,000 Square Feet Minimum Lot Size Required Area) zone County Code ("County Code") Section 22.24.100.
3. The Project Site lease area is 378 square feet in size located on the southwestern portion of the property within a 1.25 acre lot developed with a church. The proposed Project will not interfere with the existing use. The Project Site is irregular in shape with generally flat topography.
4. The Project Site is located in the Charter Oak Zoned District and is currently zoned A-1-10,000 (Light Agricultural with 10,000 Square Feet Minimum Lot Required Area).
5. The Project Site is located within the Low Density Residential land use category of the County General Plan.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: A-1-10,000 and City of San Dimas
 - South: A-1-10,000
 - East: City of San Dimas
 - West: City of San Dimas
7. Surrounding land uses within a 500-foot radius include:
 - North: Water tanks and single-family residences
 - South: Single-family-residences
 - East: Single-family residences
 - West: Single-family residences
8. CUP 85-152 approved in 1986 allowed the construction, operation and maintenance of a church. This permit indicates that there is one oak tree on the southeast portion of the property. Assessor's records show that a total of more than 88,000 square feet in area of building improvements were built in 1989. REA201000132 allowed second floor additions for Sunday school classrooms.

9. The site plan for the Project depicts 12 panel antennas, eight feet high each, mounted on three arms, four on each arm, 12 Remote Radio Units, four on each arm mounted behind the antennas, two parabolic antenna dishes and two RAYSCAPS mounted on the steel frame.
10. The elevation plans depict the height of the antennas at 45 feet at the top camouflaged with the steel trellis frame (27'-6"x15'-0") with a cross design mounted on three posts (3'-0"x2'-7") 46 feet in height. The applicant is proposing to install equipment cabinets and a backup generator within a 378 (18'-0"x21'-0") square-foot lease area enclosed in an eight-foot-high CMU wall.
11. The Project Site primary access is via Badillo Street through a non-exclusive vehicular path of 12 feet wide. The secondary access to the Project Site is via Sunflower Avenue.
12. The Project Site will not provide any dedicated parking and will rely on the existing church parking areas to accommodate the required parking spaces for maintenance vehicles.
13. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 3, New Construction or Conversion of Small Structures, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involves the construction of a WTF and includes a lease area of less than 400 square feet in area. The proposed WTF is disguised within a decorative frame with a cross design, which blends in well into the existing church building characteristics with negligible impact on the environment.
14. The Federal Communications Commission (FCC) sets standards for safe human exposure to non-ionizing electromagnetic radiation. The conditions of approval require written verification that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted FCC standards for safe human exposure to such forms of non-ionizing electromagnetic radiation when operating at full strength and capacity for the lifetime of this conditional use permit.
15. Pursuant to the 1996 Telecommunications Act, local jurisdictions are preempted from considering radio frequency emissions, when regulating WTF's, as long as such facilities comply with FCC regulations.
16. Prior to the Hearing Officer's public hearing, the Department of Regional Planning ("Regional Planning") staff received one email regarding this Project. The concerns addressed are related to the possibility that the proposed WTF would interfere with the reception of other types of communication devices.
17. A duly noticed public hearing was held on June 16, 2015 before the Hearing Officer, Pat Hachiya. The applicant's representative, Ross Miletich presented testimony in favor of the request and agreed with the proposed changes to Condition No. 38

indicating that the generator noise level may not exceed 60 dBA. The applicant's representative stated that the cell phone tower is broadcast on a different frequency and would not interfere with other communication devices. FCC regulations also prevent interferences with any signals. Staff presented comments from an adjacent neighbor requesting to schedule the hearing locally. 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.

18. The Hearing Officer finds that the Project is consistent with the goals and policies of the Countywide General Plan. The WTF and associated equipment will provide emergency service by connecting to close emergency dispatchers and assist the local residents and businesses in emergency situations. The WTF will improve the communication network for the residents in the area.
19. The Hearing Officer finds that the Project is compliant with the applicable development standards of Subdivision and Zoning Ordinance Policy No 01-2010 (Wireless Telecommunications Facilities) dated July 26, 2010 ("WTF Policy Memo"). The proposed tower is 46 feet high and complies with the maximum height requirement of 75 feet. The Project proposes camouflaging techniques to minimize the visual impacts and provides appropriate screening. The WTF is disguised within a decorative frame and includes good camouflaging techniques with less than significant visual impact.
20. The Hearing Officer finds that 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. The proposed WTF will operate within the FCC mandated parameters for radio frequency emissions and will comply with Regional Planning guidelines for reducing a coverage gap area.
21. The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area. The proposed WTF meets the development standards for setback, height and parking requirements. The lease area is within the 20 feet front setback, 15 feet rear setback, and 5 feet side setbacks. The Section 22.52.1220 of the County Code determines parking requirements for uses that are not specified and requires that parking shall be provided in an amount which the director finds adequate to prevent traffic congestion and excessive on-street parking. The proposed wireless telecommunications facility will be unmanned and will require periodic maintenance visits, typically once a month. The Project will rely on the existing church parking.
22. The Hearing Officer finds that the Project is consistent with the A-1 zoning classification. Although, Title 22 of the County Code does not explicitly specify WTF as a use, the use most consistent with WTF specified in Title 22 is "radio and

television stations and towers” as a comparable use. Radio and television stations and towers are permitted uses in zone A-1, provided that a CUP is first obtained.

23. The Hearing Officer finds that the Project is accessed from Badillo Street through a non-exclusive vehicular path of 12 feet wide and from Sunflower Avenue. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
24. 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 15 years.
25. 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 Charter Oak community. On May 5, 2015, a total of 293 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1000-foot radius from the Project Site, as well as four notices to those on the courtesy mailing list for the Charter Oak Zoned District and to any additional interested parties. The applicant has provided the Certificate of Posting indicating that the property was posted on May 15, 2015.
26. 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 15301 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
2. Approves Conditional Use Permit No 201400121, subject to the attached conditions.

MG:JN

06/16/2015

c: Zoning Enforcement, Building and Safety

**FINAL CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02565-(5)
CONDITIONAL USE PERMIT NO. 201400121**

PROJECT DESCRIPTION

The project is a conditional use permit request for the construction, operation, and maintenance of a wireless telecommunication facility (WTF) disguised as a decorative steel frame and the installation of a new backup power generator and equipment cabinets within the lease area 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 June 16, 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 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 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 **August 16, 2015**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **Three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS

19. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
20. 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. 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. The 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 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.
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 maximum height of the facility shall not exceed 46 feet above finished grade line.
29. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
30. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant.
31. 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.
32. 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.
33. 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.
34. 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.

35. 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.

PROJECT SITE SPECIFIC CONDITIONS

36. The lease area shall be enclosed within an 8-foot-high CMU wall.
37. Appurtenant equipment boxes shall be screened or camouflaged.
38. The noise from the proposed diesel powered emergency generator shall not exceed 60 dBA at the nearest residential property line during non-emergency operations.
39. The permittee shall adhere to the proposed generator plans and specifications as cleared by Public Health.
40. The emergency generator maintenance test runs should be restricted to the hours between 9:00 a.m. to 9:00 p.m. and prohibited on Sundays.
41. Construction activities shall be limited to the hours of 7am to 7pm Monday through Saturday. No construction work on Sundays and Holidays. The permittee shall adhere to the construction noise requirements contained in the Los Angeles County Noise Control Ordinance, Title 12, section 12.08 Part 3.
42. The permittee shall adhere to the requirements of the Los Angeles County noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12.

Attachement:
Public Health Department Letter dated June 9, 2015



CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

ANGELO J. BELLOMO, REHS, QEP
Director of Environmental Health

TERRI S. WILLIAMS, REHS
Assistant Director of Environmental Health

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June 9, 2015

TO: Jeantine Nazar
Regional Planning Assistant II
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, DPA MT
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2014-02565
Wireless Telecommunications Facility
4337 Sunflower, Covina

- Public Health recommends approval of this CUP.
- Public Health does NOT recommend approval of this CUP.

The Department of Public Health – Environmental Health Division has reviewed the CUP request for the above referenced project. The CUP is for a wireless telecommunications facility consisting of a proposed 46-foot high tower with antennas and related equipment. The applicant is proposing a standby SD generator located inside an 8-foot CMU wall in the parking area.

The Department recommends approval of the CUP.

Toxics-Epidemiology Program

Staff from Toxics Epidemiology Program reviewed the documents and plans provided by the applicant of the subject project located at 4337 Sunflower, Covina, CA.

Based on the information provided and site visit, we recommend the following conditions as conditions of the permit:

- The noise from the proposed diesel powered emergency generator shall not exceed 60 dBA (L25) at the nearest residential property line during non-emergency operations (i.e. generator maintenance run test for less than 15 min). (Based on the technical information provided, we do not anticipate that the generator would exceed the day time exterior noise standard. The noise attenuation provided by the proposed 8ft. CMU wall, distance to

residential property line, generator housing, and existing 6ft CMU wall would maintain noise levels below exterior noise standards.)

- The applicant shall adhere to the proposed specifications for noise control presented in the application.
- The emergency generator maintenance test run shall be restricted to the hours between 9am – 9 pm.
- Construction activities shall be limited to the hours of 7am to 7pm. Monday through Saturday. No construction work on Sundays and Holidays. The applicant shall adhere to the construction noise requirements contained in the Los Angeles County Noise Control Ordinance, Title 12, section 12.08 Part 3.
- The applicant shall adhere to the requirements of the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12.

The noise impacts associated with the project should be less than significant with adherence to the conditions above.

If you have questions regarding the above section, please contact Robert Vasquez or Evenor Masis of the Toxics-Epidemiology Program at (213)738-3220 or at rvasquez@ph.lacounty.gov and emasis@ph.lacounty.gov.

For any other questions regarding this report, please feel free to contact me at (626) 430-5382 or at mtsiebos@ph.lacounty.gov.