

Hearing Officer Transmittal Checklist

Hearing Date
09/01/2015
Agenda Item No.
6

Project Number: R2014-02743-(5)
Case(s): Conditional Use Permit Case No. 201400130
Environmental Assessment Case No. 201400219
Planner: Thuy Hua

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By:  _____



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

PROJECT NUMBER
 R2014-02743-(5)

HEARING DATE
 September 1, 2015

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201400130
 Environmental Assessment No. 201400219

PROJECT SUMMARY

OWNER / APPLICANT

Verizon Wireless

MAP/EXHIBIT DATE

April 7, 2015

PROJECT OVERVIEW

The applicant is requesting a Conditional Use Permit (CUP) to authorize the construction, operation, and maintenance of a new unmanned wireless telecommunications facility located in the C-3 (Unlimited Commercial) zone pursuant to Los Angeles County Code Section 22.28.210. The project proposes the placement of a new 50' tall support structure disguised as a eucalyptus tree with twelve (12) 8' tall panel antennas and twelve (12) remote radio units mounted on three arrays, one (1) microwave dish, a 11'-6"W x 16'-0"L x 10'-7.5"H equipment building, standby generator, and ancillary antenna equipment. The facility will be located within a 3,156 square foot lease area enclosed by sections of 8' tall chain link fencing or CMU walling.

LOCATION

Southeast Corner of North San Dimas Canyon Road & East Foothill Boulevard, San Dimas

ACCESS

Foothill Boulevard

ASSESSORS PARCEL NUMBER(S)

8661-020-901

SITE AREA

0.89 Acres

GENERAL PLAN / LOCAL PLAN

Countywide General Plan

ZONED DISTRICT

San Dimas

LAND USE DESIGNATION

1 – Low Density Residential

ZONE

C-3 (Unlimited Commercial)

R-A-7,500 (Residential Agricultural with 7,500 Square Foot Minimum Lot Required Area)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

1-6 du/ac

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)
 - 22.28.220 (C-3 Development Standards)

CASE PLANNER:

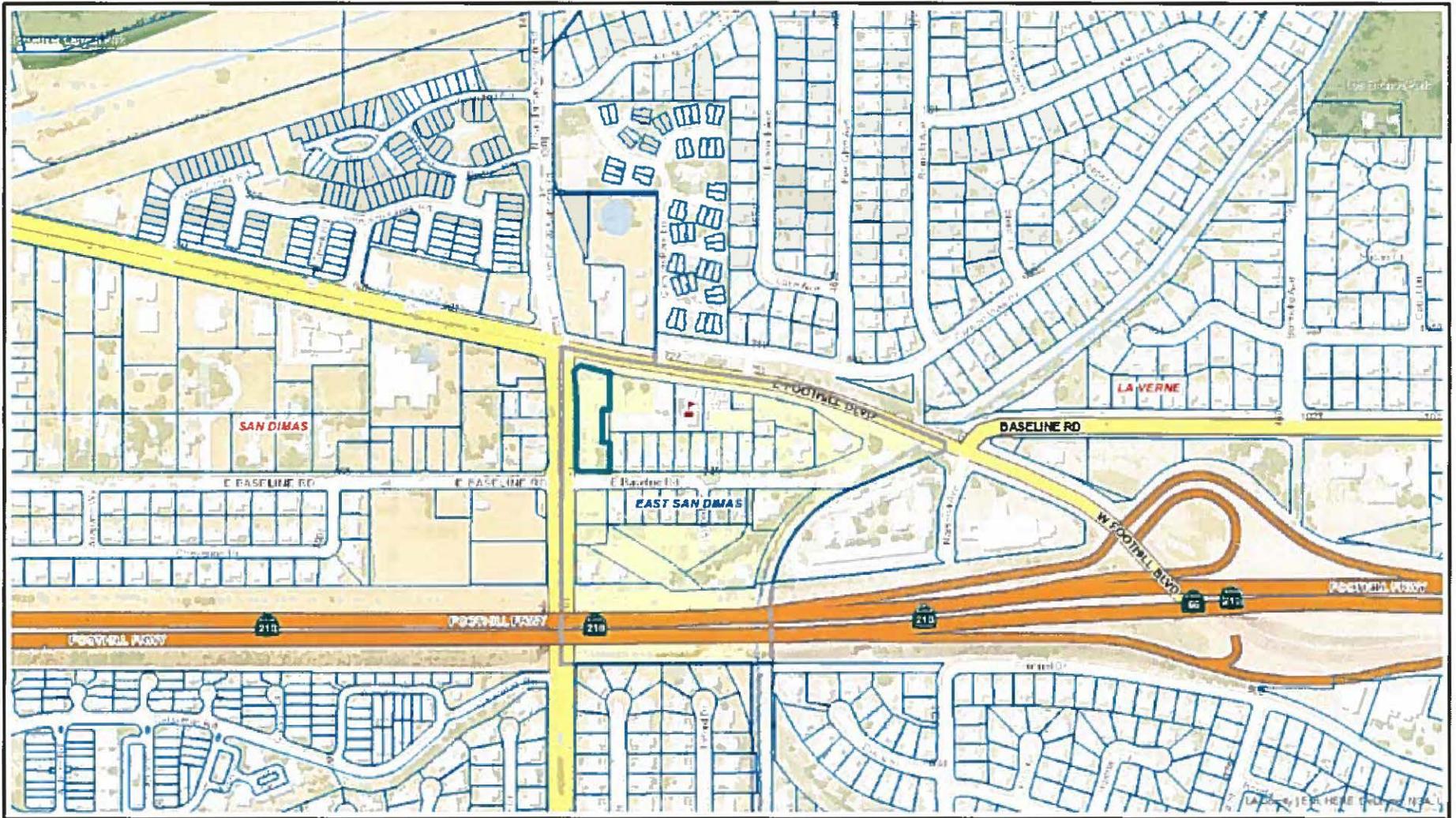
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R2014-02743 / CUP 201400130

Property Location Map

Printed: Aug 06, 2015



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ENTITLEMENTS REQUESTED

Conditional Use Permit (CUP) for a new unmanned wireless telecommunications facility (WTF) in the C-3 (Unlimited Commercial) Zone pursuant to County Code Section 22.28.210.

PROJECT DESCRIPTION

The project is a request to authorize the construction, operation, and maintenance of a new unmanned wireless telecommunications facility located on a 50' tall support structure disguised as a mono-eucalyptus tree at the southeast corner of North San Dimas Canyon Road and East Foothill Boulevard in the unincorporated part of San Dimas. The proposed WTF consists of a new 50' tall support structure disguised as a mono-eucalyptus tree with twelve (12) 8' tall panel antennas and twelve (12) remote radio units mounted on three (3) arrays, one (1) microwave dish, a 11'-6"W x 16'-0"L x 10'-7.5"H equipment building, standby generator, and ancillary antenna equipment. The facility will be located within a 3,156 square foot lease area enclosed by sections of 8' tall chain link fencing or CMU walling. The total height of the mono-eucalyptus tree is 54'.

EXISTING ZONING

The subject property is split-zoned between C-3 (Unlimited Commercial) along the northern half and R-A-7,500 (Residential Agricultural with 7,500 Square Foot Minimum Lot Required Area) along the southern half of the property with the location of the WTF in the C-3 zone.

Surrounding properties are zoned as follows:

North: C-H (City of San Dimas – Commercial Highway)

South: R-A-7,500

East: C-3, R-A-7,500

West: C-H (City of San Dimas – Commercial Highway), SF7500 (City of San Dimas – Single Family with 7,500 Square Foot Minimum Lot Required Area)

EXISTING LAND USES

The subject property is developed with an existing plant nursery.

Surrounding properties are developed as follows:

North: Multi-tenant commercial including professional services and offices

South: Single-family residential, nursery

East: Multi-tenant commercial including retail, hair salon, dry cleaning, and restaurant

West: Single-family residential, convenience store

PREVIOUS CASES/ZONING HISTORY

A Certificate of Compliance was applied for and approved on July 15, 2015. There are no other previous zoning cases for this property.

Ordinance No. 7297 zoned the property C-4 (Unlimited Commercial) on February 27, 1958. Ordinance No. 10.826 reclassified the zone from C-4 to C-3 on February 8, 1974.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 3 Exemption, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project is exempt since it is a small scale structure and it is not an exception to the exemption since it is not located in an environmentally sensitive area. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan Consistency

The project site is located within the 1 (Low Density Residential – 1-6 dwelling units/acre) land use category of the Los Angeles County General Plan. This designation is intended for single family detached housing units, including large lot estates and typical suburban tract developments. The intent of this land use category is to maintain the character of existing low density residential neighborhoods and also to provide additional areas to accommodate future market demand. Within these areas, a variety of use types and intensities presently exist. Such uses typically include local commercial and industrial services, schools, churches, local parks, and other community-serving public facilities. It is not the intent of the General Plan policy to preclude further development or expansion of such uses within areas depicted as residential. The WTF is located on a commercial property currently used as a plant nursery and is therefore consistent with the permitted uses of the underlying land use category, given that the General Plan acknowledges non-residential uses already exist within the land use category.

The following policy of the General Plan is applicable to the proposed project:

- *General Plan Public Services Policy 58: Maintain high quality emergency response services.*

Cellular service is often used to make emergency calls. The proposed WTF will ensure that such service is readily available in the area and useable in the case of an emergency.

The project site is not located within any community or area plans.

Zoning Ordinance and Development Standards Compliance

Title 22 of the County Code does not explicitly specify 'WTF' as a use. The use most consistent with a WTF specified in the County Code is 'radio and television stations and towers'. Pursuant to Section 22.28.210 of the County Code, development of radio and television stations and towers is a permitted use of property in Zone C-3, provided that a CUP is first obtained. The development of the WTF on the same site as the plant nursery does not impact the plant nursery's ability to remain in compliance with the

development standards of the C-3 Zone pursuant to Section 22.28.220. A 12' wide non-exclusive vehicular path of access and parking stall is provided for the periodic maintenance of the WTF.

Wireless Telecommunication Facilities Standards

At 50' the WTF does not exceed the 75' height limit on ground-mounted wireless facilities. The WTF employs is disguised as a mono-eucalyptus tree in order to minimize visual impacts, provide screening for the structure mounted equipment, and thus integrates into the surrounding landscape. As such, the design meets the requirements for ground-mounted WTFs per the Subdivision and Zoning Ordinance Policy No. 01-2010.

Site Visit

Staff conducted a site visit on August 7, 2015 and observed that the site plans are drawn accurately and that no violations were found.

Burden of Proof

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

Neighborhood Impact/Land Use Compatibility

The WTF design is appropriate for the site and area. The stealth mono-eucalyptus design will help minimize the visual impacts and blend in with the surrounding trees, which will provide additional screening. The facility will fit in the with area and will not have a significant visual impact.

The WTF will not be detrimental to the surrounding community. A WTF provides valuable telecommunications infrastructure to the community and is consistent with the established use and zoning requirements for the subject property. This WTF will provide improved cell phone service in the area, including the ability for the public to make emergency phone calls.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The Los Angeles County Department of Public Works provided a comment letter dated July 1, 2015 recommending approval of the project. The Los Angeles County Fire Department provided a comment letter dated May 28, 2015 recommending approval of the 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. All neighboring property owners within 500 feet of the project site were notified by mail, including 62 different owners. Additionally, the case materials were available on Regional Planning's website

and at the San Dimas Library. A total of four Notices of Public Hearing were mailed to those on the courtesy mailing list for the San Dimas Zoned District.

PUBLIC COMMENTS

Staff received one email from the City of San Dimas and one phone call from the plant nursery owner requesting additional project information.

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 R2014-02743, Conditional Use Permit Number 201400130, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

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

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NUMBER 201400130 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Thuy Hua, Senior Regional Planner, Zoning Permits North Section
Reviewed by Rob Glaser, Acting Supervising Regional Planner, Zoning Permits North Section

Attachments:

- Los Angeles County Department of Public Works Letter dated July 1, 2015
- Los Angeles County Fire Department Letter dated May 28, 2015
- Draft Findings
- Draft Conditions of Approval
- Applicant's Burden of Proof statement
- Site Photographs
- Site Plan
- Land Use Map

RG:TH
8/7/15

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02743-(5)
CONDITIONAL USE PERMIT NO. 201400130**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400130 ("CUP") on September 1, 2015.
2. The permittee, Verizon Wireless ("permittee"), requests the CUP to authorize the construction, operation, and maintenance of a new unmanned wireless telecommunications facility ("WTF") disguised as a mono-eucalyptus tree ("Project") on a property located at the southeast corner North San Dimas Canyon Road and East Foothill Boulevard (APN 8661-020-901) in the unincorporated part of San Dimas ("Project Site").
3. The CUP is a request to authorize the construction, operation, and maintenance of a new unmanned WTF disguised as a mono-eucalyptus tree in the C-3 Zone. The proposed WTF consists of a new 50' tall support structure disguised as a mono-eucalyptus tree with twelve (12) 8' tall panel antennas and twelve (12) remote radio units mounted on three (3) arrays, one (1) microwave dish, a 11'-6"W x 16'-0"L x 10'-7.5"H equipment building, standby generator, and ancillary antenna equipment. The facility will be located within a 3,156 square foot lease area enclosed by sections of 8' tall chain link fencing or CMU walling. The total height of the mono-eucalyptus tree is 54'.
4. The Project Site is 0.89 acres in size and consists of one legal lot. The Project Site is rectangular in shape and is developed with an existing plant nursery.
5. The Project Site is located in the San Dimas Zoned District and is currently zoned C-3 (Unlimited Commercial).
6. The Project Site is located within the 1 (Low Density Residential – 1-6 dwelling units/acre) land use category of the Los Angeles County General Plan Land Use Policy Map.
7. Surrounding Zoning within a 500-foot radius includes:
 - North: C-H (City of San Dimas – Commercial Highway)
 - South: R-A-7,500
 - East: C-3, R-A-7,500
 - West: C-H (City of San Dimas – Commercial Highway), SF7500 (City of San Dimas – Single Family with 7,500 Square Foot Minimum Lot Required Area)
8. Surrounding land uses within a 500-foot radius include:
 - North: Multi-tenant commercial including professional services and offices

- South: Single-family residential, nursery
East: Multi-tenant commercial including retail, hair salon, dry cleaning, and restaurant
West: Single-family residential, convenience store

9. A Certificate of Compliance was applied for and approved on July 15, 2015. There are no other previous zoning cases for this property.
10. The site plan for the Project depicts the proposed 3,156 square foot lease area located in the northeastern corner of Project Site enclosed by sections of 8' tall chain link fencing or CMU walling. Within the lease area the mono-eucalyptus tree is located in the southeast corner with the equipment building located directly west of it. A non-exclusive 12' wide path of access runs from the northern entrance of the Project Site to the non-exclusive parking stall located north of the equipment building. The antenna plan shows four antennas and four remote radio units mounted on each of the three arrays for a total of twelve antennas and twelve remote radio units. The elevations show the height of the support structure as 50' tall. The total height of the mono-eucalyptus tree with branches is 54' tall. All equipment mounted on the mono-eucalyptus tree is fully screened by the mono-eucalyptus branches.
11. The Project Site is accessible via East Foothill Boulevard which runs along the northern boundary of the Project Site.
12. The WTF requires only periodic maintenance and the maintenance vehicle can use the non-exclusive parking stall located north of the equipment building within the lease area.
13. Prior to the Hearing Officer's public hearing on the Project, the Department of Regional Planning Staff ("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 2100, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project is small in size and will have a negligible impact on the environment.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearing by mail, newspaper, and property posting.
15. Prior to the Hearing Officer's public hearing, Staff received inquiries from the City of San Dimas and the plant nursery owner requesting additional project information.
16. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*
17. The Hearing Officer finds that the Project is consistent with the goals and policies of the Los Angeles County General Plan. The General Plan contains policies to ensure

compatibility of development with the surrounding area. The following policy of the General Plan is applicable to the proposed project: *"General Plan Public Services Policy 58 – Maintain high quality emergency response services."* Cellular service is often used to make emergency calls. The proposed facility will improve cell phone service in the area and will ensure that such service is readily available in the area, and useable in the case of an emergency. Engineers for Verizon Wireless have observed that this facility is needed to reduce the cellular coverage gap in order to ensure reliable levels of service. The applicant provided existing and project coverage maps to demonstrate the need for improved service in the area.

18. The Hearing Officer finds that the Project is consistent with the County Code. A wireless telecommunications facility is a use not specified in the County Code. The closest described uses are radio and television towers. Section 22.28.210 of the County Code permits these uses in the C-3 zone, provided a conditional use permit has first been obtained.
19. The Hearing Officer finds that the Project complies with applicable development standards of Subdivision and Zoning Ordinance Policy No. 01-2010 (Wireless Telecommunications Facilities) dated July 26, 2010. At 50' the WTF does not exceed the 75' height limit on ground-mounted wireless facilities. The WTF employs is disguised as a mono-eucalyptus tree in order to minimize visual impacts, provide screening for the structure mounted equipment, and thus integrates into the surrounding landscape.
20. The Hearing Officer finds that the Project satisfies the CUP Burden of Proof findings in Section 22.56.040 of the County Code. The Hearing Officer finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare. The Project will operate according to FCC standards. The disguised nature of the facility as a mono-eucalyptus tree and its location allow the remainder of the property to maintain its current use. No discernible noises, smells, light, glare, or traffic will be produced by the Project. The equipment will be fully secured by an enclosure and will provide needed voice and data services to the area.
21. The Hearing Officer finds that the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking, and other development features as is required in order to integrate the Project into the surrounding area. The Project occupies 3,156 square feet of the 0.89 Project Site. The location on the Project Site is unobtrusive and the mono-eucalyptus design will blend in with the surrounding greenery.
22. The Hearing Officer finds that the Project is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate, and by other public or private facilities as are required. The Project Site is adequate access from East Foothill Boulevard through an existing asphalt

driveway. The Project is an unmanned facility and will not generate additional traffic other than occasional maintenance visits. The Project does not require public services such as water, sewer, or waste management. The facility will be adequately served by the existing road and utility infrastructure.

23. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use to fifteen (15) years.
24. The Hearing Officer finds that pursuant to Sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on the Department of Regional Planning's website and at the San Dimas Library. On July 27, 2015, a total of 66 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site and those on the courtesy mailing list for the San Dimas Zoned District.
25. The location of the documents and other materials constituting the record of the 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 North 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 Los Angeles County 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 Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
2. Approves Conditional Use Permit 201400130, subject to the attached conditions.

ACTION DATE: September 1, 2015

**RG:TH
8/7/15**

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02743-(5)
CONDITIONAL USE PERMIT NO. 201400130**

PROJECT DESCRIPTION

The project is a request to authorize the construction, operation, and maintenance of a new unmanned wireless telecommunications facility ("WTF") located on a 50' tall support structure disguised as a mono-eucalyptus tree at the southeast corner of North San Dimas Canyon Road and East Foothill Boulevard in the unincorporated part of San Dimas. The proposed WTF consists of a new 50' tall support structure disguised as a mono-eucalyptus tree with twelve (12) 8' tall panel antennas and twelve (12) remote radio units mounted on three (3) arrays, one (1) microwave dish, a 11'-6"W x 16'-0"L x 10'-7.5"H equipment building, standby generator, and ancillary antenna equipment. The facility will be located within a 3,156 square foot lease area enclosed by sections of 8' tall chain link fencing or CMU walling. The project will extend to a height of 54' at the top of the mono-eucalyptus tree within the C-3 (Unlimited Commercial) Zone 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 April 21, 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 by September 1, 2017, which is 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 the Fire Department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works") to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").

15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **November 2, 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 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 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 Department of Public Works Division of Building and Safety 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 and open space. Pole-mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
25. Construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday because the subject property is adjacent to residences. Emergency repairs of the facility may occur at any time.
26. Placement and height of all structure-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.
28. The maximum height of the top of the antennas shall not exceed 50 feet above grade level.
29. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features.
30. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling, or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired by the permittee within thirty (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 thirty (30) days of notice.
31. New equipment added to the facility shall not compromise the stealth design of the facility.
32. Antennas shall be painted or covered to match their background (branches or trunk). The antennas shall not extend beyond the mono-eucalyptus branches. There shall be ample branch coverage to hide the antennas from view as effectively as possible. Faux bark cladding shall be provided from the ground to

five feet beyond where the faux branches begin; above the faux bark shall be flat non-reflective brown paint to match the bark.

33. Appurtenant equipment boxes shall be screened or camouflaged.
34. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
35. 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.
36. 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.
37. Upon termination of this grant or after 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. Failure to remove such facility as required herein shall constitute a public nuisance and be subject to appropriate enforcement actions by the Zoning Enforcement Section of Regional Planning and any other government agency. In the event the facility is not so removed within ninety (90) days after the permittee's receipt of notice requiring removal, the County may itself cause the facility to be removed at the permittee's expense.

PROJECT SITE SPECIFIC CONDITIONS

38. This grant shall authorize the construction, operation, and maintenance of an unmanned WTF and appurtenant equipment as shown on the plans marked Exhibit "A".
39. All development pursuant to this grant shall comply with the requirements contained in the noise control ordinance, Section 12.08.440, during construction and during maintenance work or non-emergency operations of the generator.

8/7/15



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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

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

July 1, 2015

IN REPLY PLEASE
REFER TO FILE: LD-2

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

Attention Thuy Hua

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

CONDITIONAL USE PERMIT (CUP) NO. 201400130
PROJECT NO. R2014-02743
ASSESSOR'S MAP BOOK NO. 8661, PAGE 20, PARCEL NO. 901
UNINCORPORATED COUNTY COMMUNITY OF LA VERNE

We reviewed the site plan for the new wireless telecommunications facility within a private property located at the southeast corner of North San Dimas Canyon Road and East Foothill Boulevard (APN 8661-020-901). The project includes installing a new 54-foot-high antenna disguised as a eucalyptus tree, related equipment, and a standby generator enclosed behind a new concrete masonry unit wall on private property.

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

There are no right-of-way acquisitions or road improvements to be imposed under the provisions of the Zoning Ordinance per section 22.48.280. Therefore, we recommend approval of the CUP without any Public Works conditions.

If you require additional information or have any questions, please contact Teni Mardirosian of Public Works' Land Development Division at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

TM:tb

P:\dpubl\SUBPCHECK\Plan\CUP\CUP 201400130-APN 8661-020-901\TCUP 201400130\2015-05-18 TCUP 201400130\CUP 201400130, DPW.docx



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.)

<p>A. That the requested use at the location will not:</p> <ol style="list-style-type: none"> 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.
<p>Verizon Wireless facilities are regulated by the FCC. The disguised nature of the facility as a eucalyptus tree and its location towards the rear of the parcel allow the center to be used just as it is being used now- it will not affect vehicular circulation within the customer parking lot. No discernible noises, smells, light, glare, traffic will be produced by the proposed facility. The equipment will be fully secured by an enclosure and will provide needed voice, data and E911 services to the area.</p>
<p>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.</p>
<p>The project site is adequate in size and shape to accommodate all the development features prescribed in Title 22. The proposed facility will not impact any required yards/setbacks, parking or loading facilities, fencing or landscaping. The location on the property is unobtrusive and the monoecalpytus design should blend in with the surrounding greenery.</p>
<p>C. That the proposed site is adequately served:</p> <ol style="list-style-type: none"> 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.
<p>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.</p>

SITE PHOTOGRAPHS



PHOTO 1: SOUTHERN ENTRANCE OF PROJECT SITE



PHOTO 2: NORTHERN ENTRANCE OF PROJECT SITE



PHOTO 3: EASTERN SIDE OF PROJECT SITE



PHOTO 4: LOCATION OF WTF WITHIN PROJECT SITE

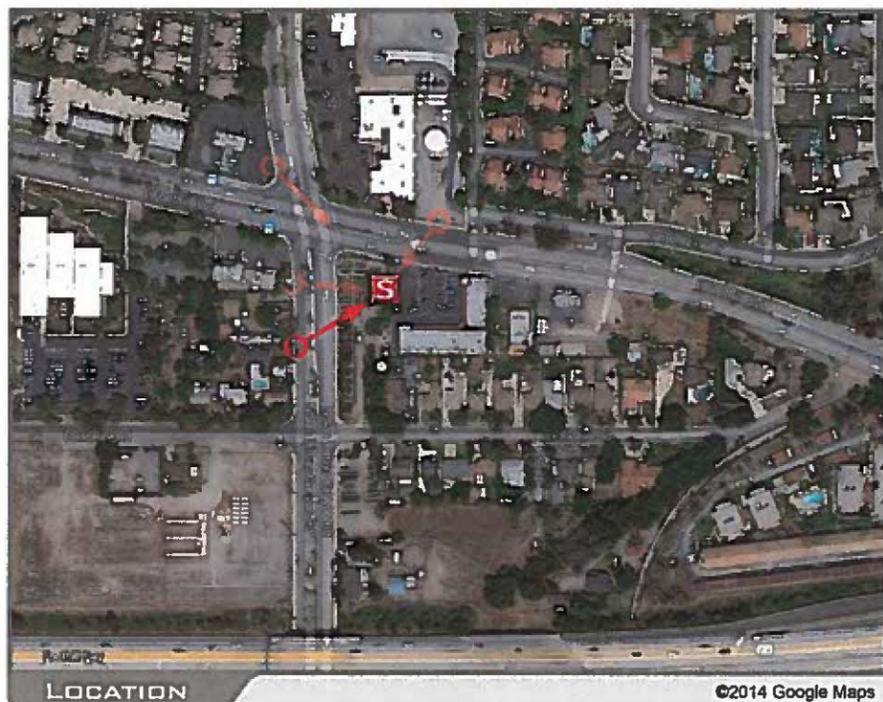


ROMOLA

SE CORNER OF N SAN DIMAS CANYON RD & E FOOTHILL BLVD SAN DIMAS CA 91773

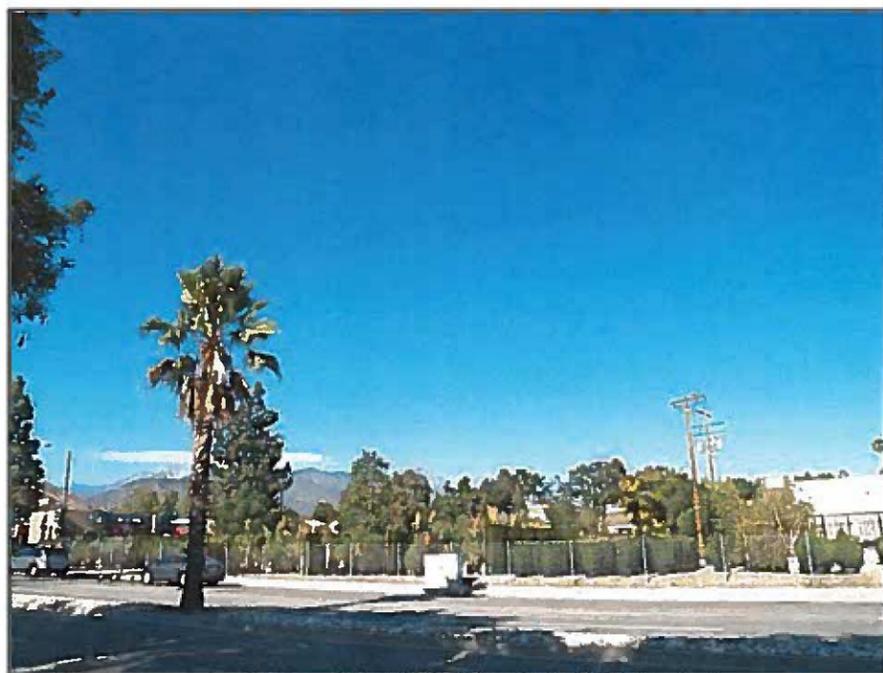


VIEW 1

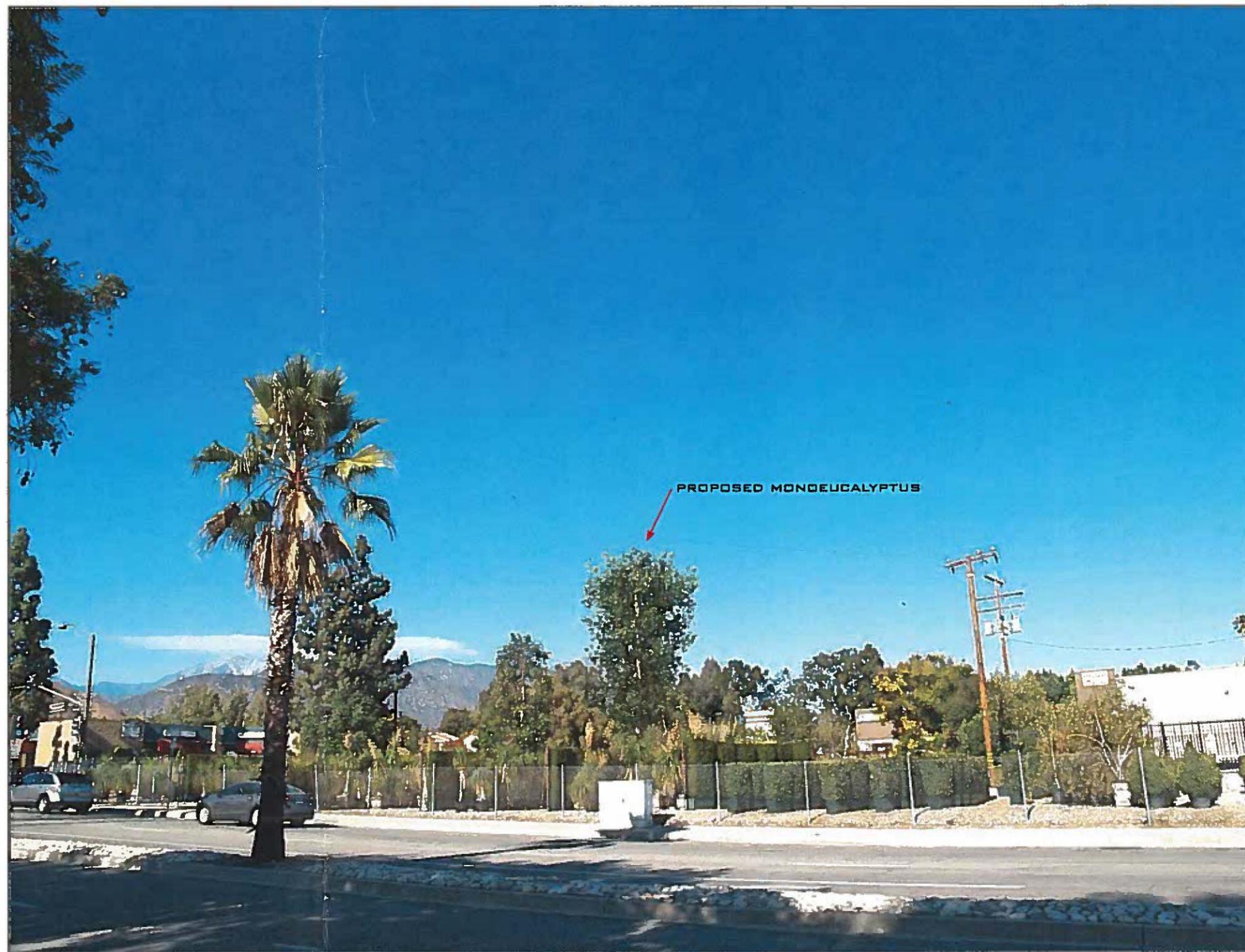


LOCATION

©2014 Google Maps



EXISTING



PROPOSED MONGEUCALYPTUS

PROPOSED

LOOKING NORTHEAST FROM SAN DIMAS CANYON ROAD

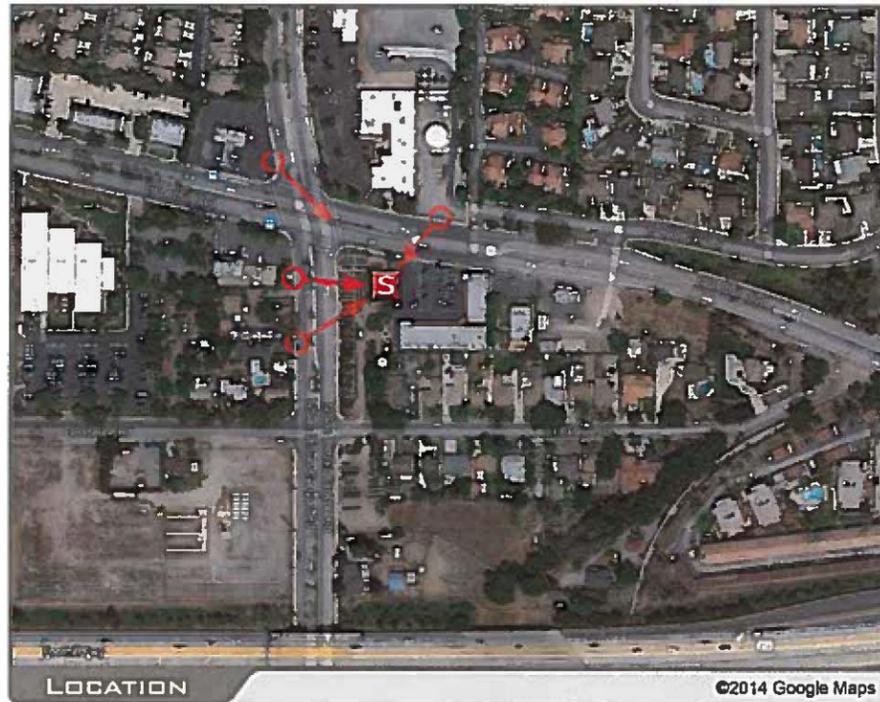


ROMOLA

SE CORNER OF N SAN DIMAS CANYON RD & E FOOTHILL BLVD SAN DIMAS CA 91773



VIEW 2

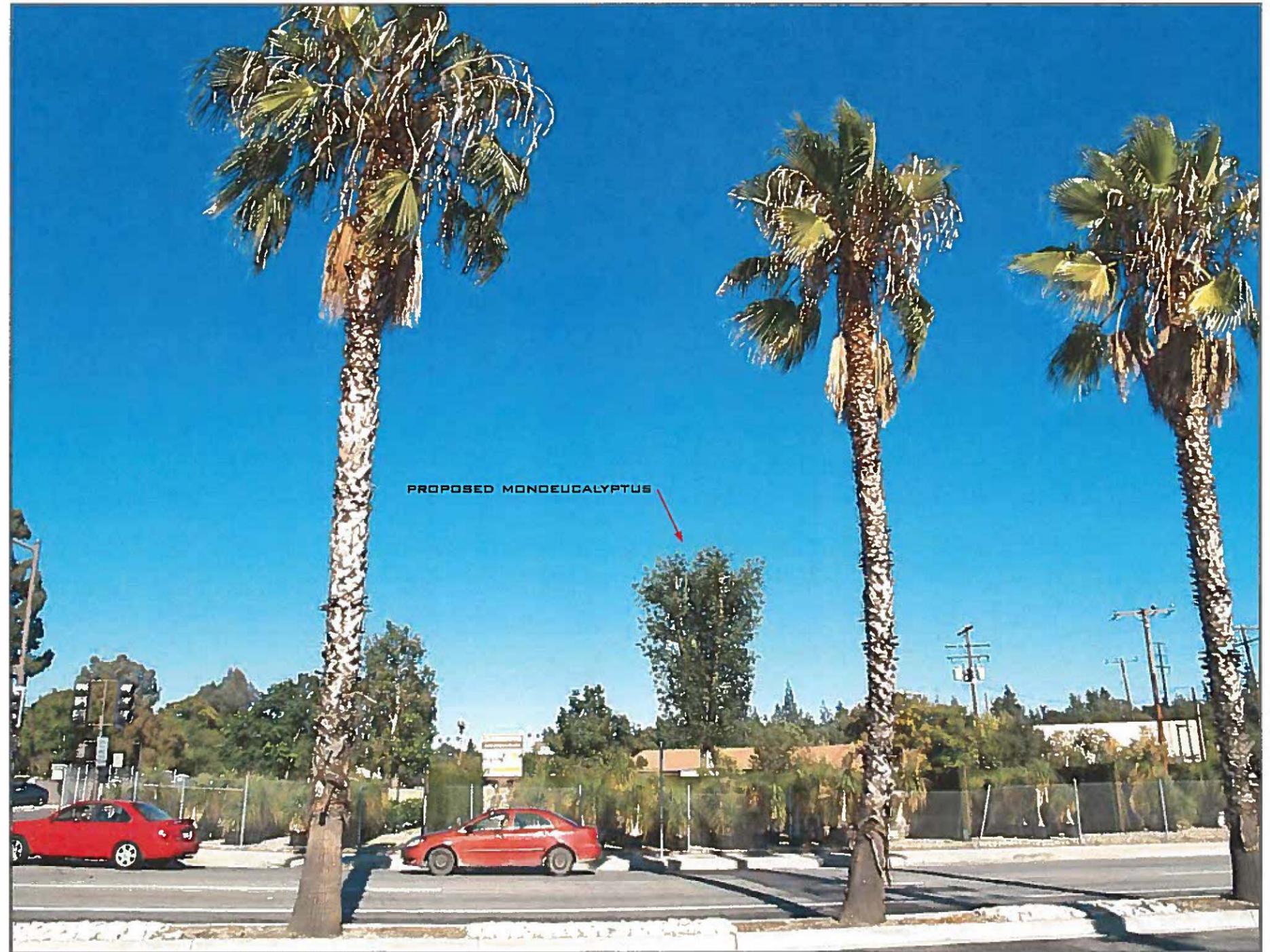


LOCATION

©2014 Google Maps



EXISTING



PROPOSED

LOOKING EAST FROM SAN DIMAS CANYON ROAD

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



ROMOLA

SE CORNER OF N SAN DIMAS CANYON RD & E FOOTHILL BLVD SAN DIMAS CA 91773



VIEW 3



LOCATION

©2014 Google Maps



EXISTING



PROPOSED

LOOKING SOUTHEAST FROM SAN DIMAS CANYON ROAD

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



ROMOLA

SE CORNER OF N SAN DIMAS CANYON RD & E FOOTHILL BLVD SAN DIMAS CA 91773



VIEW 4



LOCATION

©2014 Google Maps



EXISTING



PROPOSED

LOOKING SOUTHWEST FROM FOOTHILL BOULEVARD

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



R2014-02743 / CUP 201400130

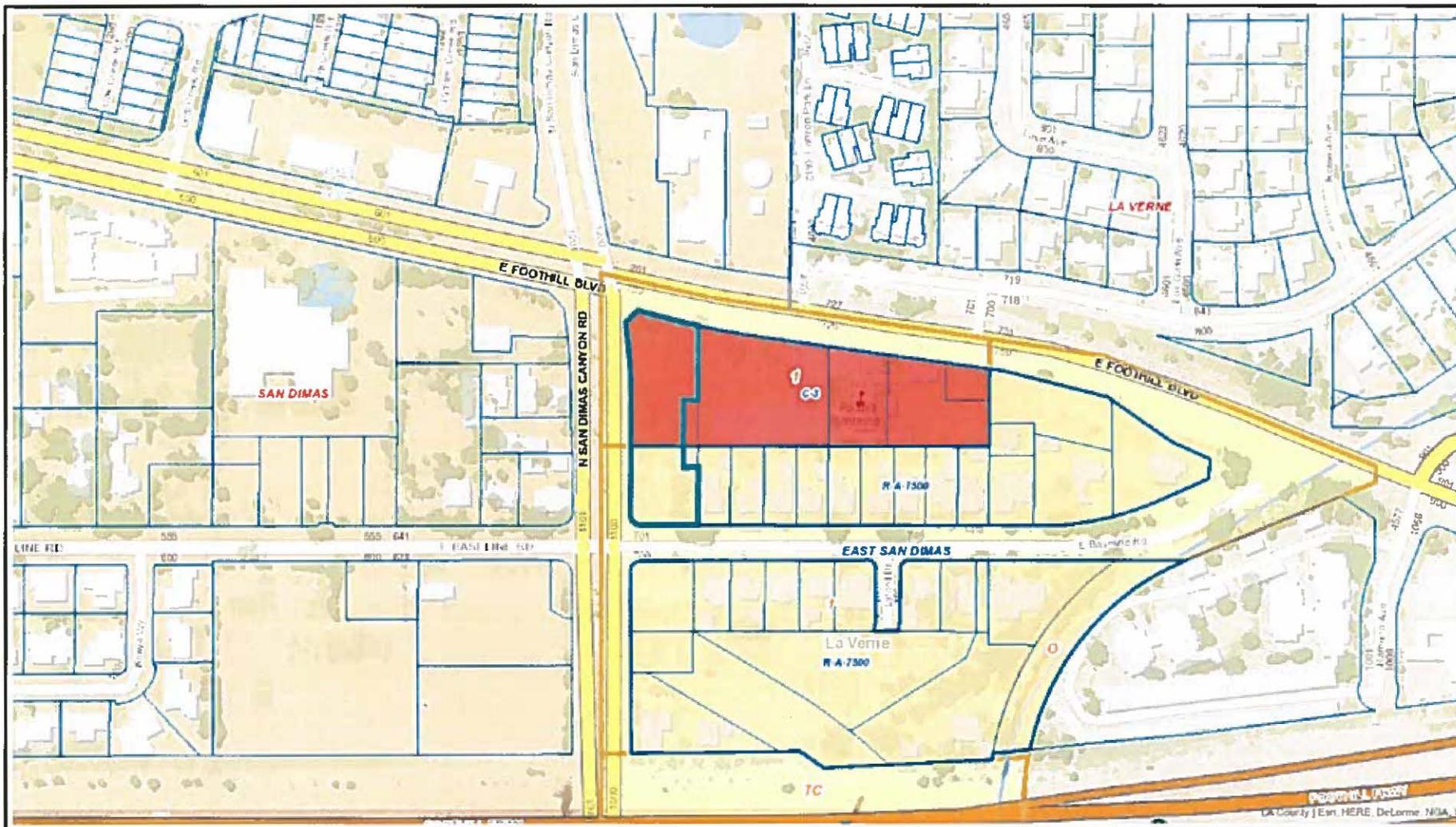
Aerial Image

Printed: Aug 06, 2015



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R2014-02743 / CUP 201400130

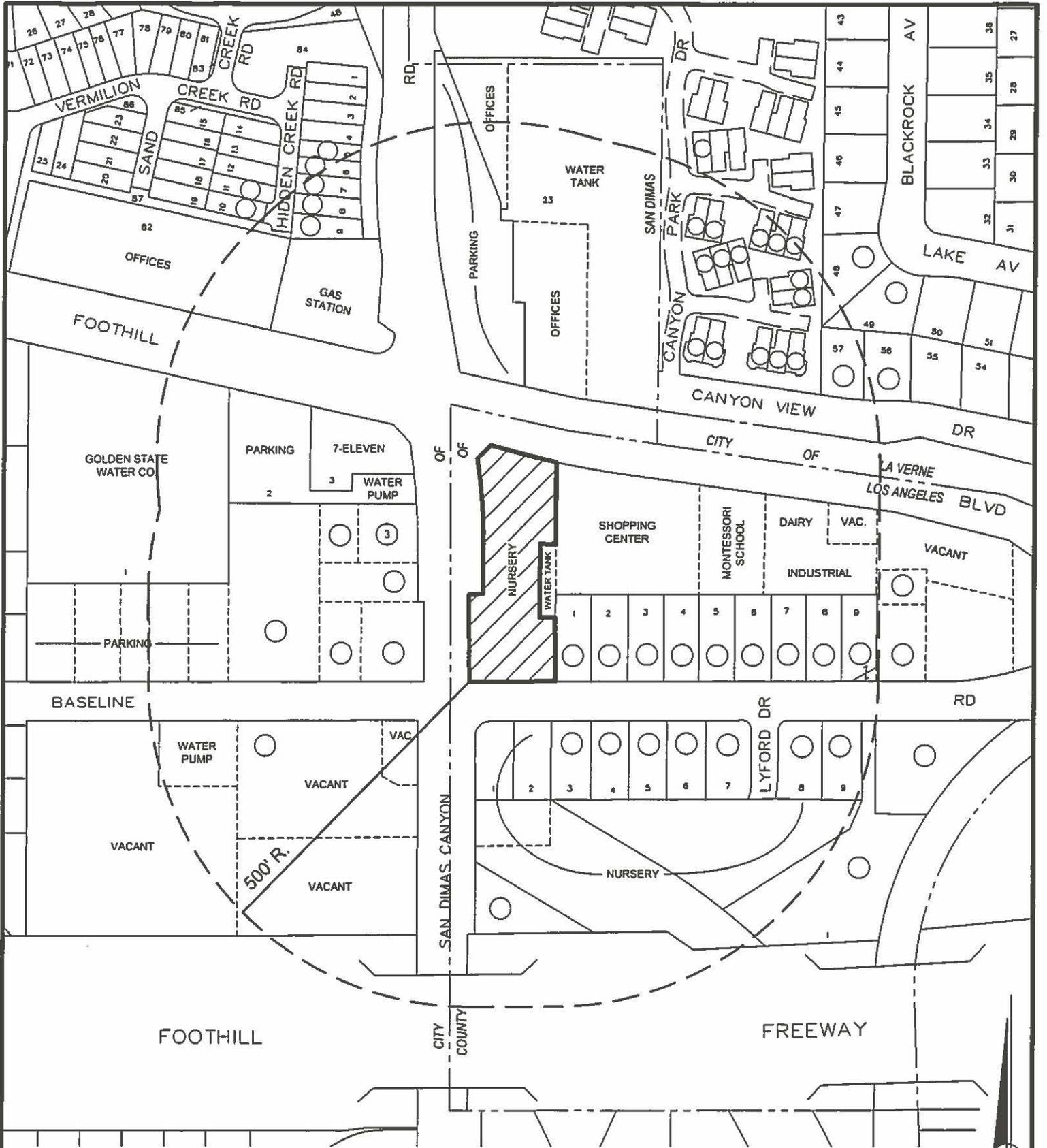
Land Use / Zoning Map

Printed: Aug 06, 2015



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500' RADIUS MAP

SITE: "Romola"

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

- LEGEND**
- SINGLE-FAMILY RESIDENCE
 - ③ MULTI-FAMILY RESIDENCE
- ALL OTHER USES ARE AS SHOWN

CASE NO.
 DATE: 8 - 24 - 14
 SCALE: 1" = 100'
LAND USE MAP