

Hearing Officer Transmittal Checklist

Hearing Date
3/17/2015
Agenda Item No.
6

Project Number: R2014-03654
Case(s): Conditional Use Permit Case No. 201400174
Environmental Assessment Case No. 201400284
Planner: Adrine Arakelian

- 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

R2014-03654-(4)

HEARING DATE

March 17, 2015

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201400174
Environmental Assessment No. 201400284

PROJECT SUMMARY

OWNER / APPLICANT

Sprint PCS

MAP/EXHIBIT DATE

August 25, 2014

PROJECT OVERVIEW

The project seeks to authorize the continued operation of an unmanned wireless telecommunication facility (WTF) in the public right of way adjacent to Sunnyridge Road in the R-A-20,000 (Residential Agricultural – 20,000 Square Feet Required Minimum Lot Area) Zone in the Westfield community. The WTF is mounted to a utility pole and consists of one antenna, one equipment cabinet mounted to the pole, and associated equipment. The antenna and equipment cabinet will be removed and replaced. A new 4-foot cross arm will be installed. The WTF was originally approved by CUP 02-175.

LOCATION

27430½ Sunnyridge Road, adjacent public right of way

ACCESS

Sunnyridge Road

ASSESSORS PARCEL NUMBER(S)

Right of way adjacent to 7570-006-005

SITE AREA

N/A – utility pole

GENERAL PLAN / LOCAL PLAN

Los Angeles County General Plan

ZONED DISTRICT

Rolling Hills

LAND USE DESIGNATION

1 – Low Density Residential (1-6 du/acre)

ZONE

R-A-20,000

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

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)
 - 22.20.440 (R-A Zone)

CASE PLANNER:

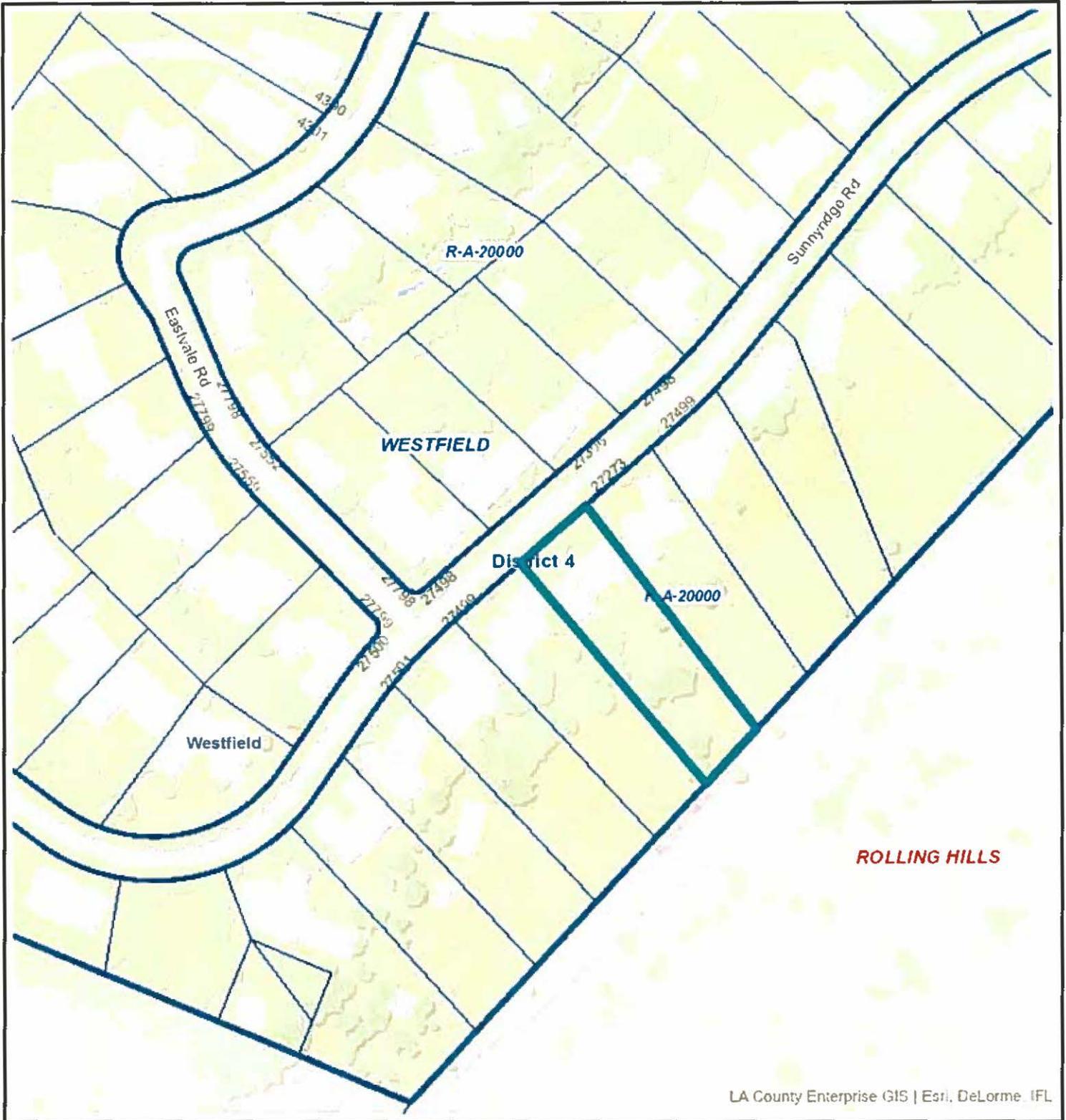
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LA County Enterprise GIS | Esri, DeLorme IFL

R2014-03654 Property Location Map

Printed: Feb 19, 2015



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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) for the continued operation of an unmanned wireless telecommunication facility located on a utility pole in the public right of way in the R-A-20,000 (Residential Agricultural-20,000 Square Feet Required Minimum Lot Area) Zone pursuant to County Code Section 22.20.440.

PROJECT DESCRIPTION

The project seeks to authorize the continued operation and maintenance of an unmanned wireless telecommunication facility (WTF) in the public right of way adjacent to 27430½ Sunnyridge Road in the R-A-20,000 Zone in the unincorporated Westfield community. The WTF is mounted to a 39-foot tall utility pole and consists of one 2.3-foot tall antenna, one equipment cabinet mounted to the pole, associated connectors, and fuse and meter boxes. The antenna and equipment cabinet will be removed and replaced. The project will install a new 4-foot long cross-arm 25.8 feet above ground for the antenna mounting and a new filter. The antenna is located approximately 25 feet above ground mounted to two 4-foot long cross arms. The radio cabinet is mounted 9.2 feet above ground. The fuse and meter box are to remain and are mounted 5.9 feet above ground. The WTF was originally approved by CUP 02-175.

EXISTING ZONING

The subject property is zoned R-A-20,000.

Surrounding properties are zoned as follows:

North: R-A-20,000
South: R-A-20,000; City of Rolling Hills
East: R-A-20,000
West: R-A-20,000

EXISTING LAND USES

The subject property is developed with an existing utility pole and WTF in the public right of way of Sunnyridge Road. The project site is developed with a 39-foot tall utility pole with one antenna attached to a 4-foot cross arm which is located 24.7 feet above ground. An existing equipment cabinet is mounted to the utility pole 9.2 feet above ground. The fuse and meter box are mounted 5.9 feet above ground.

Surrounding properties are developed as follows:

North: Single family residences
South: Single family residences; open space in the City of Rolling Hills
East: Single family residences
West: Single family residences

PREVIOUS CASES/ZONING HISTORY

The existing WTF was previously approved by CUP 02-175 on November 13, 2002. The use was established and maintained in compliance with the approved plans and conditions. The grant period terminated on December 18, 2012.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. An initial study was prepared for the original CUP approval of the wireless facility. The initial study showed that there is no substantial evidence of a significant effect on the environment. Based on the initial study, the Department of Regional Planning prepared a Negative Declaration for the original project. The project was constructed per original approvals and is presently considered an existing facility with minor modifications proposed that involve negligible expansion of the use beyond that existing at the time of the determination. 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 1-Low Density Residential (1-6 du/acre) land use category of the Los Angeles County General Plan. This designation is intended for single family detached housing, to maintain the character of existing low density residential neighborhoods, and to allow for the services and infrastructure that support such neighborhoods. The project for the continued operation and maintenance of the WTF in a public right of way is consistent with the land use designation as it provides supportive communications infrastructure mounted onto the existing utility infrastructure in a suburban neighborhood where the maintenance of existing communication and public safety networks are necessary. The project is 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:

- *General Policy 54: Promote the full use of existing service systems to gain maximum benefit from previous public investments.*

The requested entitlement for the continued operation of the WTF maintains an existing network of facilities that close gaps within the developing communications infrastructure in a suburban area served by existing infrastructure. The location of the WTF on an existing utility pole in the public right of way promotes the full use of existing service systems for maximum benefit from previous public investments. Therefore the project is consistent with this policy.

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

Sprint PCS demonstrated previously that there was a gap in the wireless communications system at this location. The installation, operation, and maintenance of this facility helps to close the gap. The continued operation of the WTF will maintain the current improved level of communications infrastructure. WTFs serve the public and emergency responders in emergency situations, closing gaps within the system and ensuring greater access to communications systems during emergency situations.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.20.440 of the County Code, establishments in the R-A-20,000 Zone are subject to the following development standards applicable to this project:

- The height limit for structures is 35 feet. The utility pole is 39 feet tall, however it is an existing structure onto which the WTF was mounted at a height in conformance with the height limit. The antenna and cross arms are mounted to the utility pole at a height of approximately 25 feet. All appurtenant equipment is mounted on the utility pole at a height below 35 feet.

Pursuant to Subdivision and Zoning Ordinance Policy No. 01-2010 regulating Wireless Telecommunication Facilities, the project conforms to standards regulating facilities in the public right of way including, a 50-foot height limit. Additionally, in conformance with the standards, the project does not include appurtenant above-ground facilities. The project has obtained an encroachment permit from the Department of Public Works and the placement of the structure does not obstruct use of public access ways. Finally, the project conforms to standards requiring the finish of the equipment to blend in with its context.

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 project is located in a suburban area with residential and open space land in its surroundings. The public right of way where the facility is located has the capacity to accommodate occasional maintenance vehicles. The facility is an existing facility with no concerns or violations cited for its operation and maintenance. The facility forms part of a system of telecommunication facilities along the public rights of way in the area that serves an essential function within the communications infrastructure of the area. The new and replacement equipment will be made to match the utility pole and the modifications do not negatively alter the design or function of the facility. The facility, located on existing utility infrastructure, does not have additional visual impacts beyond the previously existing utility pole.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

County department consultations were not necessary due to their previous review of the project, the project's compliance with its approval and conditions, and that no significant alteration has been proposed.

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 not received any comments at this time.

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 R2014-03654, Conditional Use Permit Number 201400174, 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 201400174 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Adrine Arakelian, RPA II, Zoning Permits West Section
Reviewed by Mi Kim, Supervising Regional Planner, Zoning Permits West Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Site Photographs, Photo Simulations
Site Plan, Land Use Map

MKK:AAA
February 26, 2015

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-03654-(4)
CONDITIONAL USE PERMIT NO. 201400174**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400174 ("CUP") on March 17, 2015.
2. The permittee, Sprint PCS ("permittee"), requests the CUP to authorize the continued operation and maintenance of an unmanned wireless telecommunications facility ("Project") in the public right of way located near 27430½ Sunnyridge Road in the unincorporated community of Westfield ("Project Site") in the R-A-20,000 (Residential Agricultural - 20,000 Square Feet Minimum Required Lot Area) zone pursuant to Los Angeles County Code ("County Code") section 22.20.440.
3. The Project Site consists of an existing utility pole in the public right of way. The Project Site is the generally flat road shoulder off Sunnyridge Road and is developed with the existing utility pole upon which is mounted one antenna on two 4-foot long cross arms, one radio cabinet, and associated meter and fuse boxes all mounted onto the pole.
4. The Project Site is located in the Rolling Hills Zoned District and is currently zoned R-A-20,000.
5. The Project Site is located within the 1-Low Density Residential (1-6 du/acre) land use category of the Los Angeles County General Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: R-A-20,000
 - South: R-A-20,000; City of Rolling Hills
 - East: R-A-20,000
 - West: R-A-20,000
7. Surrounding land uses within a 500-foot radius include:
 - North: Single-family residential
 - South: Single-family residential; open space in the City of Rolling Hills
 - East: Single-family residential
 - West: Single-family residential
8. The Project was previously approved by CUP 02-175 for authorization of the wireless facility on November 13, 2002. The grant terminated on December 18, 2012. The project has been in compliance with its approval and conditions since its establishment.

9. The site plan for the Project depicts a 39-foot tall wooden utility pole. An electrical transformer is mounted at the top of the pole, with electrical and communication wires mounted at varying heights. The existing wireless antennae is 2.3 feet tall and is mounted on two 4-foot wide cross arms at a height of approximately 25 feet above ground. The replacement radio cabinet is mounted on the utility pole at 9.2 feet above ground, in the same location as the existing unit. The fuse and meter box to remain are mounted 5.9 feet above ground.
10. The Project Site is accessible via Sunnyridge Road to the northwest.
11. The Project has proposed that the existing road shoulder is broad enough to allow the occasional maintenance vehicle adequate parking and access to the site. The Project has functioned well in that manner and no change is proposed. Access to other utility facilities in the vicinity function as such.
12. As the project is an existing facility with no significant changes proposed, no consultations with other County departments are required.
13. Prior to the public hearing on the Project, the Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, 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 continuation of an existing facility with no significant alteration.
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 hearings by mail, newspaper, and property posting.
15. [Reserved. Hearing Proceedings]
16. The Hearing Officer finds that the Project is consistent with the plans and policies of the Los Angeles County General Plan. The WTF is located on an existing facility within a suburban area and is thus consistent with the plan's recommendation to maintain existing low density residential neighborhoods while allowing for services and infrastructure that support the maintenance and safety of such neighborhoods while integrating with existing public infrastructural investments.
17. The Hearing Officer finds that the Project is allowed in the subject zone category with the approval of a conditional use permit. Further, the Project is consistent with the development standards of the R-A-20,000 Zone as set forth in section 22.20.450 of the County Code.
18. The Hearing Officer finds that the project is adequately located and designed to prevent visual impacts to the surrounding neighborhood. The wooden utility pole is consistent with other utility poles in the area according to height and usage. The co-location of wireless facilities with utility poles is consistent with reducing visual impacts in the area.

19. The Hearing Officer finds that as an unmanned facility, the Project will not generate any significant additional activity to the area.
20. The Hearing Officer finds that the Project Site is adequate in size to accommodate all project components. The antenna and associated equipment are mounted onto an existing facility and do not require an expansion of the project site.
21. The Hearing Officer finds that the Project is adequately served by improved local roads and highways to accommodate the kind and quantity of traffic the Project would generate. As an unmanned facility, the project requires only occasional maintenance visits.
22. The Hearing Officer finds that the Project is compatible with the surrounding land uses through the location and design of the facility, which is mounted on existing infrastructure and finished so as to blend with its surroundings.
23. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 15 years.
24. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Rolling Hills community. On January 27, 2015, a total of 30 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 4 notices to those on the courtesy mailing list for the Rolling Hills Zoned District and to any additional interested parties.
25. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 21000 et seq. of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
- 2. Approves Conditional Use Permit No. 201400174, subject to the attached conditions.

ACTION DATE: March 17, 2015

MKK:AAA

2/26/15

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-03654-(4)
CONDITIONAL USE PERMIT NO. 201400174**

PROJECT DESCRIPTION

The project is a request to authorize the continued operation and maintenance of a wireless telecommunications facility located on a 39-foot tall utility pole in the public right of way adjacent to 27436½ Sunnyridge Road in the Westfield community, 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 March 17, 2030.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the wireless telecommunication facility and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a

violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1600.00**. 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 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 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 **May 17, 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 – CONDITIONAL USE PERMIT (WIRELESS TELECOMMUNICATION FACILITY)

19. This grant shall authorize the continued existence and maintenance of an unmanned wireless telecommunications facility (WTF) mounted on a 39-foot tall wooden utility pole in the public right of way on the south side of Sunnyridge Road. The WTF consists of one antenna mounted on two 4-foot cross arms, an antenna filter, a radio cabinet, fuse, and meter boxes mounted on the utility pole.
20. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
21. Upon completion of construction of the facility, the permittee shall provide upon request to the Zoning Enforcement Section of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
22. Insofar as is feasible, the permittee shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.

23. Any proposed WTF that will be co-locating on the proposed facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.
24. All structures shall conform to the requirements of the Division of Building and Safety of Public Works or other appropriate agency.
25. 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.
26. Construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the facility may occur at any time.
27. Placement and height of all pole mounted equipment shall be in substantial conformance with that shown on said Exhibit "A". The facility shall be built as depicted in the photo simulations presented at the public hearing.
28. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
29. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall be painted a shade of brown to blend in with the color of the utility pole.
30. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired by the permittee within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced by the permittee within 30 days of notice. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.
31. Upon request, the permittee shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
32. 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.

33. This grant entitles the permittee to install the wireless telecommunications facilities on the existing or a replacement utility pole but does not entitle the permittee to retain the pole for its sole use or to install a new pole for its facilities in the event the existing pole is removed, such as to accommodate the undergrounding of utilities. Notwithstanding the provision of Condition No. 8, if the existing pole is removed prior to the termination date of this grant, this grant shall thereupon terminate. The permittee will be required to obtain a new conditional use permit to relocate its facilities or to install a new pole or poles at the present location and continue the use at the same location. Application for a conditional use permit at such time shall be subject to the regulations then in effect.
34. Upon termination of this grant or after the construction of this facility, 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 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.
35. The facilities shall be on flat rate power. No additional meter boxes contained outside existing facilities as shown in approved Exhibit "A," are authorized by these grants.
36. The placement of the facility shall not interfere with the public's unobstructed use of highways, sidewalks or trails, or unobstructed access from private property to highways and other public access.
37. If Public Works requires the facility to relocate due to street improvement projects and undergrounding of utilities, the cost of relocation of wireless facilities due to such projects shall be fully borne by the owner or permittee of the wireless facilities involved.
38. If street parking is prohibited on the street where the facility is located and on nearby side streets, the permittee shall obtain an approved traffic plan for the parking of maintenance vehicles from Public Works.
39. Maintain standard Americans with Disabilities Act clearances around all above ground wireless telecommunication equipment including poles within the public right of way to the satisfaction of Public Works, where applicable.



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>The requested use has been in operation on the subject property for 10 years.</p> |
| <p>The applicant is requesting the continue use of the existing wireless communication facility located on a utility pole within the public right-of-way.</p> |
| <p>The communication facility is small in scale and will not adversely affect those residing in immediate area, nor will generate a negative impact to adjacent uses.</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 subject wireless communication facility is mounted entirely on a utility pole within the public right-of-way. Minor modifications are proposed which do not change the overall scale of the existing installation. The facility will be in compliance with applicable County codes.</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 existing wireless facility is unmanned located within the public right-of-way requiring seldom maintenance. Sunnyridge Road is a residential road adequate in size to serve the existing uses. There are no additional public or private service facilities required for the continue operation of the subject wireless facility.</p> |



Existing antenna installation



Looking south from Sunnyridge Road

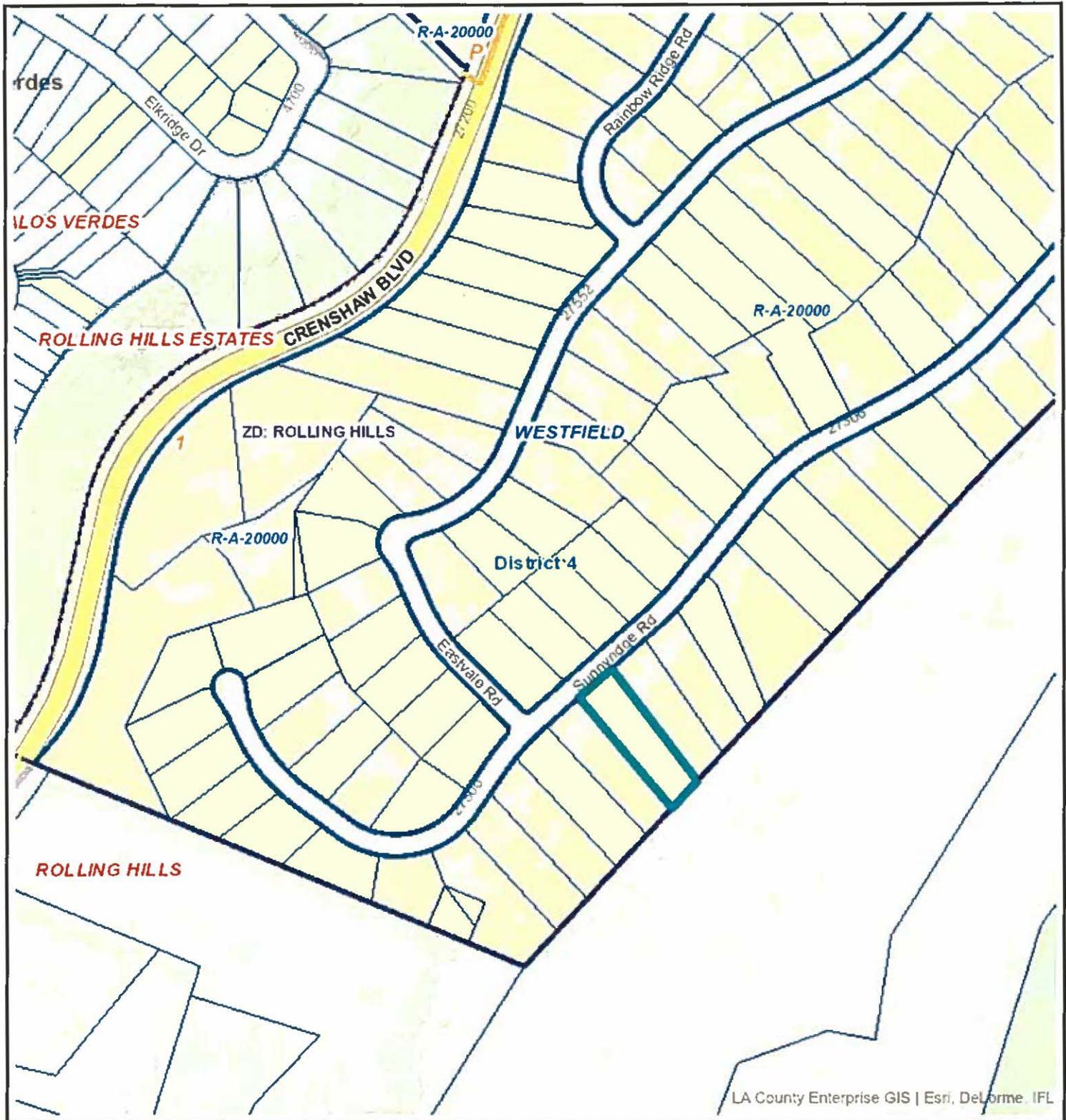


Looking northeast from Sunnyridge Road

Site Photographs

LA36XC663 – 27430 1/2 Sunnyridge Road
Rolling Hills, CA 90274





R2014-03654

Zoning Land Use Map

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