

# Hearing Officer Transmittal Checklist

Hearing Date  
11/01/2016  
Agenda Item No.  
16.

Project Number: R2015-02333-(2)  
Case(s): Conditional Use Permit Case No. 201500094  
Environmental Assessment Case No. 201500160  
Planner: Greg Mirza-Avakyan

- 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
- Findings and conditions of Previous permit
- Coverage Maps

Reviewed By: 



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

**PROJECT NUMBER**

R2015-02333

**HEARING DATE**

November 1, 2016

**REQUESTED ENTITLEMENTS**

Conditional Use Permit No. 201500094  
 Environmental Assessment No. 201500160

# PROJECT SUMMARY

**OWNER / APPLICANT**

CCATT LLC ("Crown Castle")

**MAP/EXHIBIT DATE**

3/24/2016

**PROJECT OVERVIEW**

The applicant, CCATT LLC, requests a conditional use permit to authorize the continued operation and maintenance of an existing wireless telecommunications facility (WTF) in the C-1 (Restricted Business) Zone. The existing WTF consists of a 64-foot-tall monopine with two tiers of antennas and appurtenant equipment for two wireless carriers. The use was previously established through CUP No. 200400010, which expired on August 2, 2015.

**LOCATION**

160 feet south of the southeast corner of the Compton Blvd. and Avalon Blvd. intersection, adjacent to APN 6139-002-801

**ACCESS**

Avalon Boulevard

**ASSESSORS PARCEL NUMBER(S)**

6139-002-802

**SITE AREA**

Approximately 1,500 square feet

**GENERAL PLAN / LOCAL PLAN**

Los Angeles County General Plan

**ZONED DISTRICT**

Willowbrook – Enterprise

**LAND USE DESIGNATION**

CG – General Commercial

**ZONE**

C-1 Restricted Business

**PROPOSED UNITS**

N/A

**MAX DENSITY/UNITS**

N/A

**COMMUNITY STANDARDS DISTRICT**

West Rancho Dominguez-Victoria CSD

**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 1 Categorical Exemption – Existing Facilities (Section 15301 of 2014 CEQA Statute and Guidelines)

**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)
  - 22.44.130 (West Rancho Dominguez-Victoria CSD requirements)
  - 22.28.120 (C-1 Restricted Business Zone Development Standards)

**CASE PLANNER:**

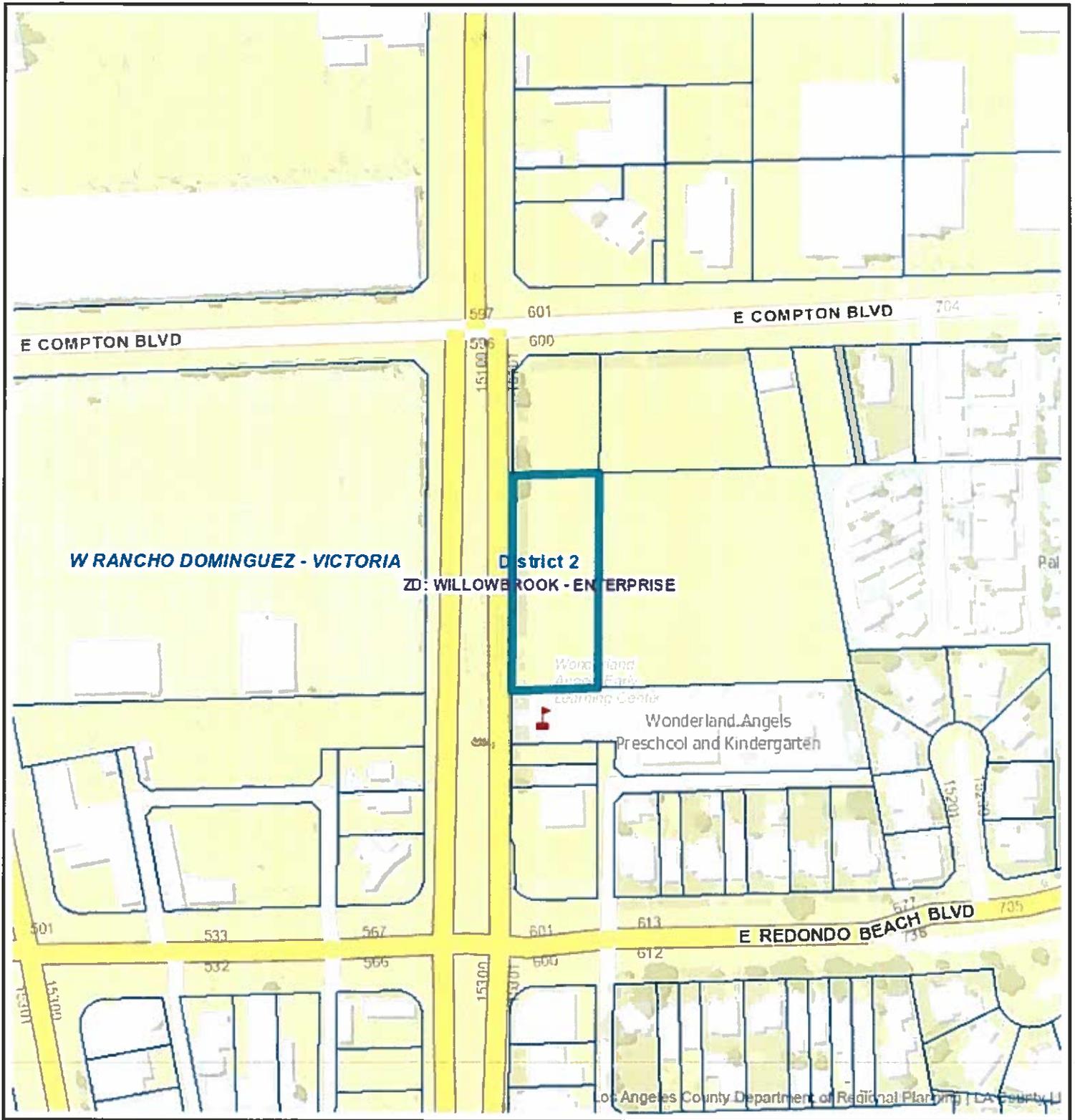
Greg Mirza-Avakyan

**PHONE NUMBER:**

(213) 974 - 6462

**E-MAIL ADDRESS:**

Gmirza-avakyan@planning.lacounty.gov



# 15202 Avalon Blvd. (6139-002-802)

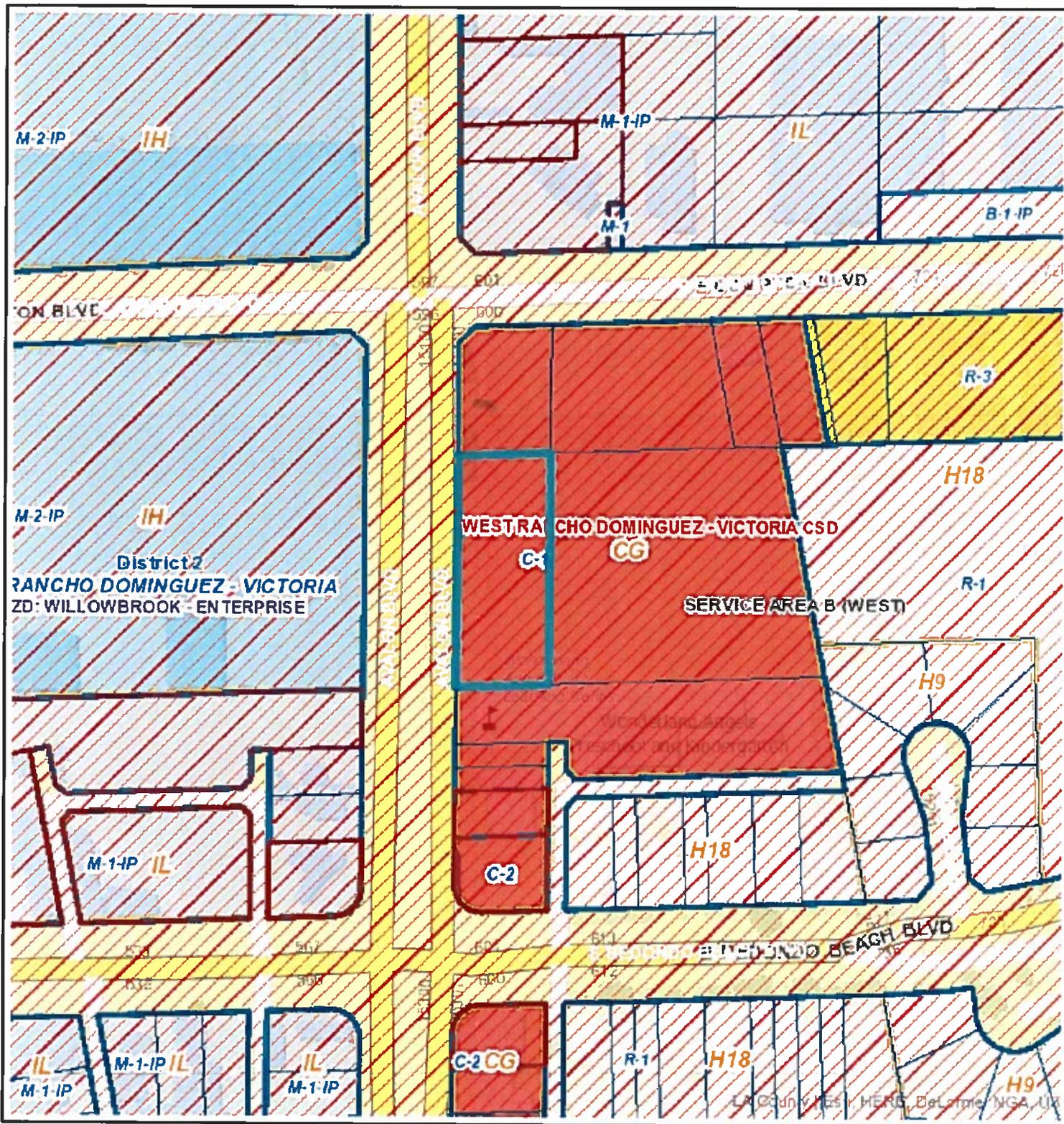
## Property Location Map

Printed: Sep 19, 2016



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# 15202 Avalon Blvd. (APN 6139-002-802)

## Zoning Layers Map

Printed: Oct 18, 2016



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### **ENTITLEMENTS REQUESTED**

- Conditional Use Permit (CUP) for the continued operation and maintenance of an existing wireless telecommunications facility (WTF) in the C-1 (Restricted Business) Zone. A WTF is not a specified use in the County Zoning Code. The comparable use is a radio transmission tower, which is subject to a CUP in the C-1 Zone pursuant to County Code Section 22.28.110.

### **PROJECT DESCRIPTION**

The applicant, CCATT LLC (commonly known as Crown Castle), requests a CUP to authorize the continued operation and maintenance of an existing unmanned WTF ("Project") located within an approximately 1,500-square-foot lease area on the southwest corner of a Southern California Edison (SCE) substation ("Project Site"). The Project Site is zoned C-1 (Restricted Business) and is located in the West Rancho Dominguez-Victoria Community.

The Project consists of an existing 64-foot-tall monopole disguised as a pine tree ("monopine") with two tiers of panel antennas for two carriers and appurtenant equipment, including outdoor equipment shelters and power cabinets mounted on a concrete pad. The lease area is enclosed with a chain-link fence and can be accessed from the west via Avalon Boulevard through a chain link access gate. The WTF was originally approved by CUP No. 200400010 on August 2, 2005. No changes to the WTF are proposed.

### **EXISTING ZONING**

The Project Site is zoned C-1 (Restricted Business).

Surrounding properties are zoned as follows:

North: C-1, M-1 (Light Manufacturing), M-1-IP (Light Manufacturing – Industrial Preservation), M-2-IP (Heavy Manufacturing – Industrial Preservation), B-1-IP (Buffer Strip, Industrial Preservation).

South: C-2 (Neighborhood Business), R-1 (Single-Family Residence), M-1-IP

East: C-1, R-1, R-3 (Limited Density Multiple Residence)

West: M-1-IP, M-2-IP

### **EXISTING LAND USES**

The Project Site is located on a property that is developed with a Southern California Edison (SCE) substation, which includes a substation house, transformers, and switch racks. The southern end of the property is developed with the existing WTF and appurtenant equipment.

Surrounding properties are developed as follows:

North: Manufacturing (steel supply, oil processing), commercial (liquor store, tavern)

South: Educational (early learning center), commercial (market), single-family residences, and automotive repair

East: Manufacturing (furniture), single-family residences

West: Automotive repair, shipping container storage

### PREVIOUS CASES/ZONING HISTORY

The Project Site was originally zoned R-3, as adopted by the Los Angeles County Board of Supervisors Ordinance No. 5124 on May 25, 1948. It was subsequently rezoned to C-1 by Ordinance No. 7884, adopted by the Regional Planning Commission on October 5, 1960.

Conditional Use Permit No. 200400010 was approved on August 2, 2005 for the installation, operation, and maintenance of an unmanned WTF, including a monopine that is 64 feet from grade to the top of the fronds. The CUP approved the monopine with two wireless carriers, and all appurtenant equipment. Three (3) separate Revised Exhibit "A" applications were processed for the WTF during the grant term of the CUP, all of which included the replacement of antennas and other equipment, resulting in no substantial change to the appearance of the WTF. This CUP application for continued use of the WTF was filed on July 30, 2015, before the expiration of CUP No. 200400010 on August 2, 2015.

### 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. The Project does not call for any changes to the legally established wireless facility, and the project is not located in an area with sensitive environmental resources. 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 CG (General Commercial) land use category of the Los Angeles County General Plan. This designation is intended for local-serving commercial uses, including retail, restaurants, and personal and professional services; single family and multifamily residences; and residential and commercial mixed uses. The wireless telecommunications facility is a use widely associated with commercial and residential uses and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the Project:

- *Policy PS/F 6.2 (Public Services and Facilities): Improve existing wired and wireless telecommunications infrastructure.*

The Project will allow the two carriers collocated on the existing WTF to maintain coverage of wireless service in the area.

- *Policy PS/F 6.3 (Public Service and Facilities): Improve access to wireless technology networks, while minimizing visual impacts through co-location and design.*

The existing WTF will maintain access to a wireless technology network by maintaining the coverage for the network in the area. The WTF is camouflaged as a monopine, and therefore minimizes visual impact through design, color and texture.

- *Policy S 4.1(Safety): Ensure that residents are protected from the public health consequences of natural or man-made disasters through increased readiness and response capabilities, risk communication, and the dissemination of public information.*

Cell phones provide one of the primary methods the public uses for communication and the dissemination of information. The existing wireless facility will maintain the wireless coverage, which will maintain the ability of the public to communicate in an emergency.

#### Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.28.120 of the County Code, establishments in the C-1 Zone are subject to the following development standards:

- **Parking:** Per Section 22.52.1220 of the County Code, for uses not specified, the director determines the required parking necessary to prevent traffic congestion and excessive on-street parking. The existing wireless facility is unmanned, and should not generate traffic and congestion, as it will require only periodic maintenance. When maintenance is needed, the vehicle can utilize street parking adjacent to the access gate to the WTF lease area. No designated parking space is required.
- **Height:** Any building or structure shall not exceed the height of 35 feet above grade. The existing Monopine does not meet this standard. However, because Conditional Use Permit No. 200400010 approved the existing WTF at the height of 64 feet, it is considered legally non-conforming for this development standard, and is therefore consistent with the Zoning Code.

Pursuant to Section 22.44.130 of the County Code, establishments in the West Rancho Dominguez-Victoria Community Standards District (CSD) are subject to the following development standards:

- **Graffiti:** Exterior walls shall be free of graffiti. In the event that graffiti occurs, it shall be removed within 72 hours. The WTF equipment is not likely to experience graffiti because it is screened from public access with a chain link fence and barbed wire.

#### Wireless Telecommunication Facilities Standards

The Project is subject to the following standards in the Subdivision & Zoning Ordinance Policy No. 01-2010 ("2010 Memo"):

- **Design –** WTFs shall use camouflage techniques to provide appropriate screening. Because the wireless antennas are located on a monopine, the existing wireless facility is partially camouflaged. However, some of the ground-mounted appurtenant equipment is not screened or camouflaged, and is visible from the street. The WTF predates the design guidelines contained in the 2010 Memo, and

no changes are proposed to the facilities. Therefore, the Project is legally non-conforming in terms of design.

- Collocation – Newly installed monopoles and towers shall be constructed as to physically and structurally allow collocation of at least one other wireless facility. The WTF was originally permitted as a collocation for two carriers. No changes are proposed.
- Security – Fencing, gates, and/or locks to secure the wireless facility from access by all persons other than authorized personnel shall be provided. The WTF equipment is located in a lease area that is enclosed on all sides by a chain-link fence with barbed wire, and therefore is not accessible to the public.
- Fencing and Walls – The fencing and wall materials used for screening wireless facilities shall be composed of wood, vinyl, stone, concrete, stucco or wrought iron. The existing WTF does not meet this design guideline; however, the original approval for the WTF predates the 2010 Memo. Therefore, the Project is legally non-conforming in terms of fence design.

#### Site Visit

Staff conducted a site visit on October 10, 2015. The site was observed from Avalon Boulevard, and appeared consistent with the plans provided by the applicant.

#### 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

Wireless facilities are found in all zones and land use categories within unincorporated Los Angeles County. They provide important communication infrastructure that supports public services and safety. The existing WTF has been operating in an area with mixed residential, commercial, educational, and industrial uses. The aesthetic impacts of the Project have been appropriately addressed by camouflaging the most visible parts of the WTF as a monopine. The bulk of the WTF equipment is fully screened. Therefore, the Project is not expected to adversely affect the surrounding area. The Project is consistent with the Zoning Code and the Wireless Telecommunications Facility Policy Memo, and therefore it is adequate in size and shape to accommodate required development features and is well-integrated into the surrounding area. No new infrastructure is required because the Project is a request to continue an existing use, therefore the Project is adequately served by existing infrastructure, and no new impacts are expected.

#### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

The Los Angeles County Departments of Public Works (DPW) and Fire were consulted on this permit request. Both DPW and Fire stated that they did not need to review this 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 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 R2015-02333, Conditional Use Permit Number 201500094, 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 NUMBER 201500094 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

Prepared by Greg Mirza-Avakyan, Regional Planning Assistant 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

Correspondence

Site Photographs, Aerial Image

Site Plan, Land Use Map

MKK:GAM

09/19/16

**DRAFT FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-02333-(2)  
CONDITIONAL USE PERMIT NO. 201500094**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201500094 ("CUP") on November 1, 2016.
2. The permittee, CCATT LLC ("permittee"), requests the CUP to authorize the continued operation of a wireless telecommunication facility (WTF) ("Project") on an approximately 1,500-square-foot lease area located within a Southern California Edison Substation on the southeast corner of East Compton Boulevard and Avalon Boulevard in the unincorporated community of West Rancho Dominguez ("Project Site") in the C-1 (Restricted Business) Zone pursuant to Los Angeles County Code ("County Code") section 22.28.110.
3. The Project Site is rectangular in shape with flat topography and is developed with an existing wireless telecommunications facility consisting of a 64-foot-tall monopole disguised as a pine tree ("monopine") with two tiers of panel antennas for two wireless carriers and appurtenant ground-mounted equipment.
4. The Project Site is located in the Willowbrook-Enterprise Zoned District and is currently zoned C-1 (Restricted Business).
5. The Project Site is located within the CG (General Commercial) land use category of the Los Angeles County General Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
  - North: C-1, M-1 (Light Manufacturing), M-1-IP (Light Manufacturing – Industrial Preservation), M-2-IP (Heavy Manufacturing – Industrial Preservation), B-1-IP (Buffer Strip, Industrial Preservation).
  - South: C-2 (Neighborhood Business), R-1 (Single-Family Residence), M-1-IP
  - East: C-1, R-1, R-3 (Limited Density Multiple Residence)
  - West: M-1-IP, M-2-IP
7. Surrounding land uses within a 500-foot radius include:
  - North: Manufacturing (steel supply, oil processing), commercial (liquor store, tavern)
  - South: Educational (early learning center), commercial (market), single-family residential, and automotive repair
  - East: Manufacturing (furniture), single-family residential
  - West: Automotive repair, shipping container storage
8. The Project Site was originally zoned R-3, as adopted by the Los Angeles County Board of Supervisors through Ordinance No. 5124 on May 25, 1948. It was

subsequently rezoned to C-1 by Ordinance No. 7884, adopted by the Regional Planning Commission on October 5, 1960.

The Project was previously approved by Conditional Use Permit No. 200400010 on August 2, 2005 for the installation, operation, and maintenance of a WTF, screened as a monopine, which is 64 feet in height from grade to the top of the fronds. The CUP approved the monopine with two wireless carriers, and all appurtenant equipment. Three (3) separate Revised Exhibit "A" applications were processed for the WTF during the grant term of the CUP, all of which included the replacement of antennas and other equipment, resulting in no substantial change to the appearance of the WTF. This CUP application for the continued use of the WTF was filed on July 30, 2015, before the expiration of CUP No. 200400010 on August 2, 2015.

9. The site plan for the Project depicts the property on the southeast corner of East Compton Boulevard and Avalon Boulevard, adjacent to Assessor's Parcel Number 6139-002-801. The property is occupied by the Southern California Edison substation with the existing WTF lease area located on the southwest corner of the property. The WTF is depicted as an existing 64-foot-tall monopine with two tiers of antennas for two collocated wireless carriers and appurtenant ground-mounted equipment, including equipment shelters and power cabinets. The lease area is 40 feet by 38 feet', enclosed by an eight-foot-tall chain-link fence with a 12-foot-wide double swing chain-link access fronting Avalon Boulevard, providing ingress and egress to the Project Site.
10. The Project Site is accessible via Avalon Boulevard to the west.
11. Per Section 22.52.1220 of the County Code, for uses not specified, the director determines the required parking necessary to prevent traffic congestion and excessive on-street parking. The wireless facility is unmanned, and should not generate traffic and congestion, as it will require only periodic maintenance. When maintenance is needed, the vehicle can utilize street parking adjacent to the access gate to the WTF lease area. No designated parking space is required.
12. Prior to the public hearing on the Project, 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 is a request to continue the operation and maintenance of an existing wireless telecommunications facility with no changes proposed. The project is located in a developed, urbanized area with no sensitive environmental resources.
13. The Los Angeles County Departments of Public Works (DPW) and Fire were consulted on this permit request. Both DPW and Fire stated that their review was not required for this project.
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. Staff has not received any comments from the public at this time.
16. Reserved for Hearing Proceedings
17. The Hearing Officer finds that the Project is consistent with Policies S/F 6.2 and 6.3 (Public Services and Facilities) of the Los Angeles County General Plan 2035, which support the improvement of wireless telecommunications infrastructure and access to wireless technology while minimizing visual impacts through design. Furthermore, the Project is consistent with Policy S 4.1 (Safety) of the General Plan, which calls for increased readiness and response capabilities in an emergency, as well as dissemination of public information. Therefore, the Project is consistent with the General Plan.
18. The Hearing Officer finds that the Project is consistent with the Zoning Code requirements for the C-1 Zone and the West Rancho Dominguez – Victoria CSD. Although WTF is not a specified use in the County Zoning Code, a comparable use is a radio transmission tower, which is subject to a CUP in the C-1 Zone pursuant to County Code Section 22.28.110. No designated parking space is required for a maintenance vehicle, as only periodic maintenance is needed, and the vehicle can use the street parking available adjacent to the lease area. The height of the WTF at 64 feet does not meet the required maximum height for the C-1 zone, however the tower was authorized under CUP No. 200400010, and is therefore a legally established, non-conforming structure.
19. The Hearing Officer finds that the Project is consistent with the development guidelines for WTFs in the Subdivision and Zoning Ordinance Policy No. 01-2010 (“2010 Memo”). The existing wireless facility utilizes camouflage techniques through the monopine design to provide appropriate screening. Furthermore, two carriers are collocated on the monopine structure, and the WTF equipment is enclosed by a chain link fence with barbed wire for security purposes, ensuring access only to authorized personnel. The Project’s ground-mounted equipment and fence design do not meet the design guidelines. However, the Project’s authorization under CUP No. 200400010 predates the 2010 Memo, and is therefore a legally established, non-conforming structure.
20. The Hearing Officer finds that the requested use at this location 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 operation of the existing WTF facility can be accomplished without disrupting or changing the character of the surrounding area. The visual impact of the WTF is minimized through the use of camouflage. The WTF is unmanned, so it will continue to not have an impact on traffic or any adverse impacts on adjacent land uses. The WTF facility maintains the need for emergency communications, benefitting public safety in the area, as well as the need for non-emergency communications for personal and business use.

21. The Hearing Officer finds that the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area. The existing WTF equipment is not visually intrusive, as it is disguised as a monopine and is integrated into the surrounding area. The facility is unmanned and does not require dedicated parking or loading facilities.
22. The Hearing Officer finds that the Project Site is adequately served by highways or streets 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 continued use of the WTF will not present an impact to traffic patterns, as the facility is unmanned and will only require occasional maintenance. Additionally, because the facility is unmanned, no dedicated parking is required, as the occasional maintenance vehicle can utilize street parking. The facility is adequately served by 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 Permit 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 West Rancho Dominguez – Victoria community. On September 12, 2016, a total of 50 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 four notices to those on the courtesy mailing list for the Willowbrook-Enterprise 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 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 1, Existing Facilities categorical exemption); and
- 2. Approves Conditional Use Permit No. 201500094, subject to the attached conditions.

**ACTION DATE: November 1, 2016**

MKK:GAM  
November 1, 2016

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-02333-(2)  
CONDITIONAL USE PERMIT NO. 201500094**

**PROJECT DESCRIPTION**

The project is for the continued operation and maintenance of an existing unmanned wireless telecommunication facility (WTF) in the C-1 (Restricted Business) 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 November 1, 2031.** 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 existing wireless telecommunications 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 very 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 County Fire 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 **December 31, 2016**.
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)**

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. If the subject facility is adjacent to residences, 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. The maximum height of the facility shall not exceed 64 feet above finished grade.
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.
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 FCC Antenna Structure Registration site number, conditional use permit number, primary leaseholder's and facility manager's contact information shall be kept current and prominently displayed on the facility where it can be easily viewed from ground level.
33. 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.
34. 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. 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. New equipment added to the facility shall not compromise the stealth design of the facility.
36. Antennas shall be painted or covered to match their background (branches or trunk). The antennas shall not extend beyond the monotree branches or fronds. There shall be ample branch coverage to hide the antennas from view as effectively as possible. Faux bark cladding shall be provided from the ground to five feet beyond where the faux branches begin; above the faux bark shall be flat non-reflective brown paint to match the bark.

#### **PROJECT SITE SPECIFIC CONDITIONS**

37. This grant shall authorize the continued operation and maintenance of an existing WTF in the C-1 (restricted Business) Zone. The existing WTF consists of a 64-foot-tall monopine with two tiers of antennas and appurtenant equipment for two wireless carriers. The use was previously established through CUP no, 200400010, which expired on August 2, 2015.
38. Regular repair and maintenance shall be conducted to ensure that the faux branches and bark provide screening as shown on Exhibit A. Within 60 days of issuance of Conditional Use Permit No. 201500094, the WTF shall be improved to provide screening as indicated on Exhibit A. Faux branches intended to screen the antennas shall extend at least one foot beyond the exterior face of the antennas for which they are adjacent to. Such improvements may include installation of additional branches, extension of existing branches, increased faux pine needle density, or other alteration which would serve to improve the screening of the antennas. Specific attention should be made to add additional screening elements to the upper tier of the monotree. Faux branches or screening that fail to adequately screen the antennas shall be repaired or replaced in compliance with Condition No. 30.

**FINDINGS FOR  
CONDITIONAL USE PERMIT CASE - BURDEN OF PROOF  
(SECTION 22.56.040)**

**15202 Avalon Blvd, Compton, CA**

---

**A. That the requested use at the location proposed 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 of general welfare.*

The existing wireless facility will not interfere with the existing development because the primary use of the property will remain unchanged. Moreover, the subject property is already used for public utility purposes. No changes to development setbacks are proposed. The site is not readily apparent as a wireless facility because it has been designed to appear as a pine tree.

The continued use of the wireless facility is compatible with the existing and permitted uses in the area. The site is unmanned and is not accessible to the public, as the site is surrounded by a chain link fence and secured. The design of the facility as a pine tree ensures that it is minimally visible. There is no additional noise, smoke, odors or traffic associated with the existing facility. Therefore, the continuation of the existing use at this location does not jeopardize, endanger or otherwise constitute a menace to public health, safety or general welfare.

Land uses, circulation, and services, which encourage and contribute to the health, safety and welfare and convenience of those who live and work in the area, are not affected by the continued use of the wireless facility. On the contrary, the continued use of the existing facility promotes the public health, safety and welfare.

**B. That the proposed site is adequate, 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 site is a legal lot described as APN: 6139-002-802. Site topography is flat and located within an area that is used for utility purposes. The property continues to be able to accommodate periodic maintenance vehicles. The continued use of the existing facility will not impact surrounding properties nor will it detrimentally impact the underlying legal property. The site is served by the necessary infrastructure for use as a wireless communication's facility, as demonstrated by RF Coverage Maps submitted as part of this CUP application.

**C. The proposed site is adequately served:**

- 1. By highways or street 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.*

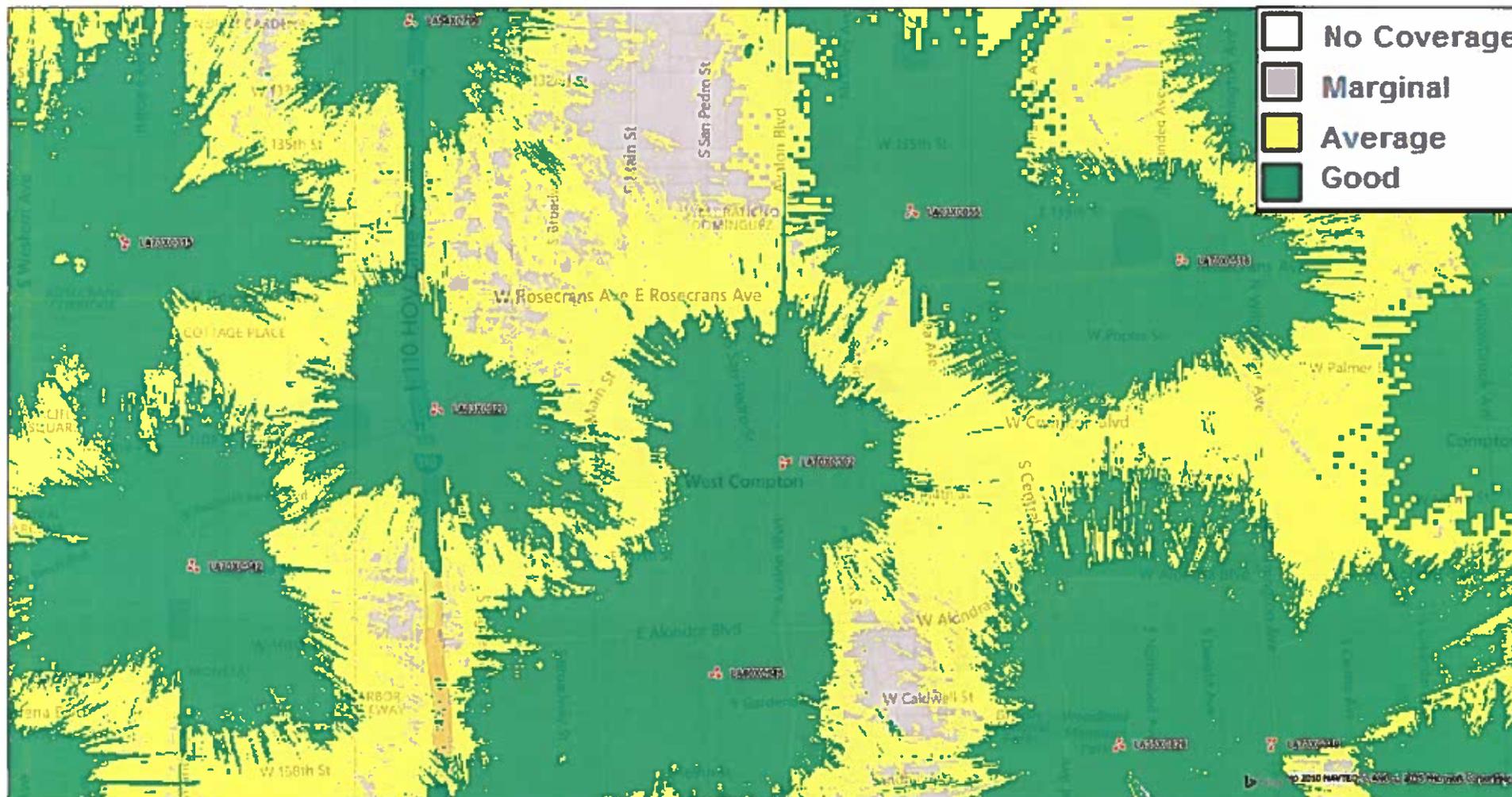
The site is presently developed for public utility purposes. Access to the site is located off of Avalon Blvd. This public street is adequate in width and pavement type to accommodate the existing uses and the continued use of the existing wireless facility will not increase the use. The existing facility is unmanned and does not require any public or private services, except for telephone and power. The site is operated remotely via a central switch. The only time that communications technicians visit the site is on an emergency basis or for necessary maintenance. Applicant estimates that one trip per month is attributed to this development.



*Sprint LA Metro  
LTE1900 Coverage  
LA70XC302*



# Proposed Coverage with LA70XC302



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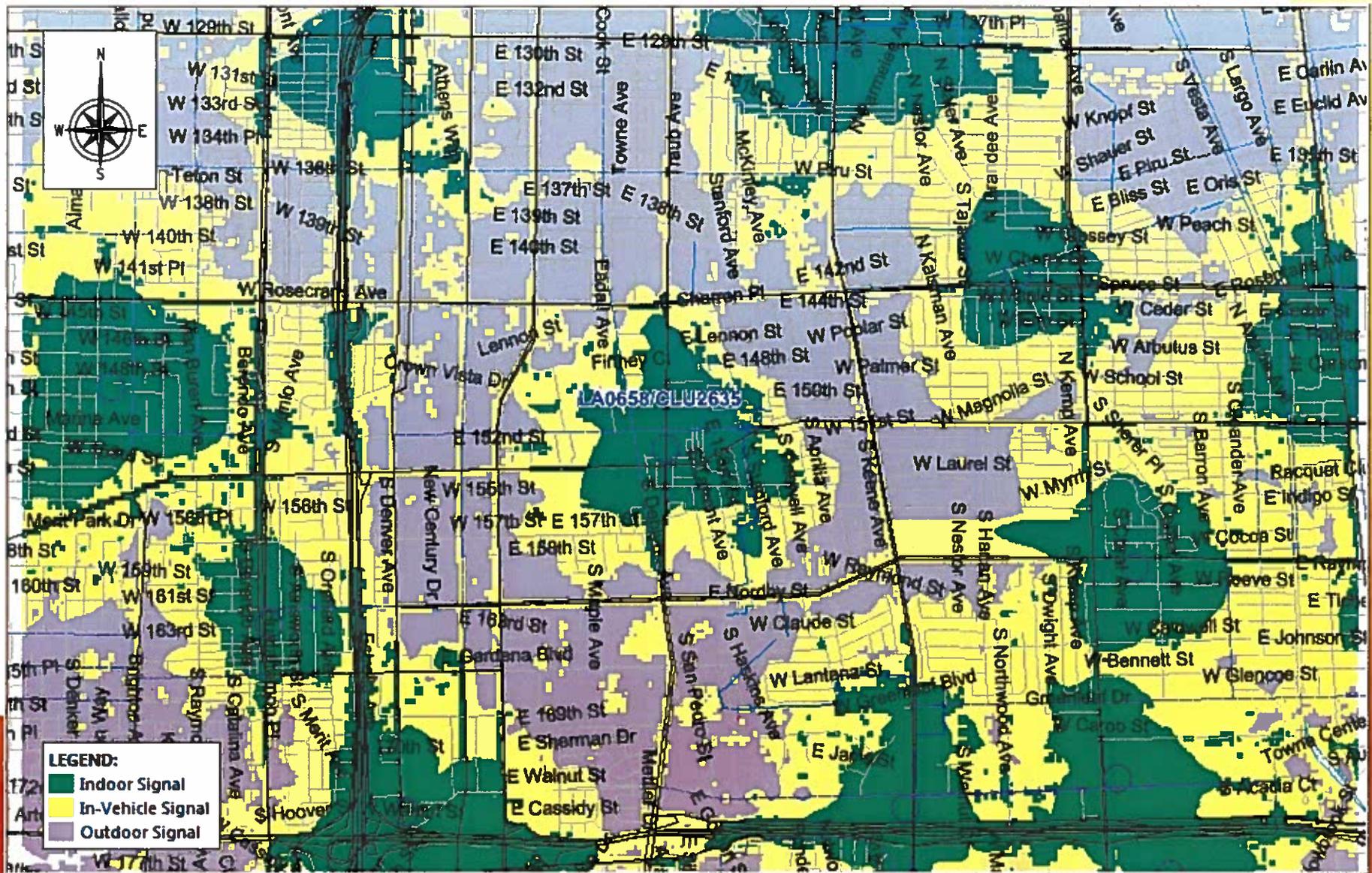
## Coverage Legend

**In-Building Service:** In general, the areas shown in dark green should have the strongest signal strength and be sufficient for most in-building coverage. However, in-building coverage can and will be adversely affected by the thickness/construction type of walls, or your location in the building (i.e., in the basement, in the middle of the building with multiple walls, etc.)

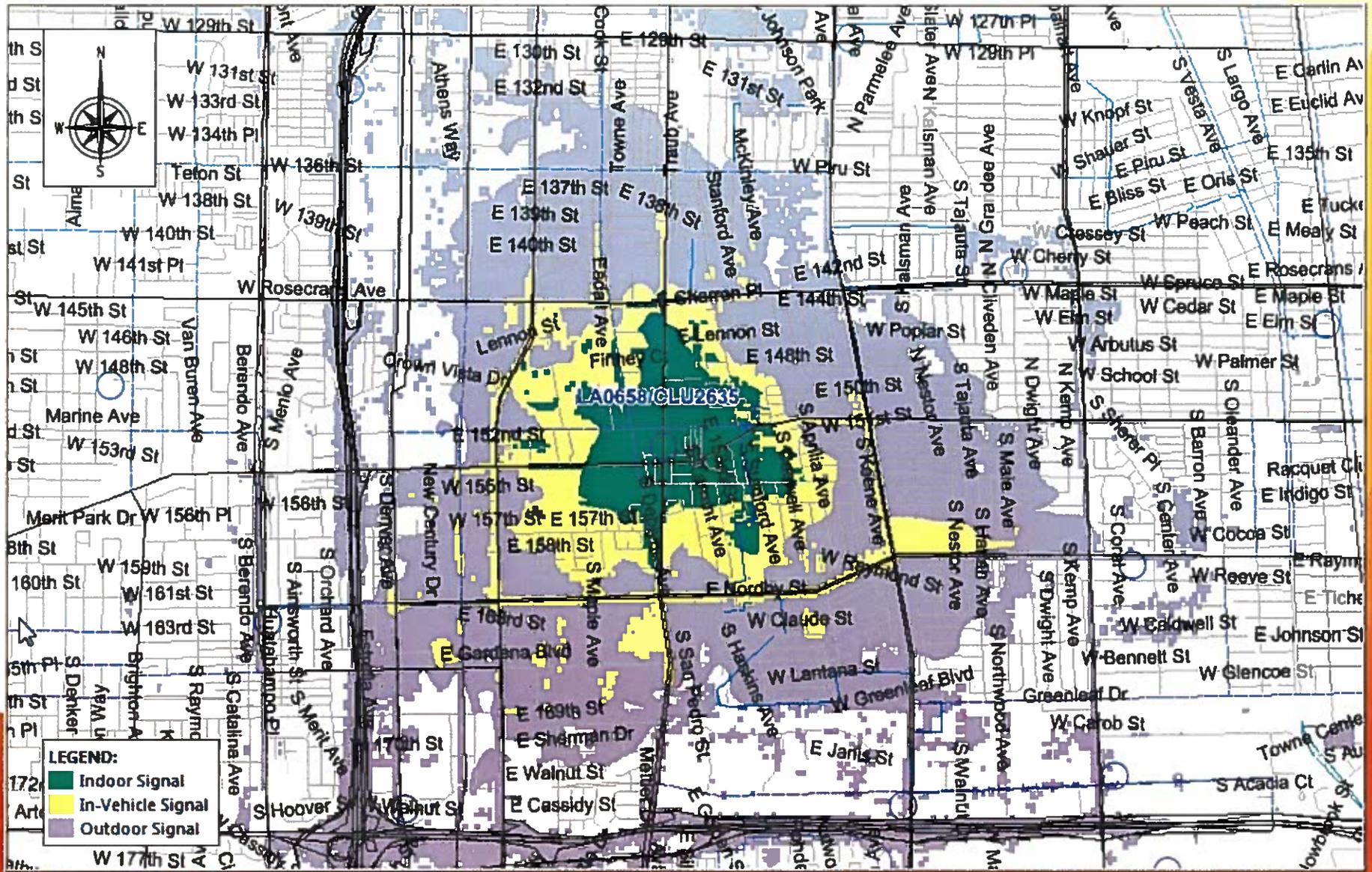
**In-Transit Service:** The areas shown in the yellow should be sufficient for on-street or in-the-open coverage, most in-vehicle coverage and possibly some in-building coverage.

**Outdoor Service:** The areas shown in the purple should have sufficient signal strength for on-street or in-the-open coverage, but may not have it for in-vehicle coverage or in-building coverage.

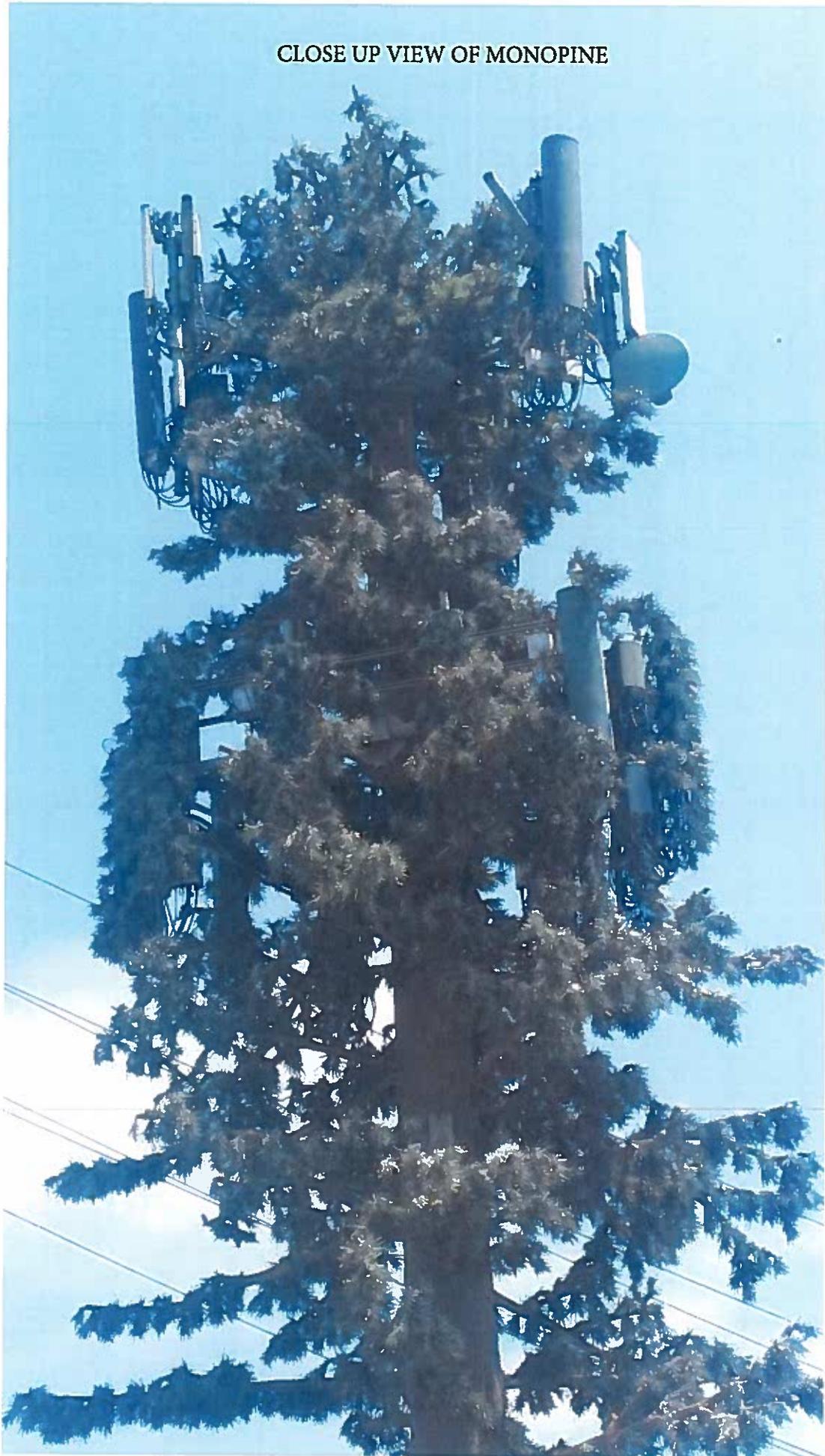
# UMTS Coverage Area of ATT Site No. LA0658-03, "Fremont Substation"



# UMTS Coverage – StandAlone (LA0658-03)



CLOSE UP VIEW OF MONOPINE



VIEW OF FACILITY LOOKING NORTHEAST

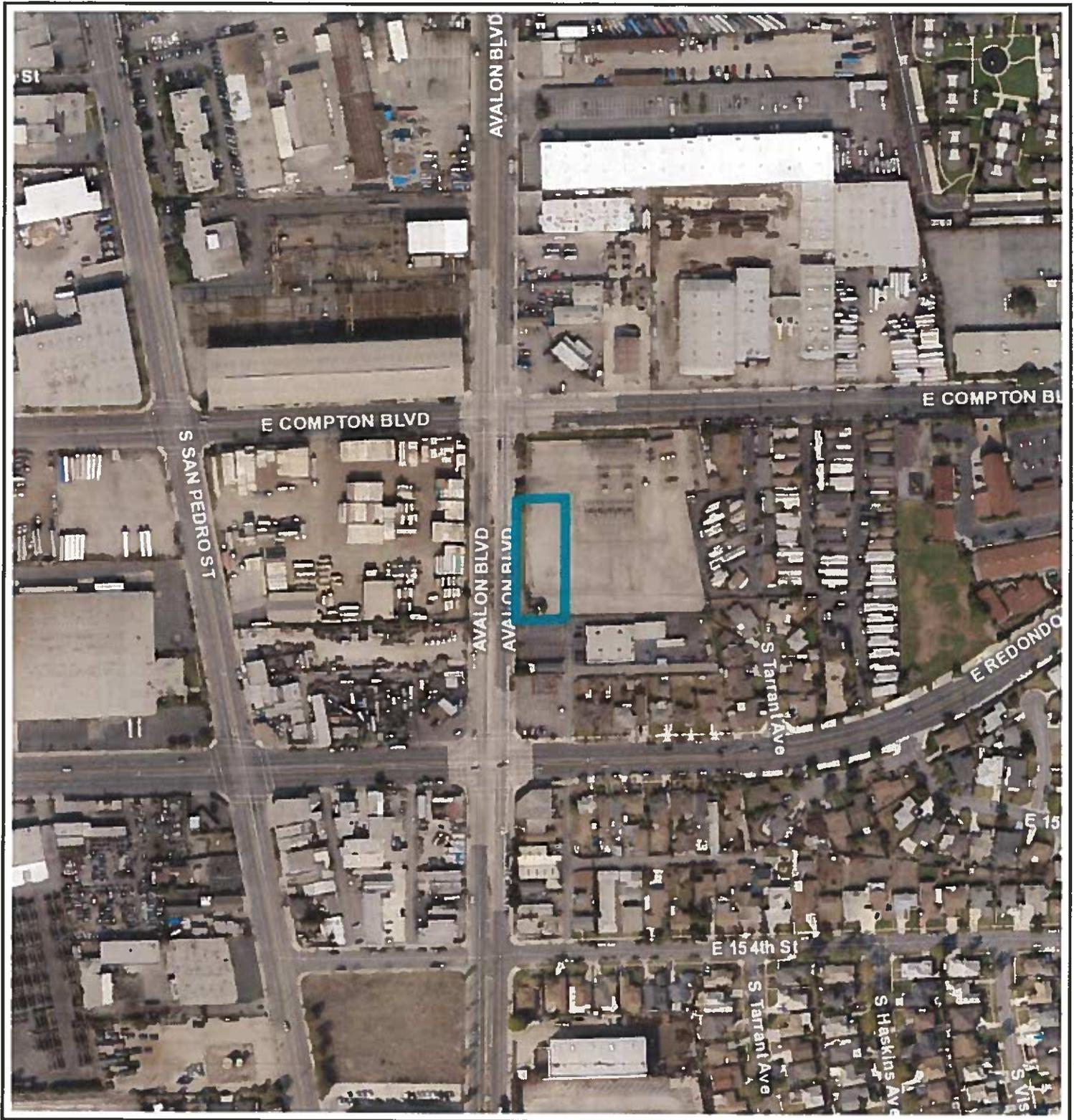


PICTURE OF FENCE SURROUNDING COMPOUND



PICTURE OF FACILITY LOOKING NORTHEAST





# 15202 Avalon Blvd. (6139-002-802)

## Aerial Map

Printed: Sep 19, 2016



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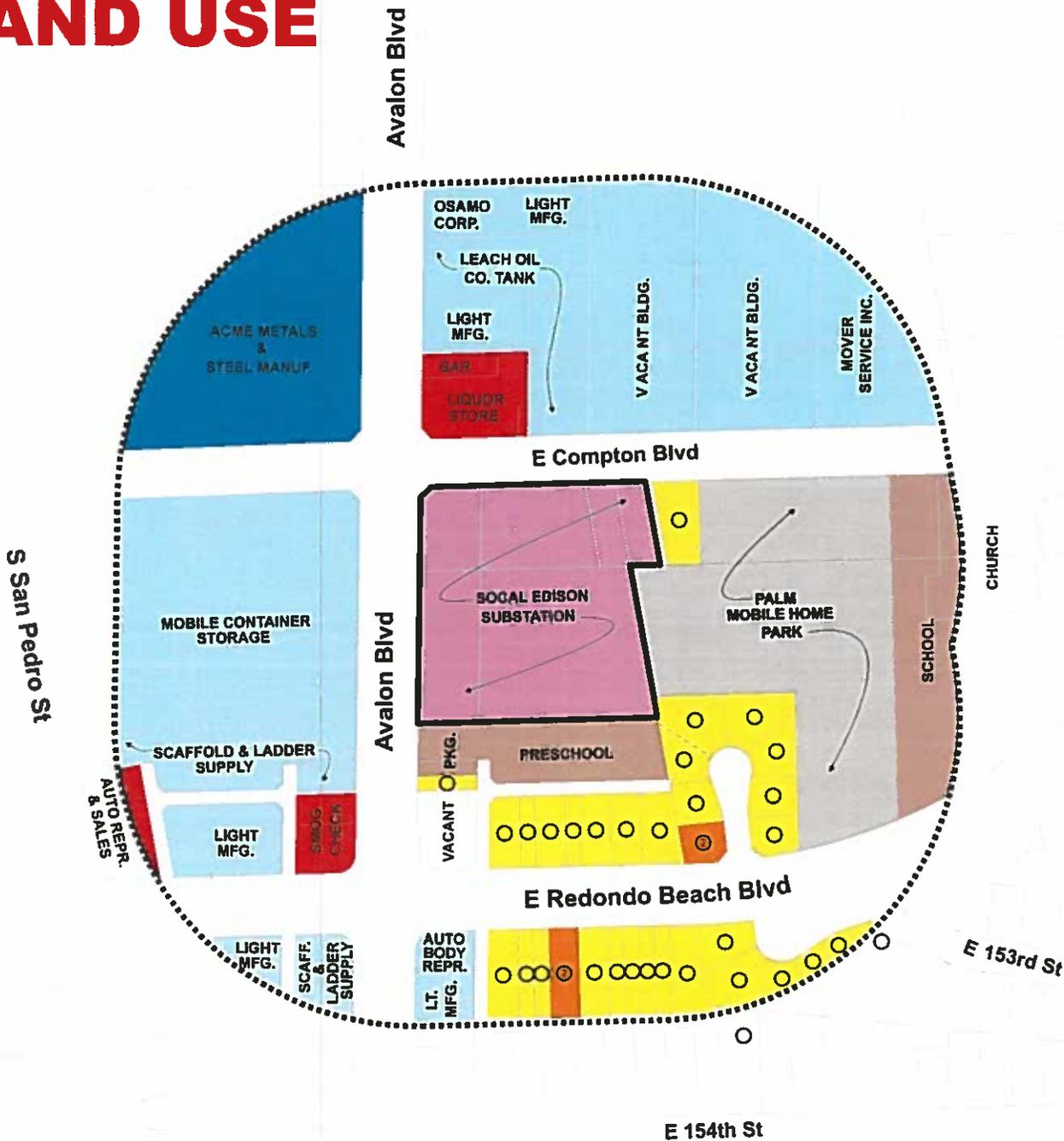
# LAND USE

## LAND USE 500 FOOT RADIUS MAP

Proj. R2015-02333 (2)  
RCUP 2015-00094

### Legend

- SINGLE-FAMILY RESIDENCE
- ⊙ MULTI-FAMILY RESIDENCE
- SINGLE-FAMILY RESIDENCE
- TWO-FAMILY RESIDENCE
- MULTI-FAMILY RESIDENCE
- INSTITUTION / PUBLIC FACILITY
- COMMERCIAL
- LIGHT INDUSTRY
- HEAVY INDUSTRY
- PUBLIC UTILITY
- VACANT



### VICINITY MAP



0 40 80 160 240 320 Feet



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

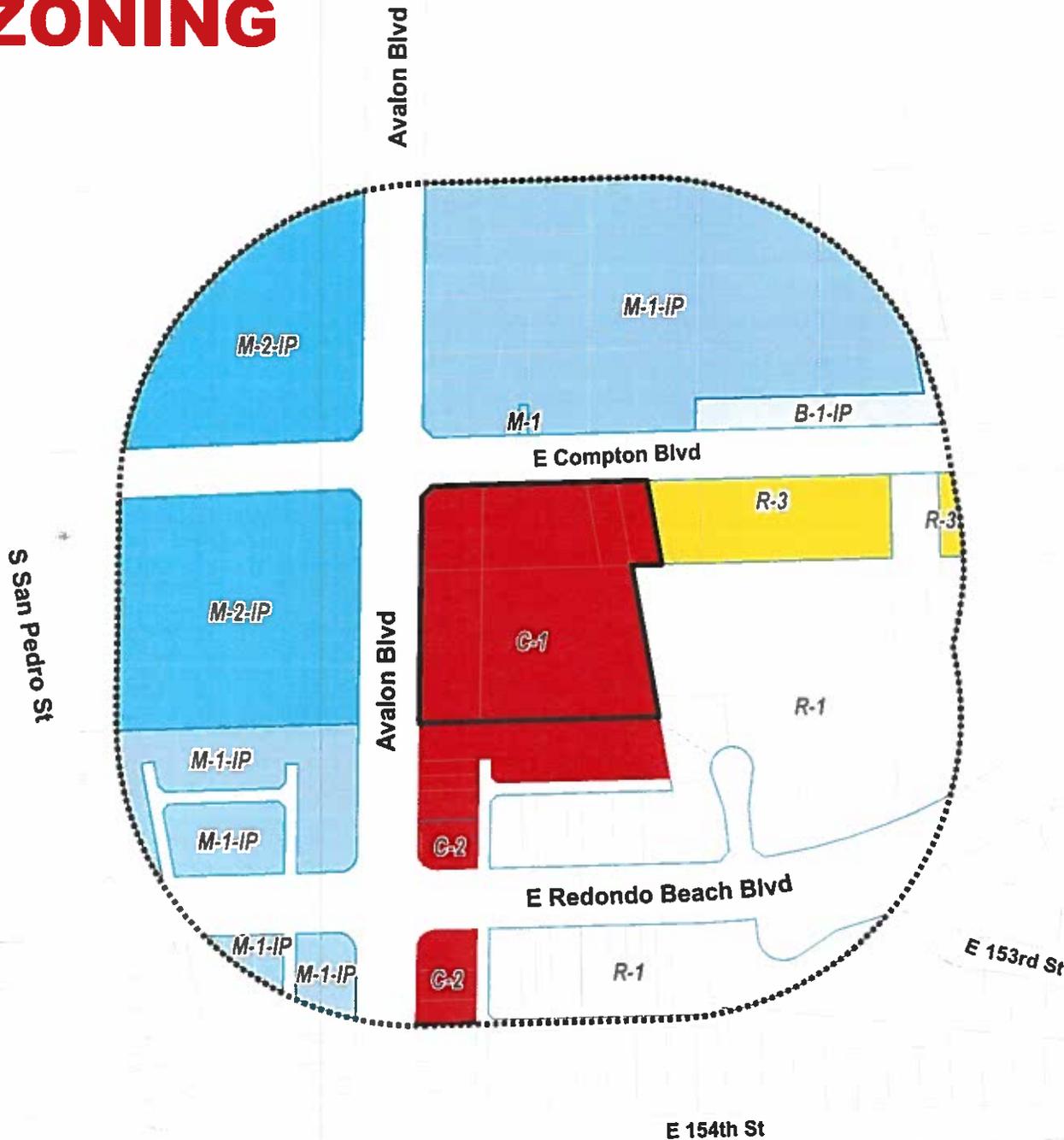
# ZONING

## ZONING 500 FOOT RADIUS MAP

Proj. R2015-02333 (2)  
RCUP 2015-00094

### Legend

-  R-1 - Single-Family Residence
-  R-3-(U) - Limited Density Multiple Residence
-  C-1 - Restricted Business
-  C-2 - Neighborhood Business
-  M-1 - Light Manufacturing
-  M-2 - Heavy Manufacturing
-  B-1 - Buffer Strip



### VICINITY MAP



0 40 80 160 240 320 Feet



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



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



James E. Hartl AICP  
Director of Planning

August 17, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Sid Khosia  
Selective Telecommunications  
381 Elmwood Drive  
Pasadena, CA 91105

RE: PROJECT NO. R2004-00154-(2)  
CONDITIONAL USE PERMIT CASE NO. T200400010  
To authorize installation, operation and maintenance of an unmanned wireless telecommunications facility located on the southwest corner of Compton Boulevard and Avalon Boulevard

Dear Applicant:

PLEASE NOTE: This document contains the Hearing Officer's findings and order and conditions relating to **APPROVAL** of the above referenced case. **CAREFULLY REVIEW EACH CONDITION.**

Condition 3 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Hearing Officer's decision to the Regional Planning Commission at the office of the commission's secretary, Room 170, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Contact the commission's secretary for the amount of the appeal fee at (213) 974-6409. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant. The Hearing Officer's decision may also be called up for review by the Regional Planning Commission during the appeal period.

For further information on appeal procedures or any other matter pertaining to this approval, please contact the Zoning Permits Section II at (213) 974-6435.

**HEARING OFFICER'S FINDINGS AND ORDER:**

**REQUEST:** The applicant is requesting a Conditional Use Permit to authorize the installation, operation and maintenance of an unmanned wireless telecommunications facility including a 64-foot tall monopine to provide antennas for two carriers.

**FACTUAL SUMMARY:**

August 2, 2005 Public Hearing

A duly noticed public hearing was held on August 2, 2005. The applicant's representatives were sworn in to testify. They testified in favor of the project and agreed to the conditions set forth by staff.

There being no further testimony, the Hearing Officer closed the public hearing and stated his intent to approve the project.

Findings

1. The applicant, Cingular Wireless, is requesting authorization for the construction, operation and maintenance of an unmanned wireless telecommunications facility. The facility will be a 64-foot tall monopine. The facility will house two carriers, Cingular and Nextel.
2. The subject property is located on the southeast corner of Compton Boulevard and Avalon Boulevard (APN 6139-002-802), Compton, and in the Willowbrook-Enterprise Zoned District.
3. The subject property is zoned C-1 (Restricted Business).
4. Surrounding zoning are C-1 to the north and south, C-1, R-3 (Limited Multiple Residence, and R-1 (Single-Family Residential to the east, and M-2 (Heavy Manufacturing) to the west.
5. A Southern California Edison (SCE) substation is developed on the subject property. The SCE development includes a substation house, transformers, and switchracks.
6. Surrounding properties include commercial uses to the north, a private school to the south, a mobile home park and single-family residences to the east and an adult school to the west.

7. There is one previous case noted on the subject property, Zone Change 3987. This zone change, Ordinance No. 7884 was effective November 4, 1960 and changed the zone on the subject property to C-1. *October*
8. The subject property is designated as "1" Low-Density Residential within the County of Los Angeles General Plan. The Low-Density Residential classification is particularly suitable for single-family detached housing units, including large lot estates and typical suburban tract developments. Densities typically range from one to six units per gross acre. The intent of this classification is to maintain the character of existing low density residential neighborhoods and also to provide additional areas to accommodate future market demand.

The proposed project, appropriately conditioned, is compatible with the Low Density Residential classification of the General Plan.

9. The site plan depicts the entire SCE substation property with the unmanned wireless telecommunications facility located on the southwest corner of the subject property. The subject property is on the corner of Compton Blvd and Avalon Blvd with access from Compton Blvd to the north. The subject property is fenced with 6-foot high barbed wire fencing. The applicant's proposal includes installing a gate in the existing fencing to enter their facility from Avalon Boulevard. The facility will include two carriers, Cingular and Nextel. The site plan depicts a 20-foot by 38-foot lease area for Cingular and an adjacent 20-foot by 38-foot lease area for Nextel. Each carrier has their own equipment cabinets, but the monopine is located within the Cingular lease area. The Cingular antennas are located 42-feet above grade level and the Nextel antennas are located 58-feet above grade level, the top fronds on the monopine extend to 64-feet above grade level.
10. A wireless telecommunications facility is a use not specified in Title 22 of the Los Angeles County Code (Zoning Ordinance). However, the proposed use may be considered a utility. Furthermore, until such times as the County of Los Angeles adopts a telecommunication provisions to the existing Zoning Ordinance, the County of Los Angeles requires a conditional use permit for such a use.
11. A total of 58 public hearing notices were mailed out to property owners within 500' of the subject property and to 13 residents on the Willowbrook-Enterprise Zoned District courtesy list on June 28, 2005 regarding the subject request. The notice was published in the Los Angeles Sentinel and La Opinion on June 30, 2005. The property was posted on June 30, 2005, which would meet the 30-day required posting.
12. No public comments were received regarding this request.

13. The project applicant is proposing to construct an unmanned wireless telecommunications facility in order to improve wireless telecommunications service provisions in the local area. The proposed facility is small in nature and visually unobtrusive; the installation of a monopole disguised as a pine tree will make it less obtrusive.
14. Properly conditioned, the proposed telecommunications facility is compatible with the General Plan and the surrounding land uses.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and 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 and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such use would generate and by other public or private facilities as are required.

AND THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer has considered the Negative Declaration together with any comments received during the public review process, finds on the basis on the whole record before the Hearing Officer that there is no substantial evidence the project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Hearing Officer, and adopts the Negative Declaration.
2. In view of the findings of fact presented above, Project No. R2004-00154-(2)/Conditional Use Permit Case No. T200400010 is **APPROVED**, subject to the attached conditions.

PROJECT NO. R2004-00154-(2)  
CONDITIONAL USE PERMIT CASE NO. T200400010-(2)

Page 5 of 5

BY:  DATE: 8/17/05  
David Cowardin, Hearing Officer  
Department of Regional Planning  
County of Los Angeles

Attachments: Conditions

c: Testifiers, Each Commissioner, Zoning Enforcement, Building and Safety

1. This grant authorizes the use of the subject property for the installation, operation and maintenance of an unmanned wireless telecommunications facility consisting of a 64-foot high monopole disguised as a pine tree which will be providing facilities for two carriers, a total of 24 antennas, and equipment cabinets, as depicted on the approved Exhibit "A", subject to all of the following conditions of approval.
2. 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.
3. 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 Department of 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. 8, and until all required monies have been paid pursuant to Condition Nos. 10 and 11.
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 limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
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 pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs 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 the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. This grant shall expire unless used within two (2) years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee at least six (6) months prior to the expiration date.
7. 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.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
9. **This grant will terminate on August 2, 2015.** 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, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination date of this permit, whether or not any modification of the use is requested at that time.
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. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$750.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for 5 biennial 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 the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150 per inspection).

11. Within five (5) days of the approval date, remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The project is *de*

*minimus* in its effect on fish and wildlife and a \$25 processing fee must be paid to the Los Angeles County Clerk to accompany the Certificate of Fee Exemption pursuant to Section 711.4 of the Fish and Game Code. No land use project subject to this requirement is final, vested or operative until the fee is paid.

12. 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 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.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
14. All structures shall conform to the requirements of the Division of Building and Safety of the Department of Public Works.
15. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the facility 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.
16. In the event of such 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 facility shall be operated in accordance with regulations of the State Public Utilities Commission.
18. Said facility shall be removed if in disuse for more than six months.
19. Insofar as is feasible, the operator 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.
20. The panel antennas shall be painted to match the existing tower and the equipment cabinets shall be painted a neutral color, excluding black, to match the finish of the tower and shall be maintained in good condition at all times.

21. The permittee shall provide 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. The permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning.
22. Any proposed wireless telecommunications facility that will be co-locating on the proposed facility will be required to submit the same written verification and include the cumulative radiation and emissions of all such facilities.
23. Said facility, including any lighting, fences, shields, cabinets, and poles shall be maintained by the operator in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight.
24. The operator shall submit an annual maintenance report to the Department of Regional Planning by January 1, verifying the continued operation and maintenance of the said facility.
25. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." All revised plot plans must be accompanied by the written authorization of the property owner.

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8/17/05