

# Hearing Officer Transmittal Checklist

Hearing Date  
June 16, 2015  
Agenda Item No.  
11

Project Number: R2014-02565-(5)  
Case(s): Conditional Use Permit Case No. 201400121  
Environmental Assessment Case No. 201400208  
Planner: Jeanine Nazar

- 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)
- Project Description
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- Coverage Analysis
- Photo Simulations
- CUP 85-152 Approval

Reviewed By: 





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

**PROJECT NUMBER**      **HEARING DATE**  
 R2014-02565-(5)      June 16, 2015

**PROJECT SUMMARY**

**REQUESTED ENTITLEMENTS**  
 Conditional Use Permit No. R201400121  
 Environmental Assessment No. 201400208

**OWNER / APPLICANT**

Verizon Wireless.

**MAP/EXHIBIT DATE**

2/6/15

**PROJECT OVERVIEW**

The applicant is requesting a conditional use permit for the construction, operation and maintenance of a wireless telecommunications facility (WTF) disguised in a 46 feet high decorative steel frame and the installation of a backup power generator within the lease area.

**LOCATION**

4337 N Sunflower Avenue

**ACCESS**

Sunflower Avenue

**ASSESSORS PARCEL NUMBER(S)**

8426-016-033

**SITE AREA**

0.01 Acres

**GENERAL PLAN / LOCAL PLAN**

Countywide General Plan

**ZONED DISTRICT**

Charter Oak

**LAND USE DESIGNATION**

1-Low Density Residential

**ZONE**

A-1-10,000-(Light Agricultural with minimum 10,000 square feet area)

**PROPOSED UNITS**

N/A

**MAX DENSITY/UNITS**

N/A

**COMMUNITY STANDARDS DISTRICT**

N/A

**ENVIRONMENTAL DETERMINATION (CEQA)**

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

**KEY ISSUES**

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.24.100 (A-1 Zone Development Standards)

**CASE PLANNER:**

Jeantine Nazar

**PHONE NUMBER:**

(213) 974 - 6435

**E-MAIL ADDRESS:**

jnazar@planning.lacounty.gov





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**VICINITY MAP**

Project Site: 4337 Sunflower Ave. - "Essex"

**L.A. MAPPING SERVICE**  
 71 DEER CREEK ROAD  
 POMONA, CA 91766  
 (909) 595-0903



**ENTITLEMENTS REQUESTED**

- Conditional Use Permit (CUP) for the construction, operation and maintenance of a wireless telecommunications facility (WTF) disguised in a decorative steel frame in the A-1-10,000 (Light Agricultural – 10,000 Square Feet Minimum Lot Size Required Area) zone, pursuant to County Code Section 22.24.100

**PROJECT DESCRIPTION**

Verizon Wireless is seeking a CUP to allow the construction, operation, and maintenance of a WTF disguised in a decorative steel trellis frame (27'-6"x15'-0") mounted on three posts 46 feet in height. The WTF lease area is on the southwestern portion of the property behind the existing church building in the parking area and will not interfere with the existing use. The access to the lease area is from Badillo Street through a non-exclusive vehicular path of 12 feet wide as well as from Sunflower Avenue.

**SITE PLAN DESCRIPTION**

The site plan 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 panel antennas, two parabolic antenna dishes and two RAYSCAPS mounted on the steel frame. The elevation plans depict the height of the antennas at 45 feet at the top and camouflaged with the steel trellis frame. The applicant is proposing to install equipment cabinets and a backup generator within a 378 (18'x21') square-foot lease area enclosed in an eight-foot-high CMU wall.

**LOCATION**

The WTF is located at 4337 N Sunflower Avenue within the unincorporated community of Charter Oak.

**EXISTING ZONING**

The subject property is located within the A-1-10,000 Zone in the Fifth Supervisorial District.

Surrounding properties are zoned as follows:

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

**EXISTING LAND USES**

The subject property is developed with a church. Surrounding properties are developed as follows:

North: Water tanks and single-family residences

South: Single-family-residences

East: Single-family residences

West: Single-family residences

#### PREVIOUS CASES/ZONING HISTORY

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.

#### ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 3 Exemption, New Construction and Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The entitlement request is a new construction and includes a lease area of less than 400 square feet in size. The proposed WTF is disguised within a decorative frame with a cross design, which blends in well with the existing church building characteristics with negligible visual impact on the environment. 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 Low Density Residential land use category of the County General Plan. This designation is intended for single-family residences of 1 to 6 dwelling units per acre, schools, churches, local parks and other community-serving public facilities. The WTF serves the residential and commercial communities as well as the nearby schools by providing cellular phone services to the neighborhood, and is a suitable use; and therefore, consistent with the permitted uses of the underlying land use category.

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

Policy D.63-"Maintain high quality emergency response service."

*The proposed antennas and associated equipment will provide emergency service by connecting to close emergency dispatchers and assist the local residents and church goers in emergency situations.*

Further, the following Goals of the General Plan, Land Use Section, Part D, are applicable to the subject property and serve as guidelines for development:

"To provide for land use arrangements that take full advantage of existing public service and facility capacities:"

*The wireless facility will improve the communication network for the residents and the church by providing service networks.*

**Zoning Ordinance and Development Standards Compliance**

The proposed wireless facility is located in the A-1 zone. A wireless telecommunications facility is not a defined use in the Zoning Ordinance, however, staff traditionally utilized the defined use of "radio and television stations and towers" as a comparable use. Radio and television stations and towers are uses subject to a CUP pursuant to Code Section 22.24.100.

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.

**Site Visit**

Staff visited the site and found that the site is clean and adequate. A WTF at this location with the proposed design would be appropriate.

**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.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

Staff has not received any agency comments for this WTF Project.

**LEGAL NOTIFICATION AND PUBLIC OUTREACH**

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

**PUBLIC COMMENTS**

Staff has received an email from a concerned citizen regarding the new WTF at this location. The resident is concerned about possible interference of the new WTF with the other communication devices such as TV and cable.

**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 R2014-02565-(5), Conditional Use Permit Number 201400121, 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 AND APPROVE CONDITIONAL USE PERMIT 201400121 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

Prepared by Jeantine Nazar, RPAII,  
Reviewed by Mitch Glaser, AICP

**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:JN  
June 7, 2015

**DRAFT 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. *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 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.
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**

**06/07/2015**

**c: Zoning Enforcement, Building and Safety**



**DRAFT 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 55 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.



## CONDITIONAL USE PERMIT BURDEN OF PROOF

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

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

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

Verizon Wireless facilities are regulated by the FCC. The facility will be disguised as a tower with a cross design element. Associated equipment will be placed at the foot of the tower.

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

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

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

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

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



## SUPPLEMENTAL INFORMATION FOR A WTF

### Introduction/Purpose

Verizon Wireless (VZW) is a registered public utility, licensed and regulated by the California Public Utilities Commission (CPUC) and the Federal Communications Commission (FCC). As a public utility, VZW is licensed by the FCC to provide wireless communication services throughout California. VZW is the largest wireless company in the United States and is dedicated to providing customers with wireless technology designed to enrich their lives. Its vision is to simplify the wireless experience for its consumer and business customers by offering easy-to-understand, affordable rate plans and excellent customer service. VZW is bringing next-generation wireless data products - from corporate e-mail to downloadable ringtones - to customers nationwide through its advanced networks.

### Background

VZW is the nation's largest digital voice and data network covering 290 million people and growing. With superior spectrum availability allotted in the nation's top 100 markets, VZW provides a fully digital GSM/GPRS with high speed EDGE wireless data network infrastructure. Wireless communications will continue to change the future of telecommunications with easy-to-use, lightweight and highly mobile communications devices including: portable telephones, computers and Personal Digital Assistants (PDAs). Wireless communications will provide voice, e-mail and Internet access capabilities for customer's communications needs virtually anywhere and at any time. The wireless network being developed by VZW differs from typical cellular networks in that it uses state of the art digital technology instead of analog systems, which have been in use since the early 1980's. The benefits include call privacy and security, improved voice quality, and an expanded menu of affordable products and services for personal and professional communications needs.

### Project Narrative & Coverage Analysis

Efforts are currently underway in the County of Los Angeles to establish the required infrastructure for VZW. VZW has retained the services of Core Development Services (Core) to facilitate the land use entitlement process. Core is currently seeking approval of a Conditional Use permit for the installation and operation of an unmanned Wireless Telecommunications Facility (WTF) at the subject property which is currently zoned A-1 - Light Agricultural. This project will install a 46-foot wireless facility disguised as a tower that has twelve panel antennas, two parabolic antenna dishes, and 12 RRU's. The generator and all associated equipment will be enclosed within an eight-foot tall CMU wall with connection to nearby existing electrical and telephone utilities to service the site. This facility will operate 24/7 except for the generator, which will operate once a week for maintenance, for about 15 minutes unless power is disconnected from the facility. Regular maintenance of the facility will be conducted by a technician about once a month. All associated antennae and equipment will be screened and hidden from the public right-of-way. Therefore, this site design and proposal adheres to the developments guidelines (Ord. Policy No. 01-2010).

The intent of this facility is to meet capacity demands to the expanding community's needs for cell phone coverage in and around the Covina area of Los Angeles County. This new facility will provide improved coverage for those individuals who live, work and visit the surrounding community. As shown in the coverage maps, there is a gap in coverage along West Covina Boulevard, between North Reeder Avenue and South Valley Center Avenue. Specifically, this project will offload capacity that surrounding area while also improving coverage in residential neighborhood. The specific location and design of the proposed project is illustrated in further detail on the provided drawings and photo simulations.



## Alternative Candidates for WTF



### **Alternative Project Site | Location | Reason for Elimination -**

- **Water Tanks** | Northwest of Sunflower Ave. & Badillo St. | City Code prohibits ground-build facilities in the property's zone.
- **Christ's Church of Valley** | 1404 W. Covina Blvd, San Dimas, CA | This candidate did not meet RF requirements and standards.
- **Glen Oaks Elementary School** | Northeast of Sunflower Ave. & Cypress St. | Verizon Wireless does not engage in development on elementary school properties.
- **San Dimas Community Hospital** | 1350 W. Covina Blvd, San Dimas, CA | The property owner rejected the project proposal.

Ultimately, the proposed project site at 4337 Sunflower Avenue 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's particular stealth tower design, height and associated equipment.
- 3) The zoning of the property is compatible with the proposed project use.



## ESSEX | Project Narrative

### I. Current & Proposed Use

The proposed project site is actively used as a church facility, located in the northeastern corner of the property, which occupies approximately ¼ of the total property. The remainder of the property is used for parking. We propose to incorporate an unmanned wireless telecommunications facility (WTF), in the southwestern zone of the property, that will not interfere with the existing use.

### II. Operations

The proposed unmanned WTF will be located in the southwestern zone of the property where it will operate 24 hours per day and seven days per week. A WTF technician will visit the site approximately once a month. Due to the low maintenance design of the project, it is unlikely for the WTF to generate any significant changes to the surrounding traffic patterns.

### III. Consistency with General Plan

The proposed project's general plan land use designation is H9 (residential). The proposed wireless facility will be consistent with LA County's 2012 General Plan, which has the following two goals that encourage the further establishment of wireless facilities:

- Goal PS/F 6: A County with adequate public utilities.
  - Policy 2: Improve existing wired and wireless telecommunications infrastructure
  - Policy 3: Expand access to wireless technology networks, while minimizing visual impacts through co-location and design.
- Goal ED 3: An expanded and improved infrastructure system to support economic growth and development.
  - Policy 3: Support the expansion of business communication networks, such as telecommunications and wireless technologies.

### IV. Consistency with Zoning Development Standards

The proposed project property is zoned as light agricultural (A-1-10000). Per municipal code section 22.24.100, property zoned as A-1, that obtains the appropriate permit, may be used for communication equipment buildings and radio and television stations and towers, but not including studios. Therefore, our proposed WTF project would be compatible with the property's zoning. Per municipal code section 22.21.110, the front, side and rear yards shall be provided as required in Zone R-1. According to R-1, the front yard should not be less than 20-feet in depth, the corner side yard should not be less than 10-feet, the interior side yard should not be less than five-feet, and the rear yard should not be less than 15-feet in depth. The proposed project would have an approximate front setback of 50-feet, from the sidewalk along East Badillo Street, which would be more 2.5 times longer than the required minimum front depth of 20-feet required for the R-1 zone. The proposed project's side yard setback is also approximately 50-feet, which more than meets the required five-foot side setback for R-1. The proposed project would have an approximate 40-foot rear setback, which also exceeds R-1's corresponding rear setback. The municipal code does not subject A-1 to a height limit, but in consideration of the 35-foot height limit for R-1, our project will exceed that height restriction by 11-feet.



**Jeantine Nazar**

---

**From:** Dr. Clifford F. Maass [traumadr@verizon.net]  
**Sent:** Friday, May 08, 2015 1:52 PM  
**To:** Jeantine Nazar  
**Subject:** PROJECT NUMBER: R2014-02565-(5) Conditional Use Permit No. R201400121  
Environmental Assessment 201400208

**To:** Jeantine Nazar  
Los Angeles Department of Regional Planning (DRP)  
320 W. Temple Street  
Los Angeles, CA. 90012

May 8, 2015

Dear Jeantine Nazar,

We live at 1963 East Haller Street, Charter Oak, CA. 91724. We have some questions regarding this 46 foot tower.

1. Will there be any signal interference with our television/radio antenna reception if this tower is constructed?
2. Will there be any signal interference with our Directv Satellite reception?
3. If there is the possibility of any interference, Will Verizon Wireless and or facilitator of said communication tower be responsible in correcting the situation so that we have the same uninterrupted service we have now?
4. If there is a problem, whom should we contact and what is their contact information?

We are disabled and unable to make the meeting June 16, 2015 in Los Angeles.

Thank you in advance for your quick and accurate response. Should you need to contact us, please see below.

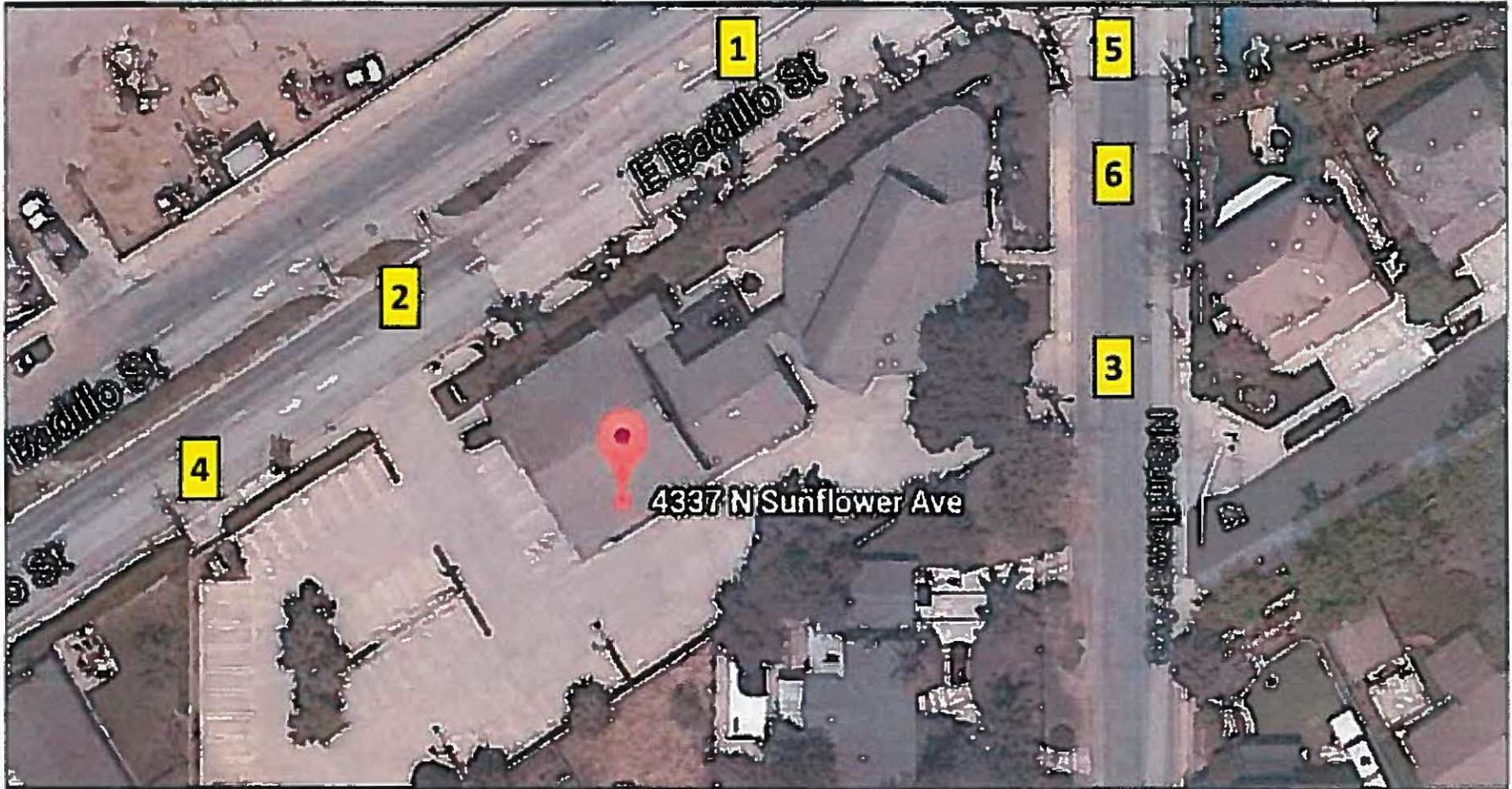
Best Regards,

Clifford F. Maass  
William W. McConnell  
1963 East Haller Street  
Charter Oak, Ca. 91724-2210

email: [traumadr@verizon.net](mailto:traumadr@verizon.net)  
Phone: 626-966-4763



**ESSEX | 4337 N. Sunflower Avenue, Covina, CA 91724 | APN: 8426-016-033**



**PHOTO KEY MAP:**

- VIEW 1:** Northeast Corner of the Property (View from Badillo St.)
- VIEW 2:** Northwest Corner of the Property
- VIEW 3:** Southeast & Northeast Corners of the Property (View from Sunflower Ave.)
- VIEW 4:** Project property parking lot (View from Badillo St./ Northwest project property corner)
- VIEW 5:** Northeast Corner of the Property (View from Sunflower Ave.)
- VIEW 6:** Driveway & Front of Property (View from Sunflower Ave.)



**View 1:** Northeast Corner of the Property (View from Badillo St.)





View 2: Northwest Corner of the Property





**View 3:** Southeast & Northeast Corners of the Property (*View from Sunflower Ave.*)



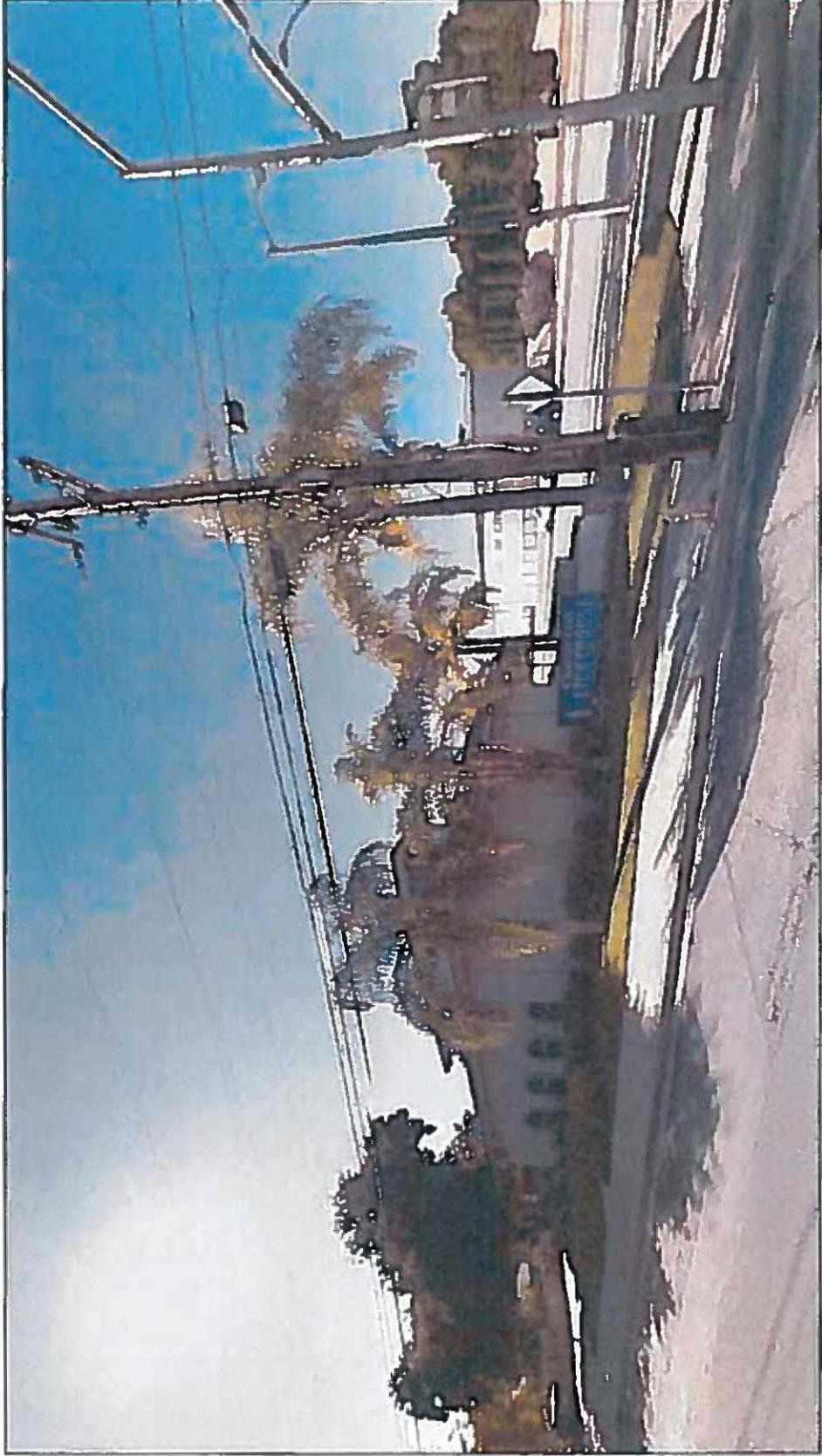


**View 4:** Project property parking lot (View from Badillo St./ Northwest project property corner)



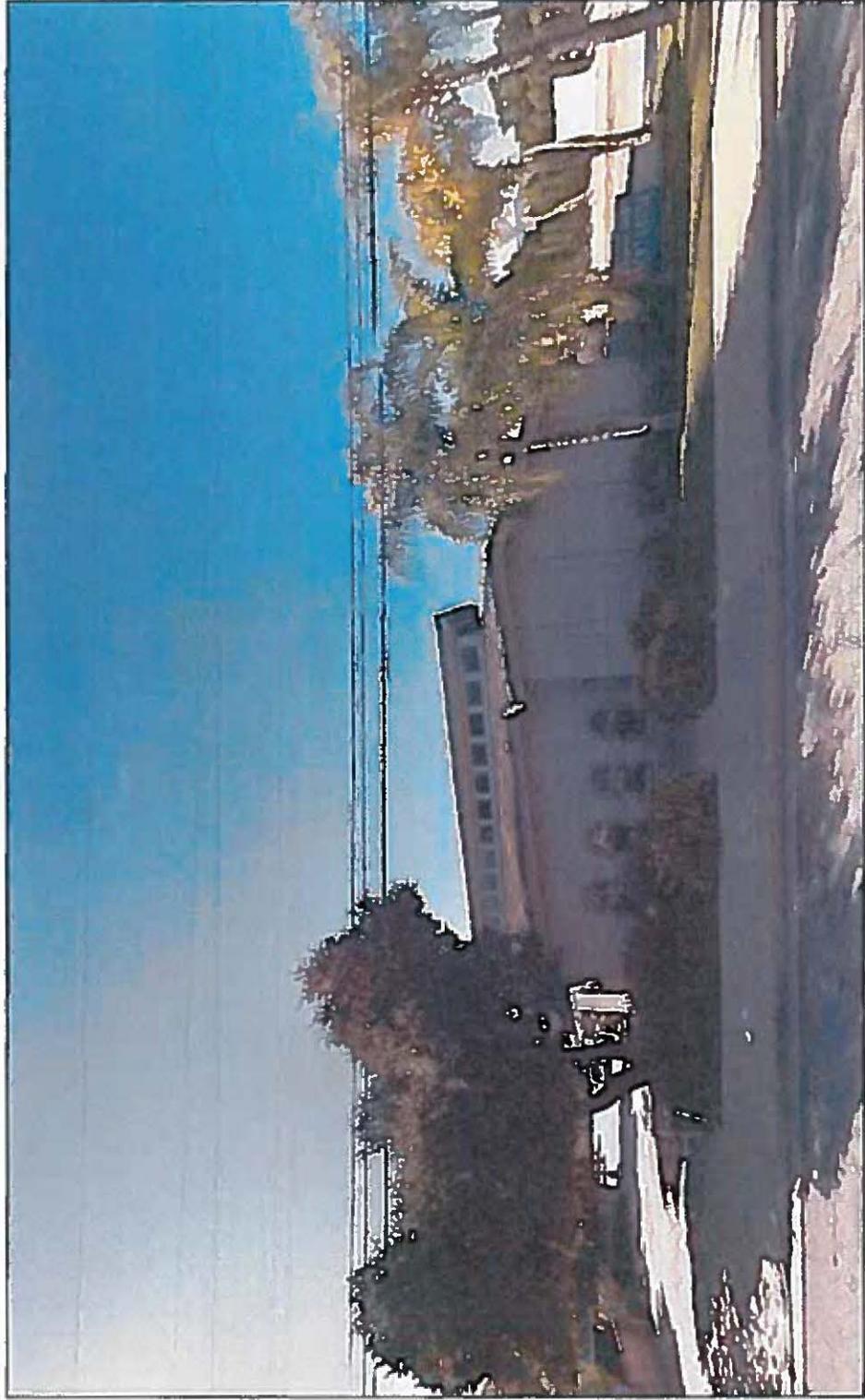


**View 5:** Northeast Corner of the Property (View from Sunflower Ave.)





**View 6: Driveway & Front of Property (View from Sunflower Ave.)**





# Christ's Church of Valley



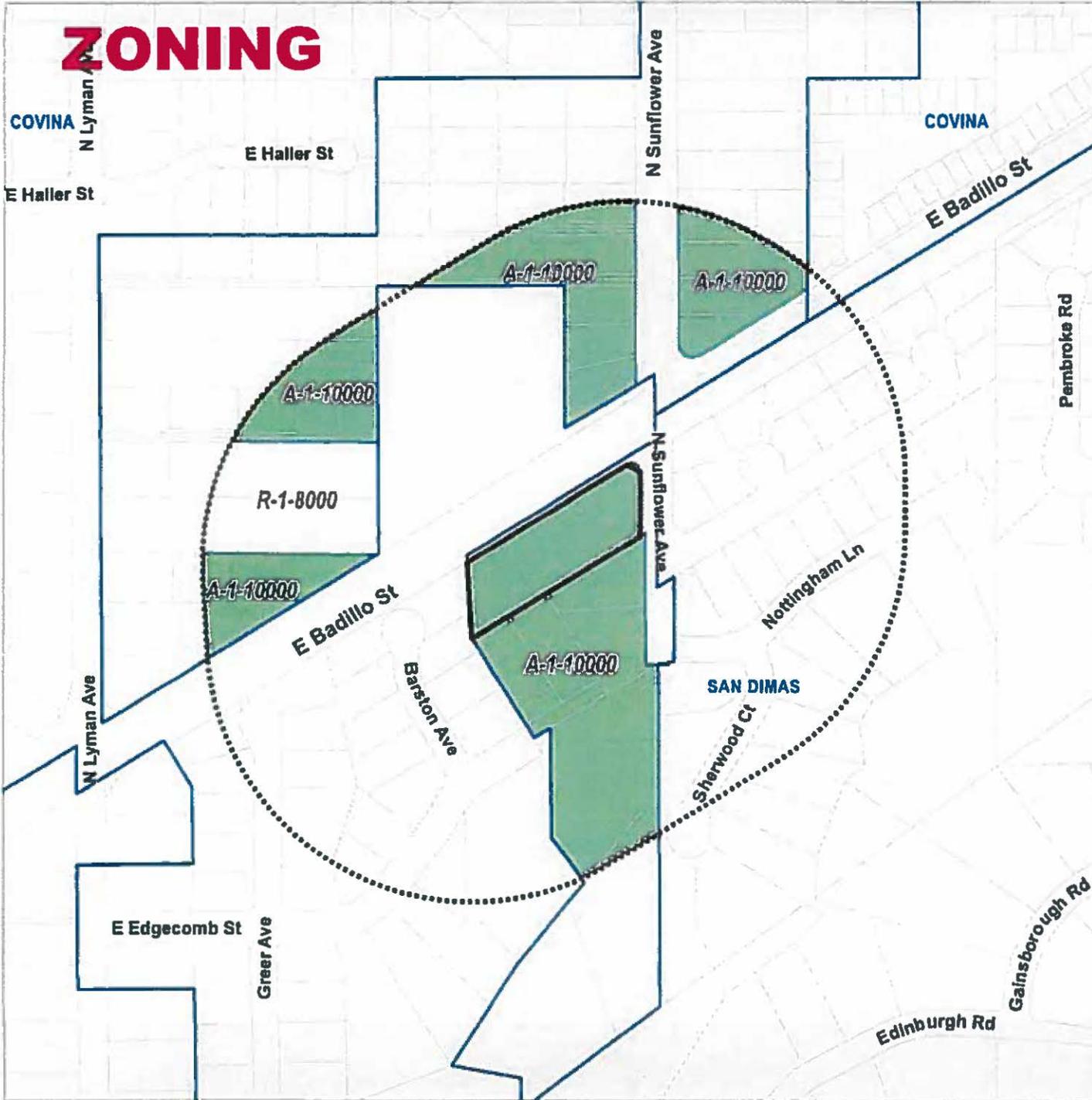
01/22/2014



# ZONING

## ZONING 500 FOOT RADIUS MAP

Proj. R2014-02565 (5)  
RCUP 2014-00121



### Legend

- R-1 - SINGLE-FAMILY RESIDENCE
- A-1 - LIGHT AGRICULTURE

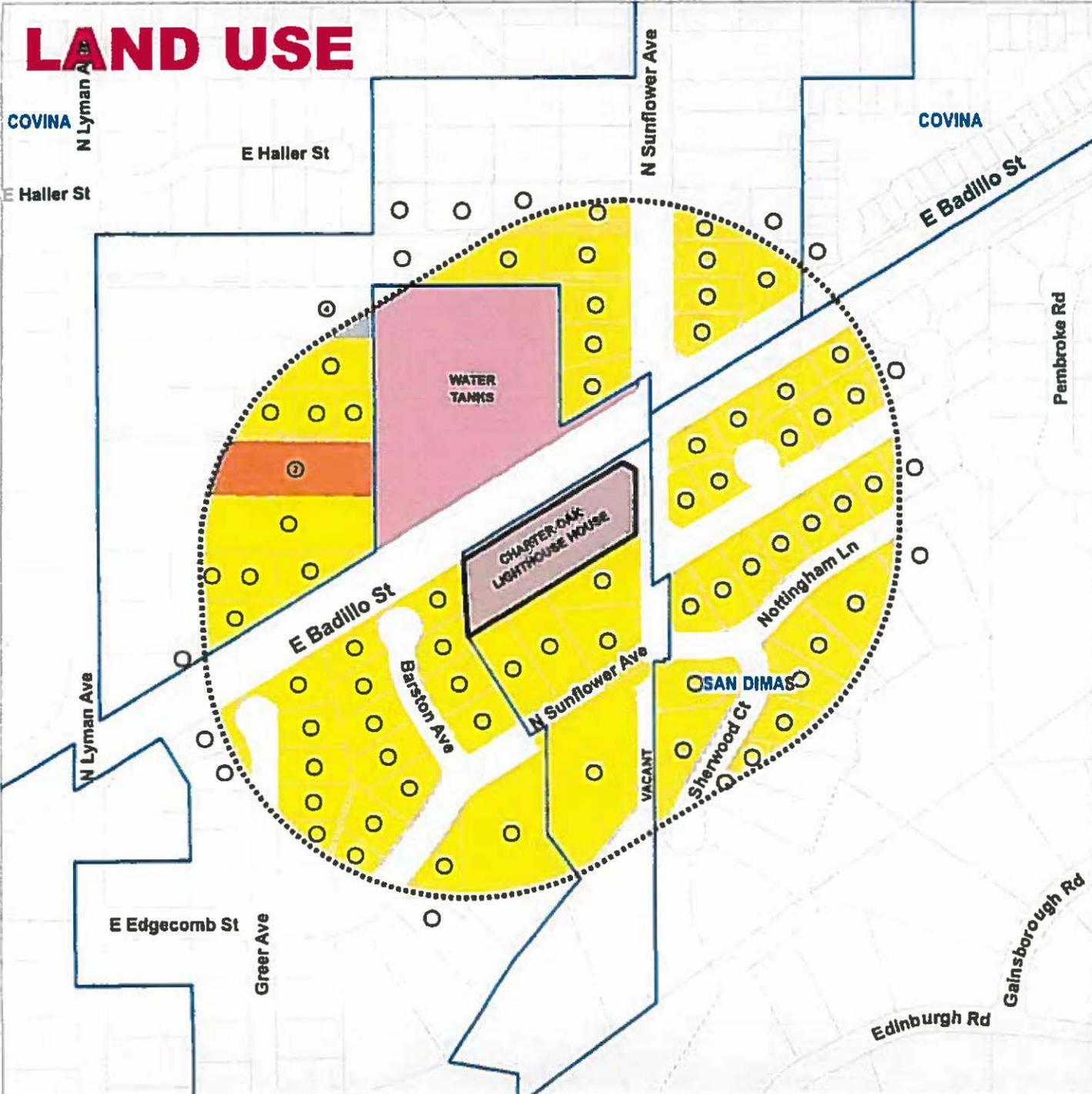
### VICINITY MAP



LOS ANGELES COUNTY  
Department of Regional Planning  
370 W. Temple St.  
Los Angeles, CA 90017



# LAND USE



## LAND USE 500 FOOT RADIUS MAP

Proj. R2014-02565 (5)  
RCUP 2014-00121

### Legend

- SINGLE-FAMILY RESIDENCE
- ⊙ MULTI-FAMILY RESIDENCE
- SINGLE-FAMILY RESIDENCE
- TWO-FAMILY RESIDENCE
- MULTI-FAMILY RESIDENCE
- INSTITUTION (NON-PROFIT)
- PUBLIC UTILITY
- VACANT

### VICINITY MAP



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









12441 Broadway Avenue  
 Torrance, CA 90503-3771  
 Tel: (310) 555-1111  
 Fax: (310) 555-1111

**BERRY HARRIS**  
 LAND SURVEYORS  
 10000 Wilshire Blvd, Suite 1000  
 Beverly Hills, CA 90210  
 Tel: (310) 274-1111  
 Fax: (310) 274-1111

**verizon wireless**  
 9500 Blvd Cypress Avenue  
 Irvine, California 92618  
 (949) 266-7000

**ESSEX**  
 4327 N SANFORD AVE  
 COVINA, CA 91724

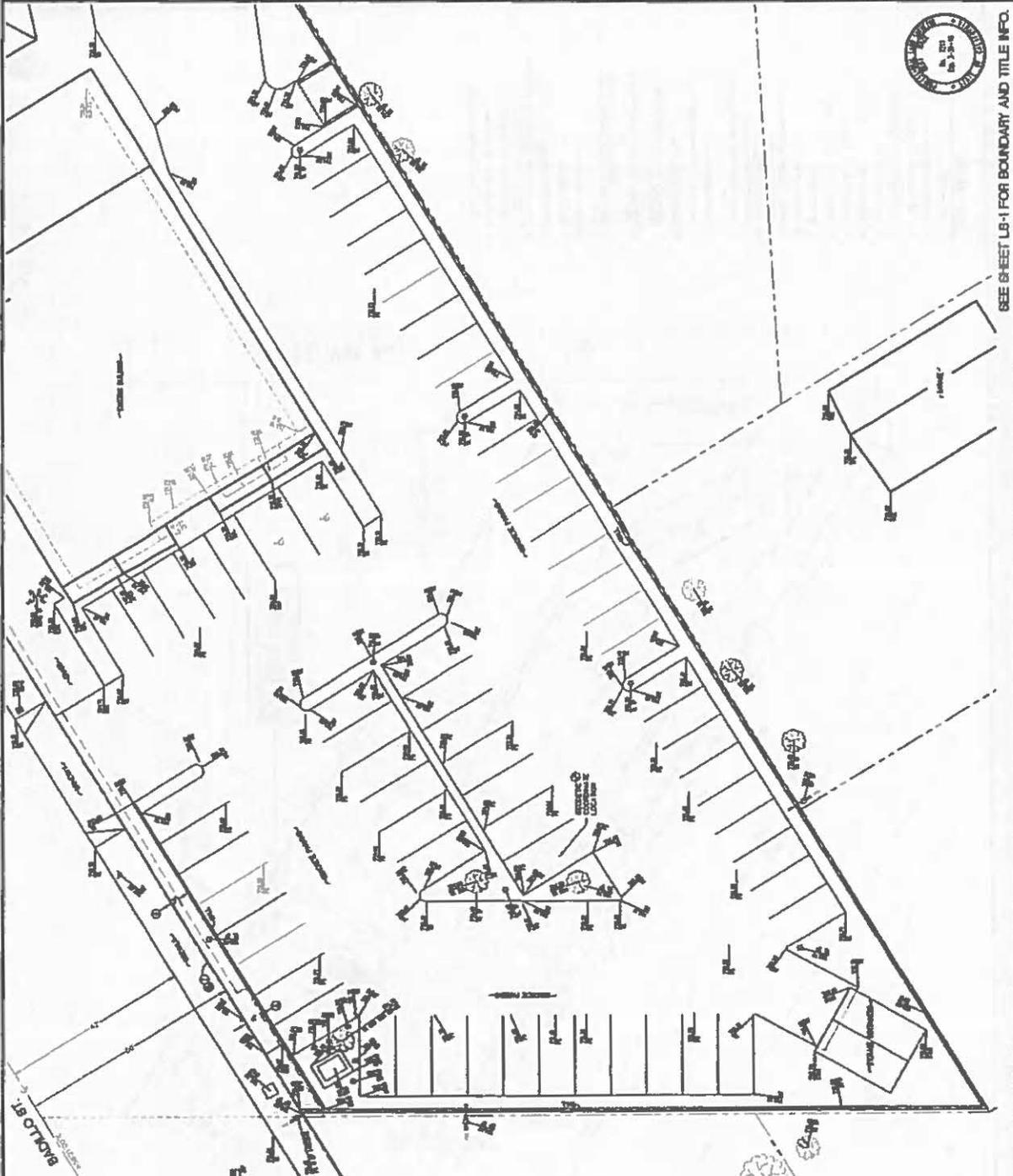
APPROVALS  
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 APPROVED BY  
 DATE

03/07/14  
 Construction Review  
 03/07/14

NO.	DESCRIPTION	DATE
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2	APPROVED WITH INFO. (AM)	03/07/14
3	BY: DATE: CHECKED: BY: DATE:	03/07/14

Scale for  
 N 728.35  
 1" = 100'  
 C.W.W.  
 SHEET 1 OF 1

**TOPOGRAPHIC SURVEY**  
 LS-2



SEE SHEET LS-1 FOR BOUNDARY AND TITLE INFO.



- LEGEND:**
- 1. EXISTING DRIVE
  - 2. EXISTING SIDEWALK
  - 3. EXISTING CURB
  - 4. EXISTING UTILITY
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Verizon Wireless  
15505 Sand Canyon Ave.  
Building D-1  
Irvine, CA 92618

March 20, 2014

**Subject: Verizon Wireless' proposed telecommunications facility  
named "Essex" 4337 N Sunflower Ave, Covina, CA 91724.**

Verizon Wireless' Network Engineering Department conducts radio frequency (RF) emission studies on all sites in Southern California. All cellular transmit and receive equipment is manufactured to meet strict FCC requirements. Prior to use in a cellular system, the equipment must have FCC approval as to design, use and technical parameters. Upon turn up, Verizon Wireless will utilize 746-757 Mhz, 776-787 Mhz, 880-894 Mhz, 835-848 Mhz, 1965-1970 Mhz, 1885-1890 Mhz and 1715-1730, 2115-2130 Mhz spectrum. Verizon Wireless' telecommunications equipment will not interfere with any frequencies used by emergency personnel in the frequency range of HF, UHF, VHF, 800 MHz or with any system operating outside of Verizon Wireless' FCC licensed frequency band or with.

In the event that Verizon Wireless' installation does cause interference, please contact Network Operations Control Center (NOCC) at (800)-264-6620.

Please let us know if you have any additional concerns.

Scott Lee  
RF Design Engineer  
RF Engineering Department  
Verizon Wireless

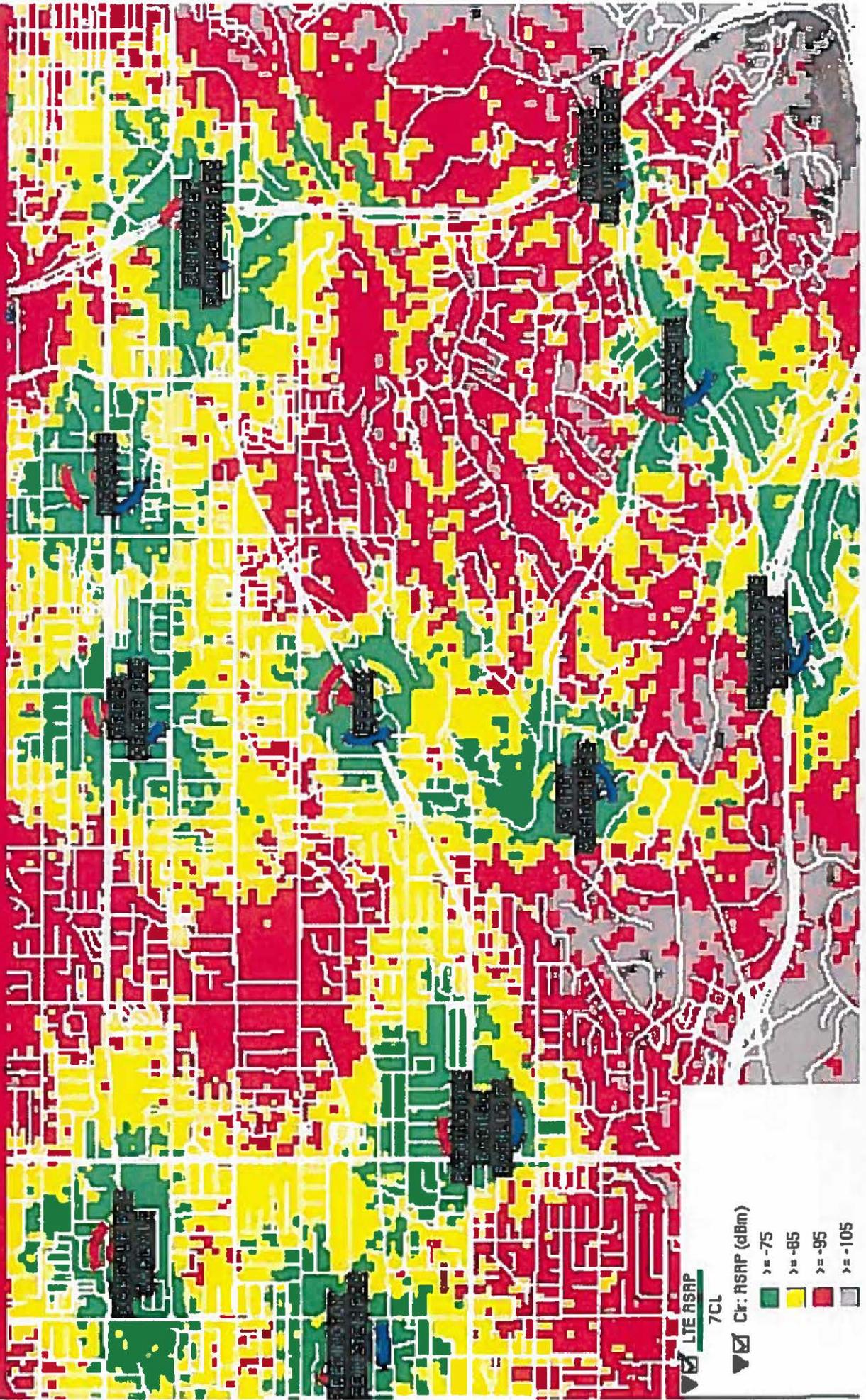




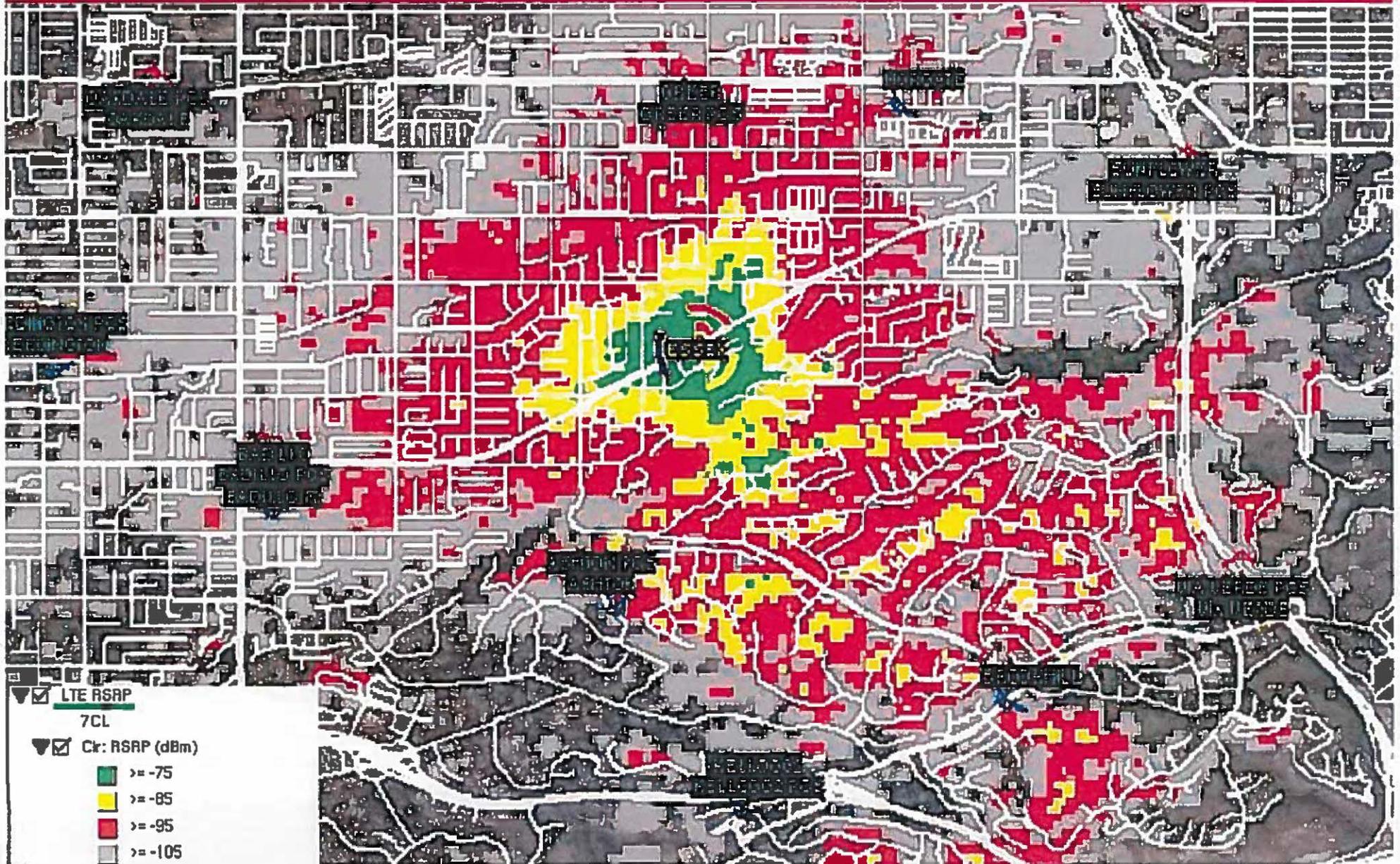




# With Essex & Neighboring Sites









# ESSEX

4337 NORTH SUNFLOWER AVENUE COVINA CA 91724



View 1



ACCURACY OF PHOTO SIMULATIONS BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

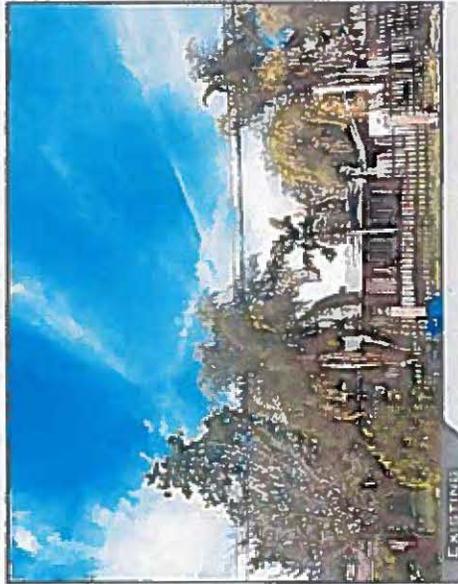
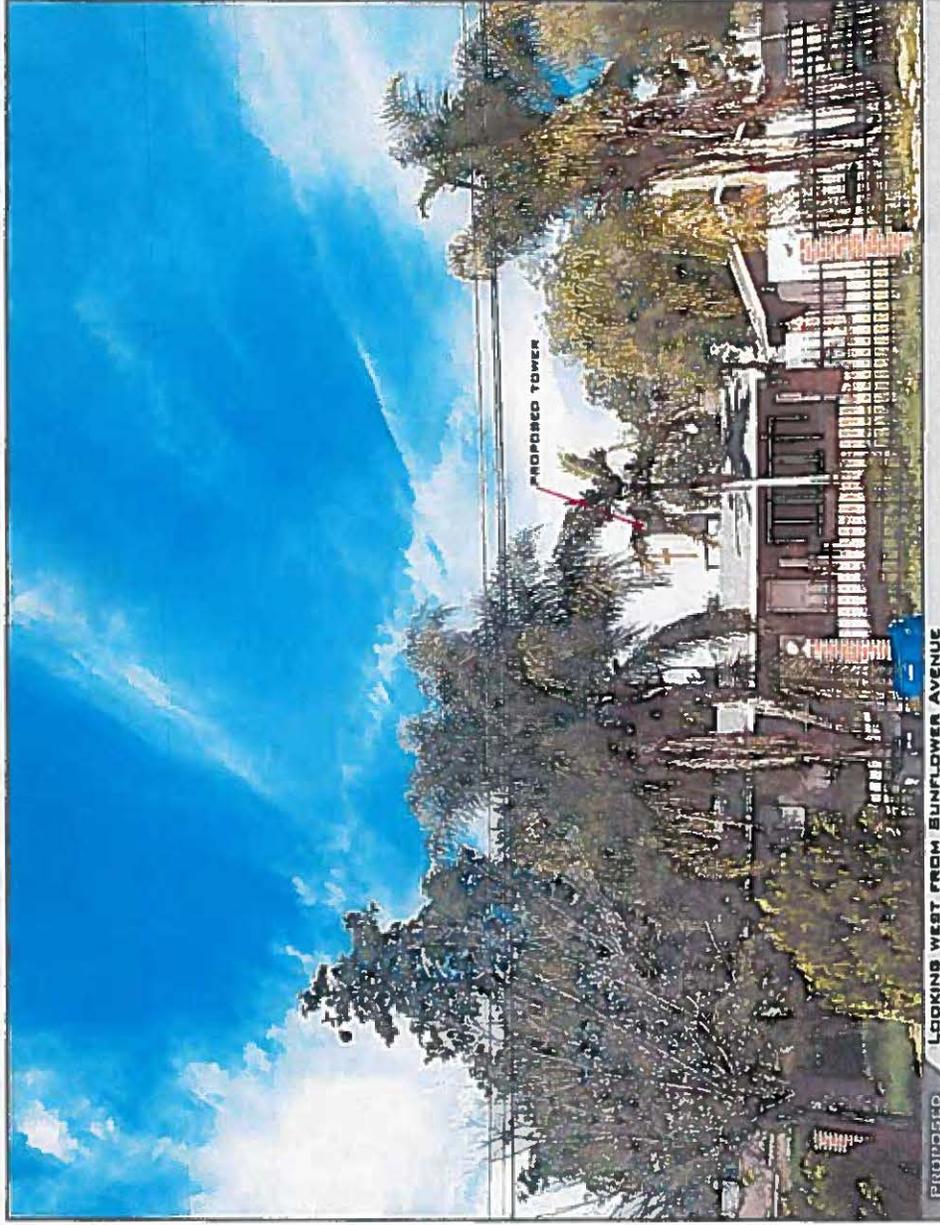


# ESSEX

4337 NORTH SUNFLOWER AVENUE COVINA CA 91724



VIEW 2



LOOKING WEST FROM SUNFLOWER AVENUE

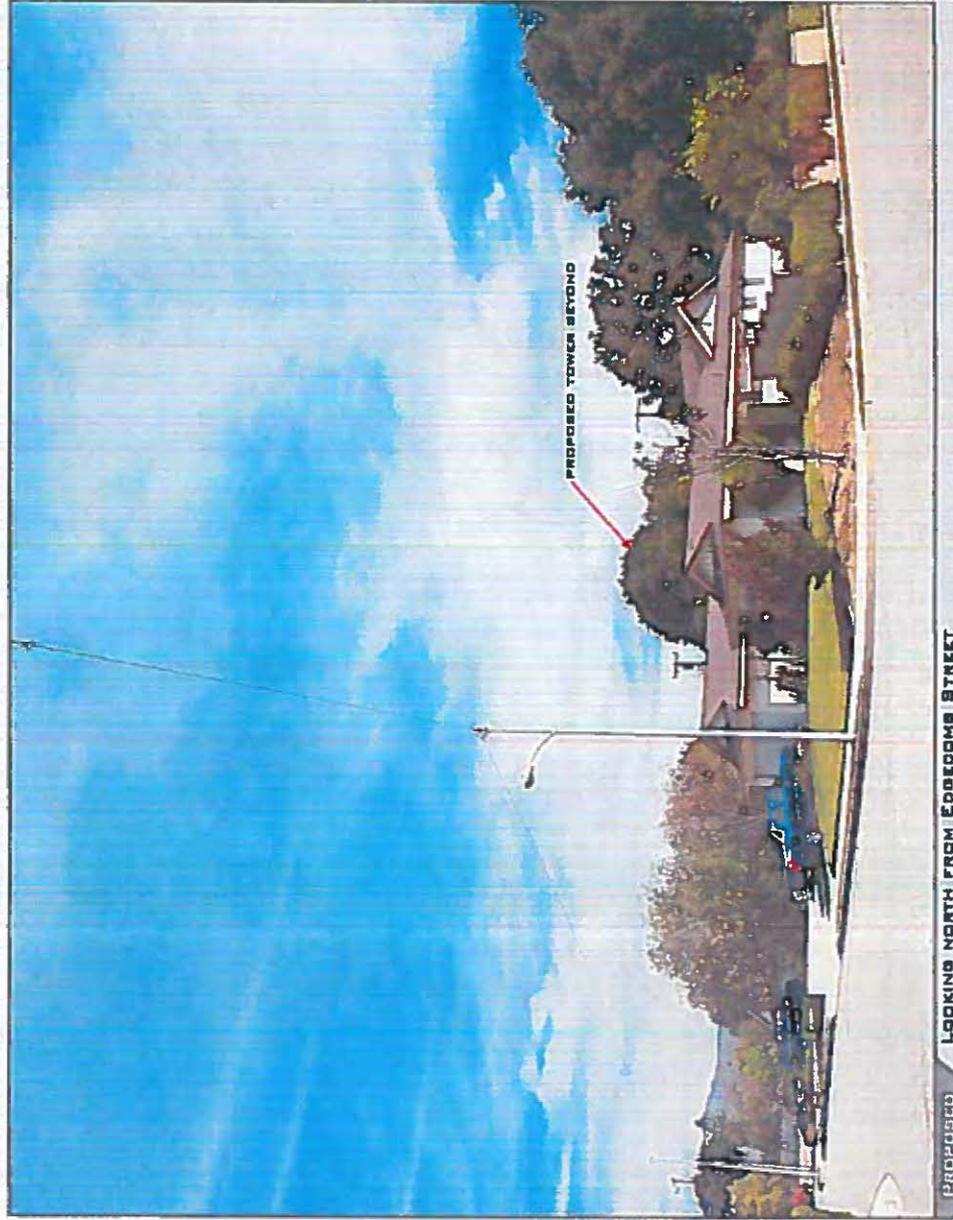
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**ESSEX**

4337 NORTH SUNFLOWER AVENUE COVINA CA 91724



VIEW 3



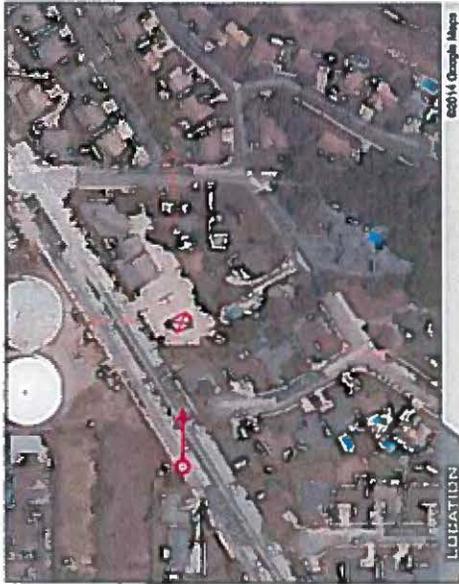
ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

# ESSEX

4337 NORTH SUNFLOWER AVENUE COVINA CA 91724



VIEW 4



ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



Los Angeles County  
DEPARTMENT OF  
REGIONAL PLANNING  
320 West Temple Street  
Los Angeles  
California 90012  
974-6401  
Norman Murdoch  
Planning Director

CERTIFIED-RECEIPT  
REQUESTED



December 29, 1986

Charter Oak Church of Abundant Life  
1267 North Sunflower Avenue  
Covina, California 91724

Attention: Mr. Phillip Rather

Dear Sirs:

RE: CONDITIONAL USE PERMIT CASE NO. 85-152-(1) ✓  
To construct and operate a church.  
4337 Sunflower Avenue; Charter Oak Zoned 10  
District, Zone A-1-10,000

The Regional Planning Commission, by its action of December 3, 1986, GRANTED the above described permit. Documents pertaining to this grant are enclosed.

Your attention is called to the following:

1. Condition No. 2, that this grant shall not be effective for any purpose until the applicant and the owner of the property involved, or his duly authorized representative, have filed at the office of the Department of Regional Planning the enclosed affidavit stating that they are aware of, and accept all the conditions of this permit;
2. The Commission's decision may be appealed to the Board of Supervisors at the office of Mr. Larry J. Monteilh, Executive Officer, Room 383 Hall of Administration, 500 West Temple Street, Los Angeles, California 90012, telephone (213) 974-1442. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant. This grant will not become effective until and unless that period has passed without an appeal.



Charter Oak Church of Abundant Life  
December 29, 1986  
Page 2

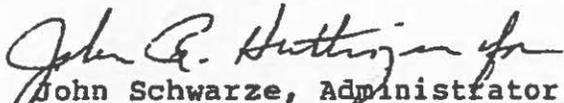
3. The Commission's grant affects the following described property:

(See attached legal description)

If you have any questions regarding this matter, please contact Variances and Permits Section at (213) 974-6446.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING  
Norman Murdoch, Director of Planning

  
John Schwarze, Administrator  
Zoning Administration Branch

JS:RF:eh

Enclosures: Affidavit; Findings and Conditions

cc: Building and Safety; Board of Supervisors; Zoning Enforcement; Laurance Blanchard, 1267 North Sunflower Avenue, Covina, CA 91724; Irwin & Associates, Inc., 16400 Pacific Coast Highway, #205, Huntington Beach, CA 92649; E. V. Jennings, Planning Director, City of Covina, 125 East College Street, Covina, CA 91723; Alan Carter, Planning Director, City of San Dimas, 245 East Bonita Avenue, San Dimas, CA 91773



CERTIFIED PROPERTY OWNER'S LIST  
AFFIDAVIT

ZONING CASE NO: CP 85-152

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

I, Carl Irwin, declare under penalty of perjury, pursuant to Section 2015.5 of the Code of Civil Procedure, that the attached list contains the names and addresses of all persons who are shown on the latest available assessment roll of the County of Los Angeles as owners of the subject property and as owning property within a distance of five hundred (500) feet from the exterior boundaries of property legally described as:

SAID LAND IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 3 AND 4 OF TRACT 350, AS PER MAP RECORDED IN BOOK 15 PAGE 64 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION AT THE CENTER LINE OF SUNFLOWER AVENUE, WITH THE SOUTHERLY RIGHT OF WAY OF THE PACIFIC ELECTRIC RAILWAY COMPANY AS SAID POINT IS SHOWN ON COUNTY SURVEYOR MAP NO. C.S.B. 944 ON FILE IN THE OFFICE OF THE COUNTY SURVEYER OF SAID COUNTY; THENCE SOUTH 00 DEGREES 16' 55" EAST ALONG SAID CENTER LINE, 165 FEET; THENCE SOUTH 58 DEGREES 23' 30" WEST PARALLEL WITH THE SOUTHERLY RIGHT OF WAY OF SAID PACIFIC ELECTRIC RAILWAY COMPANY, 409.75 FEET; THENCE NORTH 00 DEGREES 16' 55" WEST PARELLEL WITH THE EASTERLY BOUNDARY OF LOTS 3 AND 4 AFOREMENTIONED, 165 FEET TO A POINT IN THE SOUTHERLY BOUNDARY OF SAID PACIFIC ELECTRIC RIGHT OF WAY; THENCE ALONG SAID SOUTHERLY BOUNDARY NORTH 58 DEGREES 23' 30" EAST 409.75 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF SAID LAND LYING EASTERLY OF THE WESTERLY LINE OF THE EAST 20 FEET OF SAID LOTS.

EXCEPTING THE "PRECIOUS METALS AND ORES THEREOF" AS EXCEPTED FROM THE PARTITION BETWEEN JOHN ROWLAND, SR. AND WILLAIM WORKMAN, IN THE PARTITION DEED RECORDED IN BOOK 10, PAGE 39 OF DEEDS.

Executed at \_\_\_\_\_, California, this \_\_\_\_\_

16<sup>th</sup> day of September, 19 85

  
\_\_\_\_\_  
Signature



CONDITIONAL USE PERMIT CASE NO. 85152-(1)

REGIONAL PLANNING COMMISSION HEARING DATES: November 5 and 19,  
1986

PROCEDURE BEFORE THE COMMISSION:

First Hearing: November 5, 1986

The applicant's representative testified in favor of a request to construct and operate a church in the Charter Oak community. The Commission continued the hearing to inspect the site and to allow the applicant to consider means to relate the occupancy of the proposed fellowship hall to required parking.

There was no opposition testimony.

Field Meeting: November 18, 1986

The Commission conducted an inspection of the site with all members present.

Second Hearing: November 19, 1986

The applicant agreed to adjust the occupancy for the fellowship hall to the amount of parking provided. There being no further testimony, the Commission closed the public hearing.

FINDINGS:

1. The request is to construct and operate a church facility located at 4337 Sunflower Avenue, Charter Oak.
2. The subject property is 52,560 square feet in area, shaped as a parallelogram, of level topography, and vacant. One native California Oak tree is located near the southeasterly corner of the site and is to remain in place.
3. The site is located at the southwesterly corner of Badillo Street and Sunflower Avenue. The former is a partially improved major County highway and the latter is a partially improved County local service street. The Department of Public Works requests dedication of 30 feet from centerline on Sunflower, 50 feet from centerline on Badillo, construction of base and pavement curb, gutter and sidewalk on Sunflower, and street lights and street tree installation along Badillo.
4. The property is bounded on the south, west and east by single family residences and on the north by a water storage tank facility.



5. The subject property is located within the A-1-10,000 Zone (Light Agriculture, 10,000 square foot lots) of the Charter Oak Zoned District. That zone requires approval of a Conditional Use Permit for churches.
6. The site is also located within the "Urban 1" land use category of the Los Angeles County General Plan (1 to 6 dwellings per acre density average). Churches are permitted within that category as a local service use, subject to a showing of compatibility with the surrounding area.
7. The plan, Exhibits "A-1 and A-2", shows a complex consisting of 2 structures with a connecting roofline over a central patio area. The sanctuary structure, which would seat 294 persons, would be located near the corner frontage of the 2 streets. The fellowship hall would be located near the center of the site. Seventy parking spaces would be located along the southwest and westerly property boundaries and within the site next to the fellowship hall. Landscaping would be installed along the front setbacks of both frontages as well as within the parking lots. Two driveways would be provided, one each to the 2 street frontages.

The buildings under this plan slightly exceed the required parking by virtue of their occupancy. The applicant has agreed to adjust the occupancy and/or increase parking to meet minimum requirements.

8. An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental or service factor and, as a result, will not have a significant effect on the physical environment.

**BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:**

- A. The proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area.
- B. With the attached restrictions and conditions, the requested use, at the location proposed, 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, and 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 the Zoning Ordinance, and as is otherwise required in order to integrate the use requested with the uses in the surrounding area.
- D. The proposed site has adequate traffic access and said site is adequately served by other public and private service facilities which it requires.

And, therefore, the information submitted by applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Title 22 of the Los Angeles County Code, the Zoning Ordinance.

**COMMISSION ACTION:**

1. The Regional Planning Commission approves the negative declaration for the project, certifies that it has reviewed and considered the environmental information contained in the Initial Study, and determines that the proposed project will not have a significant effect on the environment.
2. In view of the findings of fact presented above, Conditional Use Permit No. 85152-(1) is GRANTED with the attached conditions.
3. The road acquisitions required by this grant are determined to be consistent (pursuant to Section 65402 of the Government Code) with the County of Los Angeles General Plan.



1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant 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 property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
3. The permittee shall reimburse the County for any court and attorney's fees which the County may be required to pay as a result of any claim or action brought against the County because of this grant. Although the permittee is the real party in interest in an action, the County may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.
4. This grant will expire unless used within 2 years from the date of approval. A one year time extension may be requested before the expiration date.
5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. The subject property shall be developed, 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.
7. 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 may, after conducting a public hearing, revoke or modify this grant, if it finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
8. This grant allows the construction, use and operation of a church facility, subject to the following restrictions as to use:
  - a. The occupancy of the maximum number of persons within the largest assembly area and/or the amount of parking provided shall be adjusted as necessary to comply with the requirements of the Zoning Ordinance.



- b. Parking lot lighting shall be shielded and directed away from adjacent residences and shall be restricted to the minimum necessary to safely traverse the lot. Such lighting shall be turned off no later than 10:30 p.m.
  - c. The use of bells, chimes or amplified sound intended to be audible outside of the church buildings is prohibited.
  - d. Commercial use of the facilities is prohibited.
  - e. An Oak Tree Permit must be approved prior to any trimming or excavation work around the dripline of the oak tree on the subject property.
9. Three copies of a revised plot plan, similar to Exhibit "A-1" and "A-2" as presented at the public hearing and conforming to such of the following conditions as can be shown on a plan, shall be submitted for approval of the Director of Planning:
- a. Show floor plan details and occupancy determinations as specified in Conditions 8a.
  - b. Show details of all perimeter screen walls.
  - c. Show the location details, heights, and intensity of any parking lot lighting.

The property shall be developed and maintained in substantial conformance with the approved plan. All revised plot plans must be accompanied by the written authorization of the property owner.

10. Provide details of measures to be taken to protect the native oak tree including trimming, dripline and root crown work as approved by the County Forester in conjunction with the Oak Tree Permit.

Three copies of a landscape plan, which may be incorporated into a revised plot plan, shall be submitted to and approved by the Planning Director before issuance of a building permit. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.



11. Provisions shall be made for all natural drainage to the satisfaction of the Department of Public Works.
12. The subject facility shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said Department.
13. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Water mains, fire hydrants, and fire flow shall be provided as may be required by said Department.
14. Dedicate (if not already dedicated) to the County of Los Angeles that portion of the subject property within 50 and 30 feet of the centerlines of Badillo Street and Sunflower Avenue respectively, and the 13 foot corner radius at the intersection of those streets.
15. Dedicate to the County of Los Angeles the right to restrict access to Badillo Street.
16. The permittee shall install curb, gutter, and sidewalk improvements along the frontage of the subject property on Sunflower Avenue, and street trees and street lights along Sunflower Avenue and Badillo Street to the satisfaction of the Los Angeles County Department of Public Works.
17. Complete or guarantee completion of all requirements of Conditions 14, 15, and 16 to the satisfaction of the Department of Public Works before obtaining building permits.
18. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.

RF:JS:meg  
11/21/86

