

Hearing Officer Transmittal Checklist

Hearing Date 3/1/16
Agenda Item No. 7

Project Number: R2015-03005-(5)
Case(s): Conditional Use Permit Case No. 201500121
Planner: Richard Claghorn

- 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

R2015-03005 - (5)

HEARING DATE

March 1, 2016

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201500121
 Environmental Assessment No. 201500214

PROJECT SUMMARY

OWNER / APPLICANT

F & N Real Estate / SBA

MAP/EXHIBIT DATE

July 23, 2014

PROJECT OVERVIEW

The applicant, SBA, is requesting authorization for a Conditional Use Permit ("CUP") for the continued operation and maintenance of an existing wireless telecommunications facility ("WTF") with a 78-foot high mono-pine tower located adjacent to a transitional parking lot within the R-A (Residential Agricultural) Zone and Antelope Valley East Zoned District. This project is categorically exempt (Class 1 – Existing Facilities) pursuant to CEQA reporting requirements. A CUP is required in the R-A Zone for radio towers, including WTFs, pursuant to Section 22.20.440 of the Los Angeles County Code.

LOCATION

17051 East Avenue O

ACCESS

Avenue O

ASSESSORS PARCEL NUMBER(S)

3071-026-013

SITE AREA

0.7 Acres

GENERAL PLAN / LOCAL PLAN

Antelope Valley Area Plan

ZONED DISTRICT

Antelope Valley East

LAND USE DESIGNATION

Residential 2

ZONE

R-A (Residential Agricultural)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT (CSD)

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Los Angeles County General Plan & Antelope Valley Area 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 (Permit Requirements in R-A Zone)

CASE PLANNER:

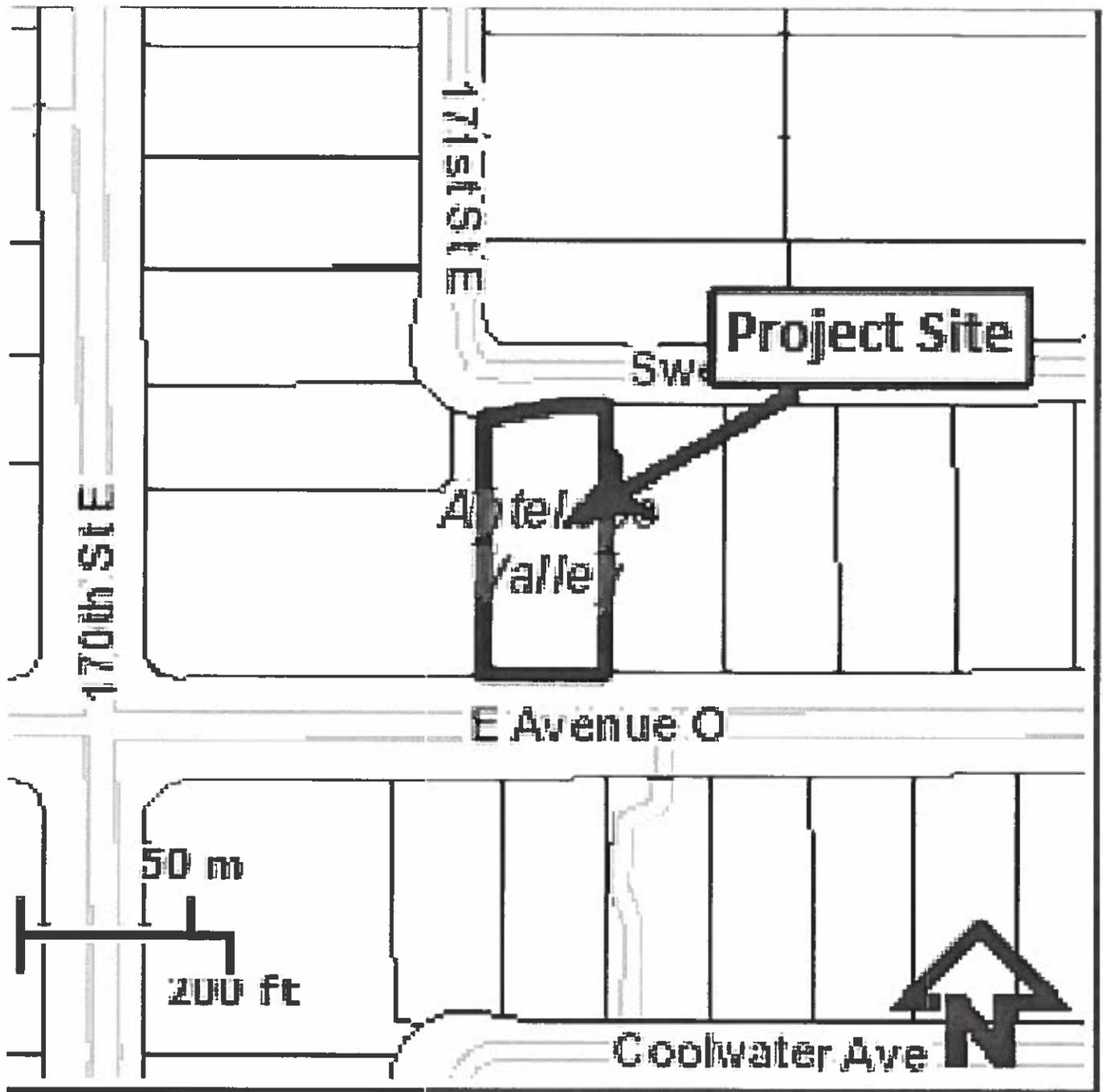
Richard Claghorn

PHONE NUMBER:

(213) 974 – 6443

E-MAIL ADDRESS:

rclaghorn@planning.lacounty.gov



ENTITLEMENT REQUESTED

- Conditional Use Permit (“CUP”) 201500121 is for the continued operation and maintenance of an existing unmanned wireless telecommunications facility (“WTF”) in the R-A (Residential Agricultural) Zone pursuant to Los Angeles County (“County”) Code Section 22.20.440.

PROJECT DESCRIPTION

The applicant, SBA Monarch Towers, is requesting a CUP to authorize the continued operation and maintenance of an existing unmanned WTF disguised as a pine tree located in the R-A Zone. The WTF consists of a 78-foot high monopine tower with two separate groups of antennas, including nine panel antennas by Sprint Nextel at the top of the monopine and six additional antennas operated by T-Mobile located in the middle section of the tower. The WTF also includes ground-mounted equipment cabinets and related equipment surrounded by a six-foot high masonry wall with two-foot high wrought iron fence on top and with wrought-iron gates. The WTF is an existing use, and no changes are proposed at this time.

SITE PLAN DESCRIPTION

The site plan depicts the subject property (“Project Site”), which is a 0.70 acre parcel containing a parking lot with 25 spaces on the west side and the WTF facility on the east side. The Project Site fronts Avenue O to the south and Sweetaire Avenue to the north and is located in the unincorporated community of Lake Los Angeles. The Project Site is Assessor’s Parcel Number (“APN”) 3071-026-013. The site plan also depicts the parcel to the west of the Project Site, APN 3071-026-021, which is a 1.39 acre parcel containing an existing commercial building, which is located at the northeast corner of 170th Street and Avenue O, and which has the same owner as the Project Site. The commercial building contains a grocery store known as Saddleback Market, a Chevron gas station and Los Chiles Mexican Restaurant. APN 3071-026-021 is zoned C-RU (Rural Commercial) and contains 52 parking spaces. The site address for APN 3071-026-021 is 17051 East Avenue O. APN 3071-026-013 does not have a separate address. The Project Site is accessed from Avenue O through a driveway on the parcel to the west that leads into the transitional parking lot on the Project Site. The parking lot on the Project Site serves the parcel to the west, and is necessary to meet its parking requirement. However, since the WTF and its related parking is contained entirely on APN 3071-026-013, and since APN 3071-026-021 is not needed for operation of the WTF, APN 3071-026-021 is not considered as part of the Project Site for purposes of this CUP. The subject property for CUP 200500082, which established the WTF, was APN 3071-021-013.

EXISTING ZONING

The subject property is zoned R-A.

Surrounding properties within 500 feet are zoned as follows:

North: R-A
South: C-RU, R-A
East: R-A
West: C-RU, R-A

EXISTING LAND USES

The subject property is developed with a transitional parking lot.

Surrounding properties within 500 feet are developed as follows:

North: Single-family residences, vacant land
South: Vacant land, restaurant, church, single-family residences, commercial
East: Single-family residences, vacant land
West: Grocery store, restaurant, gas station, library, medical, single-family residences

PREVIOUS CASES/ZONING HISTORY

Ordinance No. 7093, adopted on January 2, 1957, established M-3 zoning on the subject property. Ordinance No. 7450, adopted on December 16, 1958, changed the zoning of the site to A-1-1 (Light Agricultural-One Acre Minimum Required Lot Area). Ordinance No. 9350, adopted on May 23, 1967, changed the zoning of the site to R-A-30,000 (Residential Agricultural-30,000 Square Feet Minimum Required Lot Area). Ordinance No. 20150021Z, adopted on June 16, 2015, changed the zoning of the subject property to its current zoning of R-A.

Plot Plan 34956 was approved on July 15, 1986 for combining lots. Plot Plan 34956 was approved on October 24, 1991 for transitional parking for the subject property. The WTF was previously approved on February 7, 2006 through CUP 200500082, which included the monopine and Sprint antennas. Revised Exhibit "A" (REA) 201100021 approved on January 31, 2011 for the co-location of the T-Mobile antennas. There have been other REAs for the Project Site, the most recent of which was REA 201500030, which was approved on March 19, 2015 for replacement of T-Mobile antennas and equipment. CUP 200500082 expired on February 7, 2016.

ENVIRONMENTAL DETERMINATION

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 is categorically exempt as an existing facility and is not an exception to the exemption since it is not located within an environmentally sensitive area. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt under CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the Residential 2 (H2) land use category of the Antelope Valley Area Plan ("Area Plan"). This designation is classified as a rural town area, which is suitable for a mix of residential and agricultural uses. Densities within this category range from zero to two units per net acre. Specific allowable uses and development standards are determined by the underlying zoning designation, which on this site allows the WTF with a CUP.

The WTF is an existing use located next to a transitional parking lot abutting a commercial zone and a single-family residential neighborhood. The nearest residence is located on the parcel immediately east of the Project Site. Although it is close to residences, it is located on a parcel with a commercial parking lot and adjacent to a commercial zone and commercial uses, and the area is predominantly commercial in nature.

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

- *General Plan Public Services and Facilities Policy PS/F 6.2: "Improve existing wired and wireless telecommunications infrastructure."*

The Project will maintain the existing WTF and telecommunications service in the area. Removal of the WTF would diminish the service in the area and be contrary to the above General Plan policy.

- *General Plan Public Services and Facilities Policy PS/F 6.3: "Expand access to wireless technology networks, while minimizing impacts through co-location and design."*

The Project provides co-location of two different carriers on a single tower, avoiding impacts which would result from separate towers, while maintaining wireless network service to the area. The block wall also provides adequate screening of equipment, and the pine tree-like design helps it to appear less visually intrusive.

- *General Plan Public Services and Facilities Policy PS/F 6.4: "Protect and enhance utility facilities to maintain the safety, reliability, integrity and security of utility services."*

The Project will protect and enhance the communications infrastructure of the area.

Zoning Ordinance and Development Standards Compliance

Title 22 of the County Code does not explicitly specify 'WTF' as a use. The use most consistent with a WTF specified in the County Code is 'radio and television stations and towers'. Pursuant to Section 22.20.440 of the County Code, development of radio and television stations and towers is a permitted use of property in the R-A Zone, provided that a CUP is first obtained. There is no expansion of the WTF proposed. Pursuant to Sections 22.40.450 and 22.20.110 of the County Code, there is a 35-foot height limit in

the R-A Zone. According to Finding No. 14 of CUP 200500082, the tower was allowed to exceed the height limit and be 78 feet in height for this WTF based on the transitional parking lot on the subject property and on the commercial nature of the surrounding area and also based on the discretion of the Hearing Officer to modify zone regulations with the CUP using Section 22.56.110 of the County Code. Finding No. 13 of CUP 200500082 also cited the provision in Section 22.56.200 of the County Code, which grants the Hearing Officer authority to prescribe the height limit and other building bulk provisions for uses permitted by a CUP. The WTF is consistent with the current Department of Regional Planning standards for WTFs in Subdivision and Zoning Ordinance Policy No. 01-2010, dated July 26, 2010, with the exception of the height. The WTF was established in 2006 prior to the current policy. Sections 22.56.110 and 22.56.200 of the County Code provide the Hearing Officer the ability to allow the height to be modified through a CUP, and a height modification is justifiable based on the permit history and use of the site, the technical needs of the network, and on the predominantly commercial characteristics of the area.

A six-foot tall CMU wall topped with an approximately two-foot high wrought iron fence separates the lease enclosure from the adjoining property to the east. The tower is designed to resemble a pine tree in order to help it blend in with the surrounding area.

The existing transitional parking lot on the Project Site serving the C-RU commercial parcel to the west is allowed in the R-A zone pursuant to Sections 22.20.430 and 22.20.090 of the County Code. It satisfies the requirements for such use and was approved for transitional parking through Plot Plan 34956 in 1991.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.090 of the County Code. The Burden of Proof statements with the applicant's responses are attached. Staff is of the opinion that the applicant has met the burden of proof requirements.

That the requested use at the location will not:

- 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or*
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or*
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.*
- The WTF is installed on a tower disguised as a pine tree. The facility is not detrimental to the surrounding area or the residents of the area. The WTF has operated for approximately 10 years, and there is no record of any zoning violations or complaints relating to the WTF. No changes are proposed to the

WTF. This WTF provides a benefit to the safety of the community by providing communication service to a rural community adjacent to a market and gas station where motorists might need to make phone calls. This facility fulfills a vital need for emergency communications, benefiting public safety in the area, as well as for non-emergency personal, business, and government communications.

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

- The WTF is unmanned and does not generate additional traffic or require parking or loading facilities. The site contains ample room for parking for any vehicles that visit the site for occasional maintenance. The WTF only occupies a small fraction of the site, and walls are provided to provide screening and to protect the equipment.

That the proposed site is adequately served:

- 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate; and*
 - 2. By other public or private service facilities as are required.*
- The WTF is located along Avenue O and has adequate access. The WTF does not impact traffic patterns or generate an increase in traffic or require public services such as water, sewer, or waste management. The facility is serviced by electrical power and is adequately served by the existing road and utility infrastructure. The WTF is not staffed and requires only infrequent maintenance visits, approximately once per month.

Neighborhood Impact/Land Use Compatibility

The WTF design is appropriate for the site and area. The subject property is in an area of primarily commercial uses. The WTF is disguised as a monopine, which helps to lessen the visual impact. It is not a new use or structure being introduced to the site and has been properly maintained. No new impacts will occur.

The WTF will not be detrimental to the surrounding community. The WTF provides valuable telecommunications infrastructure to the community and is consistent with the established use and zoning requirements for the subject property.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Per the Departmental consultation procedures, the renewal of this specific use did not require consultations with the other County departments.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting. All neighboring property owners within 1,000 feet of the Project Site were notified by mail, including 115 different owners. Additionally, the case materials were available on Regional Planning's website and at the Lake Los Angeles Library. A total of 15 Notices of Public Hearing were mailed to those on the courtesy mailing list for the Antelope Valley East Zoned District. Notices were sent on January 21, 2016.

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 R2015-03005-(5), Conditional Use Permit Number 201500121, subject to the attached findings and conditions.

SUGGESTED APPROVAL MOTION

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201500121 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Richard Claghorn, Principal Regional Planner, Zoning Permits North Section
Reviewed by Robert Glaser, Supervising Regional Planner, Zoning Permits North Section

Attachments:

- Draft Findings & Conditions
- Applicant's Burden of Proof statement
- Site Photographs, Aerial Image
- Site Plan, Equipment Plan, Elevation Plans

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2015-03005-(5)
CONDITIONAL USE PERMIT NO. 201500121**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing on March 1, 2016 in the matter of Project No. R2015-03005-(5), Conditional Use Permit ("CUP") No. 201500121.
2. The applicant, SBA Monarch Towers ("permittee"), is requesting a CUP to authorize the operation and maintenance of an unmanned wireless telecommunications facility ("WTF"), on a site located in the unincorporated area of Lake Los Angeles ("Project Site") in the R-A (Residential Agricultural) Zone in the Antelope Valley East Zoned District pursuant to County Code Section 22.20.440. The WTF ("Project") consists of a 78-foot high monopine tower with two separate groups of antennas, including nine panel antennas by Sprint Nextel at the top of the monopine and six additional antennas operated by T-Mobile located in the middle section of the tower. The WTF also includes ground-mounted equipment cabinets and related equipment surrounded by a six-foot high masonry wall with two-foot high wrought iron fence on top and with wrought-iron gates. The WTF is an existing use, and no changes are proposed at this time.
3. The Project Site is a 0.70 acre parcel containing a parking lot with 25 spaces on the west side and the WTF facility on the east side. The Project Site fronts Avenue O to the south and Sweetaire Avenue to the north and is located in the unincorporated community of Lake Los Angeles. The Project Site is Assessor's Parcel Number ("APN") 3071-026-013. The topography of the Project Site is flat.
4. The site plan depicts the Project Site and the parcel to the west of the Project Site, APN 3071-026-021, which is a 1.39 acre parcel containing an existing commercial building, which is located at the northeast corner of 170th Street and Avenue O, and which has the same owner as the Project Site. The commercial building contains a grocery store known as Saddleback Market, a Chevron gas station and Los Chiles Mexican Restaurant. APN 3071-026-021 is zoned C-RU (Rural Commercial) and contains 52 parking spaces. The site address for APN 3071-026-021 is 17051 East Avenue O. APN 3071-026-013 does not have a separate address. The parking lot on the Project Site serves the parcel to the west, and is necessary to meet its parking requirement. However, since the WTF and its related parking is contained entirely on APN 3071-026-013, and since APN 3071-026-021 is not needed for operation of the WTF, APN 3071-026-021 is not considered as part of the Project Site for purposes of this CUP. The subject property for CUP 200500082, which established the WTF, was APN 3071-021-013.
5. The project site is located within the Residential 2 (H2) land use category of the Antelope Valley Area Plan ("Area Plan"). This designation is classified as a rural town area, which is suitable for a mix of residential and agricultural uses. Densities within this category range from zero to two units per net acre. Specific allowable

uses and development standards are determined by the underlying zoning designation, which on this site allows the WTF with a CUP.

6. Surrounding properties within 500 feet are zoned as follows:

North: R-A
South: C-RU, R-A
East: R-A
West: C-RU, R-A

7. Surrounding land uses within a 500-foot radius include:

North: Single-family residences, vacant land
South: Vacant land, restaurant, church, single-family residences, commercial
East: Single-family residences, vacant land
West: Grocery store, restaurant, gas station, library, medical, single-family residences

8. The Project Site is accessible from East Avenue O, through a driveway on the parcel to the west (APN 3071-026-021) that leads into the transitional parking lot on the Project Site.

9. Ordinance No. 7093, adopted on January 2, 1957, established M-3 zoning on the subject property. Ordinance No. 7450, adopted on December 16, 1958, changed the zoning of the site to A-1-1 (Light Agricultural-One Acre Minimum Required Lot Area). Ordinance No. 9350, adopted on May 23, 1967, changed the zoning of the site to R-A-30,000 (Residential Agricultural-30,000 Square Feet Minimum Required Lot Area). Ordinance No. 20150021Z, adopted on June 16, 2015 changed the zoning of the subject property to its current zoning of R-A.

10. Plot Plan 34956 was approved on July 15, 1986 for combining lots. Plot Plan 34956 was approved on October 24, 1991 for transitional parking for the subject property. The WTF was previously approved on February 7, 2006 through CUP 200500082, which included the monopine and Sprint antennas. Revised Exhibit "A" (REA) 201100021 approved on January 31, 2011 for the co-location of the T-Mobile antennas. There have been other REAs for the Project Site, the most recent of which was REA 201500030, which was approved on March 19, 2015 for replacement of T-Mobile antennas and equipment. CUP 200500082 expired on February 7, 2016.

11. 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 is categorically exempt as an existing facility and is not an exception to the exemption since it is not located within an environmentally sensitive area. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt under CEQA.

12. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearing by mail, newspaper, and property posting.

13. Staff has not received any comments from members of the public at this time.

14. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*

15. The Hearing Officer finds that the Project is consistent with the goals and policies of the Los Angeles County General Plan ("General Plan"). The Project is located within the Antelope Valley Area Plan ("Area Plan"), a component of the General Plan.

16. The Hearing Officer finds that the following policy of the General Plan is applicable to the proposed project:

General Plan Public Services and Facilities Policy PS/F 6.2: "Improve existing wired and wireless telecommunications infrastructure."

The Project will maintain the existing WTF and telecommunications service in the area. Removal of the WTF would diminish the service in the area and be contrary to the above General Plan policy.

17. The Hearing Officer finds that the following policy of the General Plan is applicable to the proposed project:

General Plan Public Services and Facilities Policy PS/F 6.3: "Expand access to wireless technology networks, while minimizing impacts through co-location and design."

The Project provides co-location of two different carriers on a single tower, avoiding impacts which would result from separate towers, while maintaining wireless network service to the area. The block wall also provides adequate screening of equipment, and the pine tree-like design helps it to appear less visually intrusive.

18. The Hearing Officer finds that the following policy of the General Plan is applicable to the proposed project:

General Plan Public Services and Facilities Policy PS/F 6.4: "Protect and enhance utility facilities to maintain the safety, reliability, integrity and security of utility services."

The Project will protect and enhance the communications infrastructure of the area.

19. The Hearing Officer finds that the proposed use is consistent with the R-A zoning classification. Although Title 22 of the County Code does not explicitly specify 'WTF' as a use, the use most consistent with a WTF specified in the County Code is 'radio and television stations and towers'. Pursuant to Section 22.20.440 of the County

Code, development of radio and television stations and towers is a permitted use of property in Zone R-A, provided that a CUP is first obtained.

20. The Hearing Officer finds that the WTF is consistent with the applicable development standards of Subdivision and Zoning Ordinance Policy No. 01-2010 (Wireless Telecommunications Facilities) dated July 26, 2010 except for the height. The height of the WTF is 78 feet, which exceeds the 35 foot height limit of Zone R-A. However, the height was modified under CUP 200500082, when the WTF was first approved, based on Sections 22.56.110 and 22.56.200 of the County Code. The WTF was established in 2006 prior to the current policy. Sections 22.56.110 and 22.56.200 of the County Code provide the Hearing Officer the ability to allow the height to be modified through a CUP, and a height modification is justifiable based on the permit history and use of the site, the technical needs of the network, and on the predominantly commercial characteristics of the area.
21. The Hearing Officer finds that a six-foot tall CMU wall topped with an approximately two-foot high wrought iron fence separates the lease enclosure from the adjoining property to the east. The tower is designed to resemble a pine tree in order to help it blend in with the surrounding area.
22. The Hearing Officer finds that the existing transitional parking lot on the Project Site serving the C-RU commercial parcel to the west is allowed in the R-A zone pursuant to Sections 22.20.430 and 22.20.090 of the County Code. It satisfies the requirements for such use and was approved for transitional parking through Plot Plan 34956 in 1991.
23. The Hearing Officer finds that the Project satisfies the Conditional Use Permit Burden of Proof findings in Section 22.56.090 of the County Code.
24. The Hearing Officer finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare. The WTF is installed on a tower disguised as a pine tree. The facility is not detrimental to the surrounding area or the residents of the area. The WTF has operated for approximately 10 years, and there is no record of any zoning violations or complaints relating to the WTF. No changes are proposed to the WTF. This WTF provides a benefit to the safety of the community by providing communication service to a rural community adjacent to a market and gas station where motorists might need to make phone calls. This facility fulfills a vital need for emergency communications, benefiting public safety in the area, as well as for non-emergency personal, business, and government communications.

25. The Hearing Officer finds that the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping, and other development features as is required in order to integrate the Project into the surrounding area. The WTF is unmanned and does not generate additional traffic or require parking or loading facilities. The site contains ample room for parking for any vehicles that visit the site for occasional maintenance. The WTF only occupies a small fraction of the site, and walls are provided to provide screening and to protect the equipment.
26. The Hearing Officer finds that the Project is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate, and by other public or private facilities as are required. The WTF is located along Avenue O and has adequate access. The WTF does not impact traffic patterns or generate an increase in traffic or require public services such as water, sewer, or waste management. The facility is serviced by electrical power and is adequately served by the existing road and utility infrastructure. The WTF is not staffed and requires only infrequent maintenance visits, approximately once per month.
27. The Hearing Officer finds that it is necessary to limit the term of the grant to fifteen (15) years to assure continued compatibility between the use of the Project Site allowed by this grant and surrounding land uses.
28. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting. All neighboring property owners within 1,000 feet of the Project Site were notified by mail, including 115 different owners. Additionally, the case materials were available on Regional Planning's website and at the Lake Los Angeles Library. A total of 15 Notices of Public Hearing were mailed to those on the courtesy mailing list for the Antelope Valley East Zoned District. Notices were sent on January 21, 2016.
29. 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 North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan and Area 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 15303 of the State CEQA Guidelines (Class 1, New Existing Facilities); and
2. Approves Conditional Use Permit No. 201500121, subject to the attached conditions.

ACTION DATE: March 1, 2016

RG:RC
February 10, 2016

c: Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2015-03005-(5)
CONDITIONAL USE PERMIT NO. 201400121**

PROJECT DESCRIPTION

The project is a request to authorize the continued operation and maintenance of an existing unmanned wireless telecommunications facility ("WTF") located at 17051 East Avenue O (APN 3071-026-013). This grant is 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 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 by **June 14, 2016**, which is 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 \$1,600.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for eight (8) biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the Fire Department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works") to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent

information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

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

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **May 2, 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

19. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
20. The permittee shall provide upon request to the Zoning Enforcement Section of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
21. Insofar as is feasible, the permittee shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.
22. Any proposed WTF that will be co-locating on the facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.
23. All structures shall conform to the requirements of the Department of Public Works Division of Building and Safety or other appropriate agency.

24. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences and open space. Pole-mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
25. Placement and height of all pole pointed equipment and frond coverage shall be in substantial conformance with that shown on said Exhibit "A."
26. The maximum height of the WTF shall not exceed 78 feet above finished grade.
27. 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.
28. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles.
29. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features.
30. The 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.
31. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling, or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired by the permittee within thirty (30) days of notice. Weathered, faded, or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced by the permittee within thirty (30) days of notice.
32. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
33. 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.
34. Upon termination of this grant or after the facility has ceased to operate, the permittee shall remove such facility and clear the site of all equipment within six months of the cease-of-operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility. Failure to remove such facility as required herein shall constitute a public nuisance and be subject to appropriate enforcement actions by the Zoning Enforcement Section of Regional Planning and any other government agency. In the event the facility is not so removed within ninety (90) days after the permittee's receipt of

notice requiring removal, the County may itself cause the facility to be removed at the permittee's expense.

2/10/16



**Los Angeles County
Department of Regional Planning**

Planning for the Challenges Ahead



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 proposed project will not affect the health or safety of the surrounding community because the project does not include any alteration to existing conditions at the project site. the project will not result in an increase in noise, odor, dust, glare, or shadows because applicant does not propose any changes to existing conditions. The project presents no additional risk of fire hazard because the applicant does not intend to alter the site in any way.</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 zoning ordinance does not address WTFs, however, the proposed project complies with the subdivision and zoning ordinance policy no. 01-2010, which is reflected in the narrative document accompanying this application. none of the post-2005 updates to the adopted general plan for the area affect the existing facility's conformance with those rules. Finally, the site is surrounded by a mix of residential and nonresidential properties (such as commercial businesses and manufacturers) that the project design provides a natural aesthetics to the surrounding areas.</p>
<p>C. That the proposed site is adequately served:</p> <ol style="list-style-type: none"> 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and 2. By other public or private service facilities as are required.
<p>The proposed project will not increase the flow of traffic or impact parking because the applicant proposes no changes or alterations to the existing site. The site is visited on average once a month for maintenance. The frequency of these visits is not projected to change.</p>



Date: 9/24/15

TO: Los Angeles County Planning Commission

RE: Conditional Use Permit for site CA-40039-T Saddleback Grocery

Photo Key:



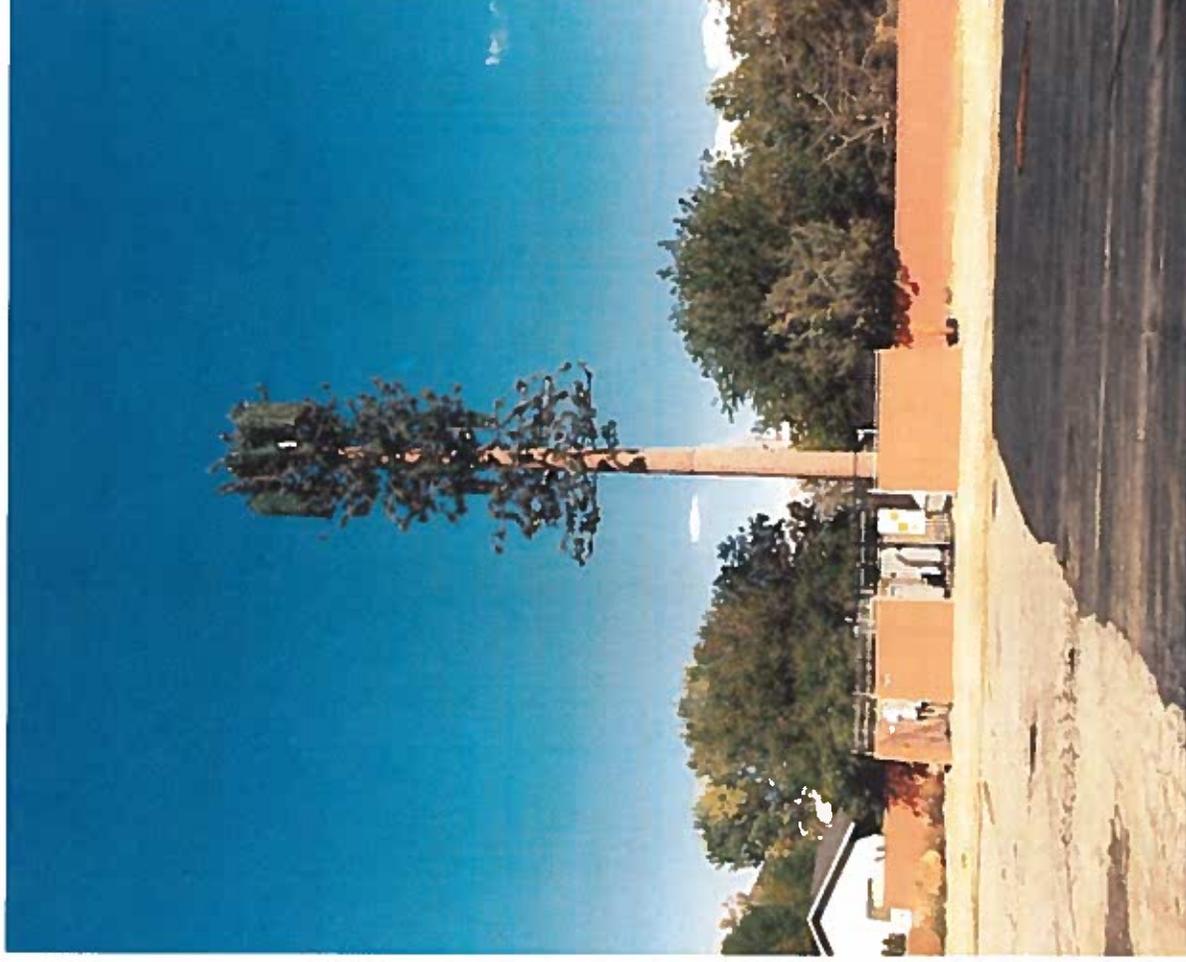


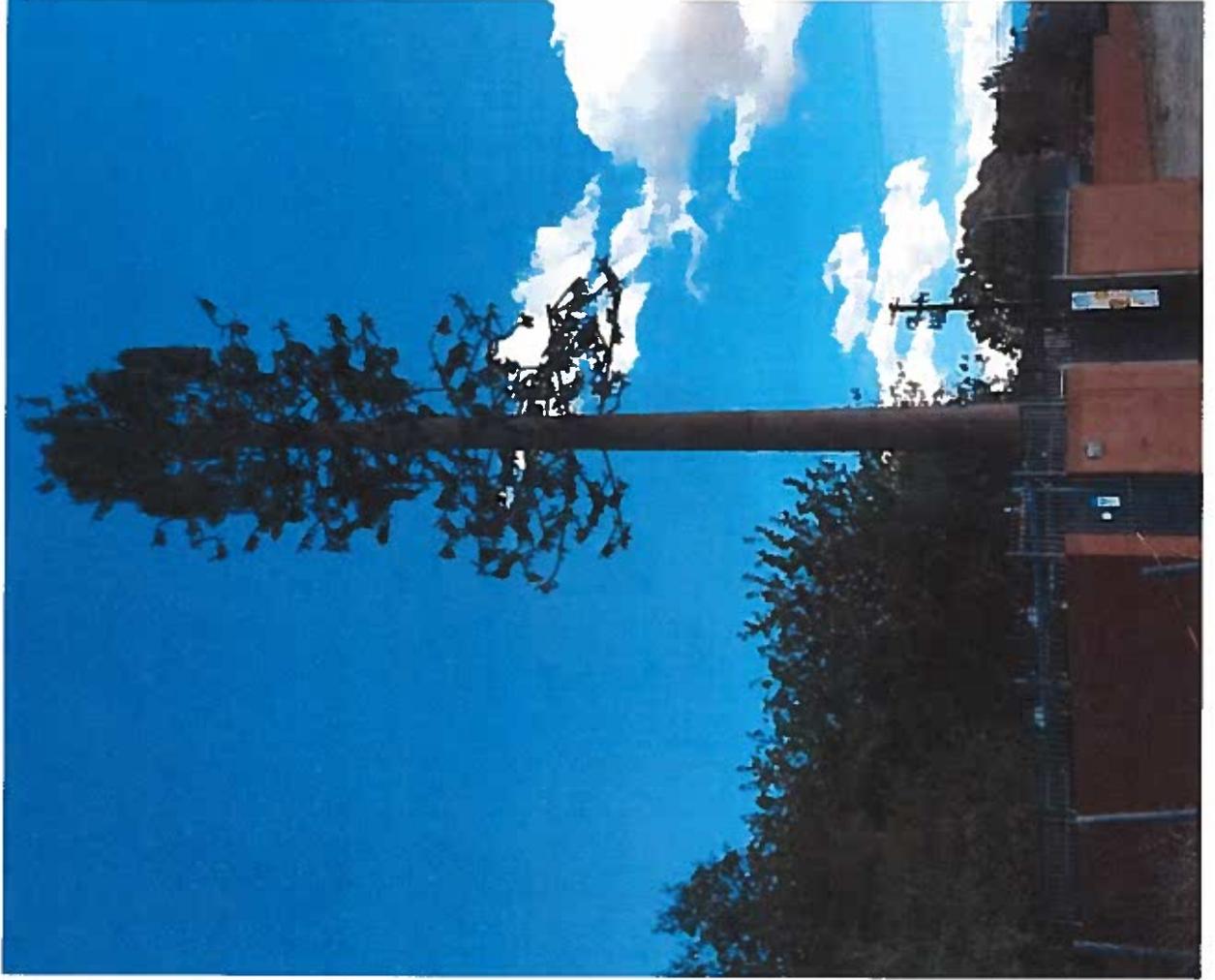
1. Photo 1: This photo was taken from East Avenue O on the side of the property facing northeast, toward the monopine.





2. Photos 2, 3, & 4: These photos were taken from within the grocery store transitional parking lot. The photos depict the enclosed 20' x 25' lease area and the lower portion of the project site.





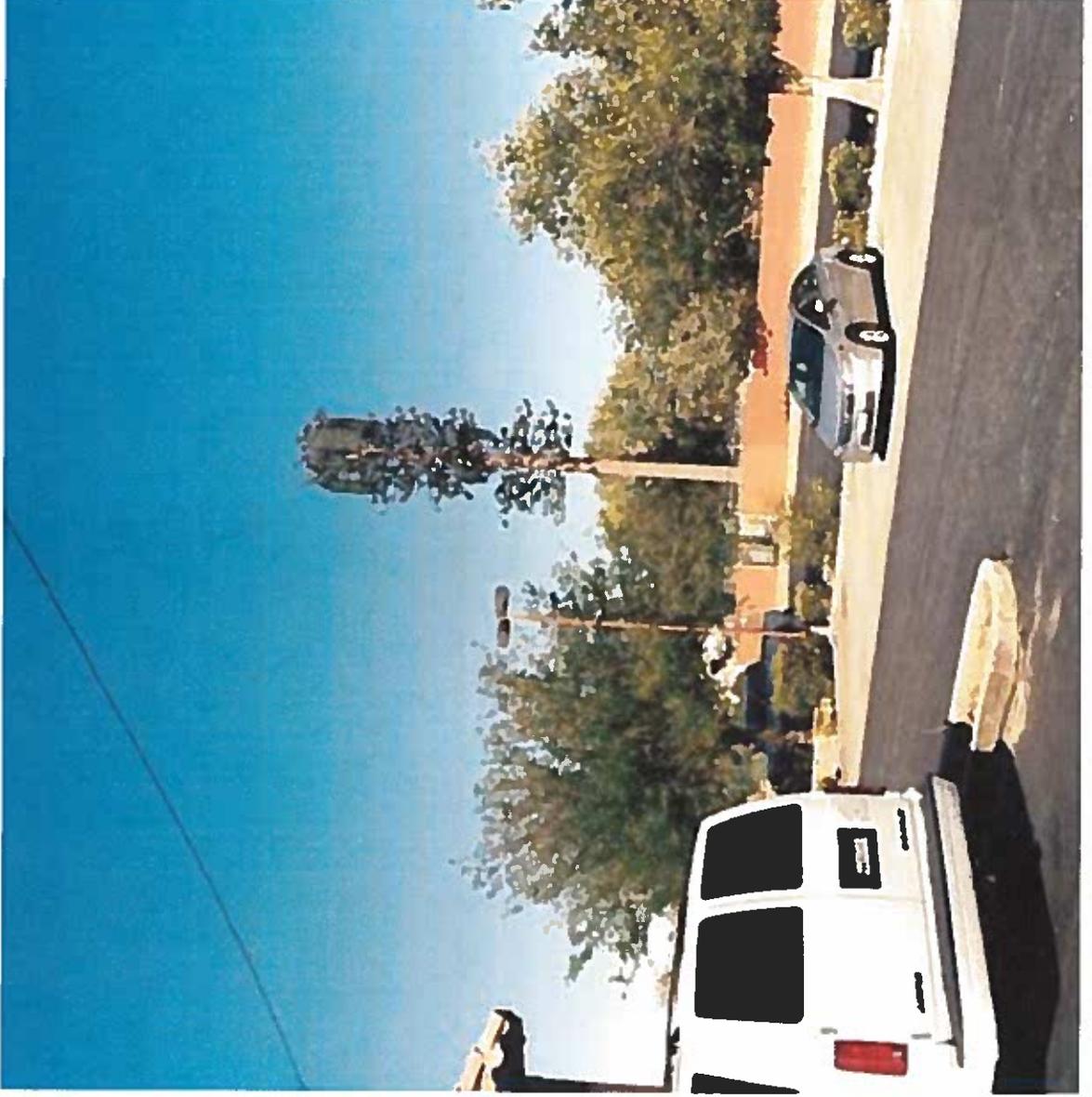




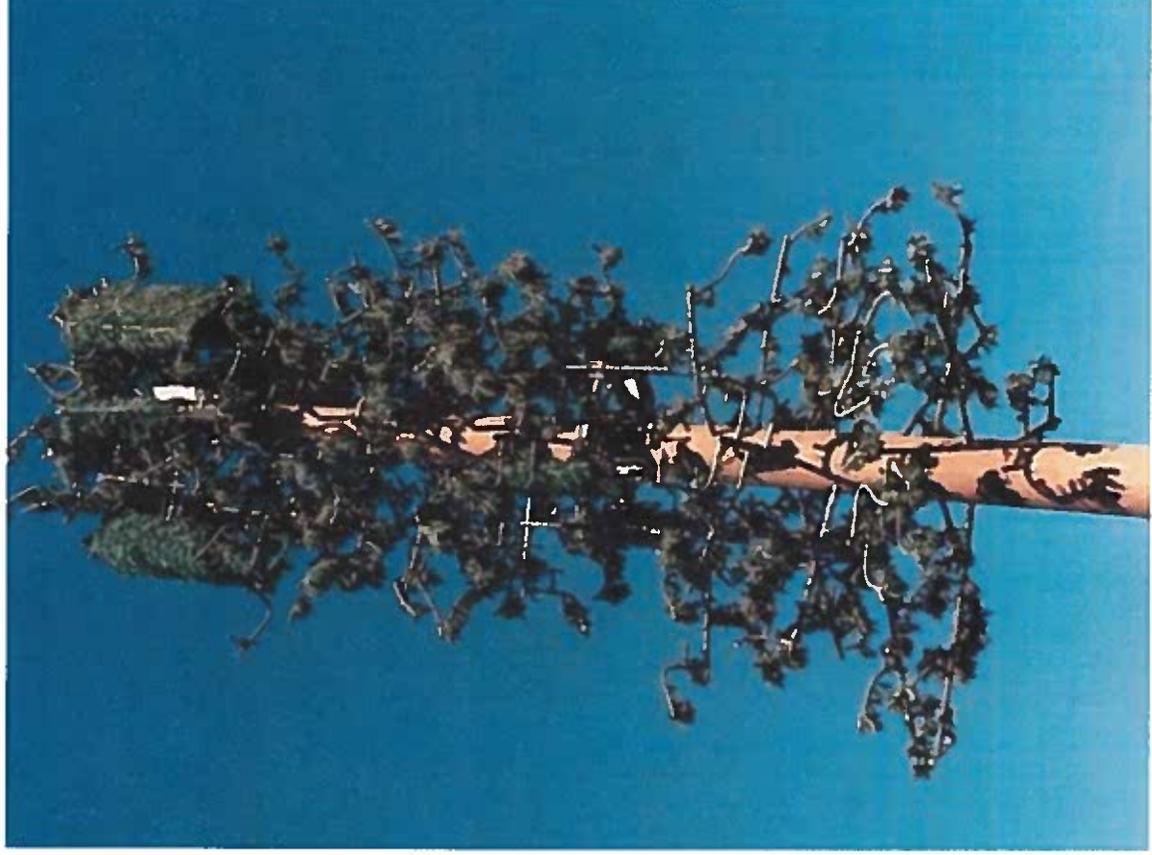
3. Photo 5: The photo was taken from within the grocery store transitional parking lot on the western end of the property. This photo shows the top of the tower and how the antennas blend in well with the monopine branches.



4. Photo 6: This photo shows the monopine standing at the grocery store.



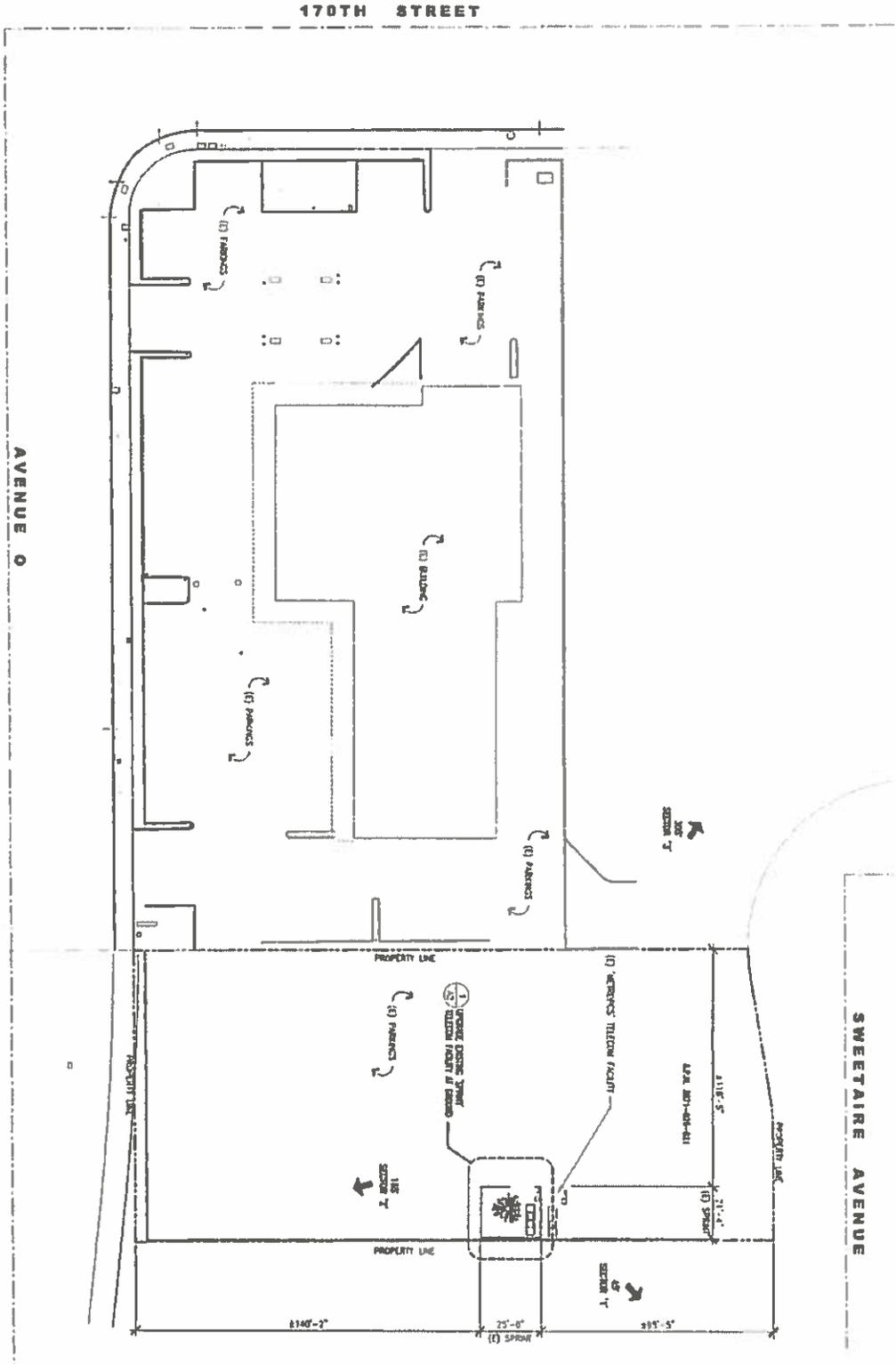
5. Photo 7: The photo was taken from within the grocery store transitional parking lot on the southern end of the property. This photo shows the top of the tower and how the antennas blend in well with the monopine branches.



6. Photos 8 & 9: These photos show the fence enclosing the lease area along with some ancillary equipment within the lease area.



SITE PLAN

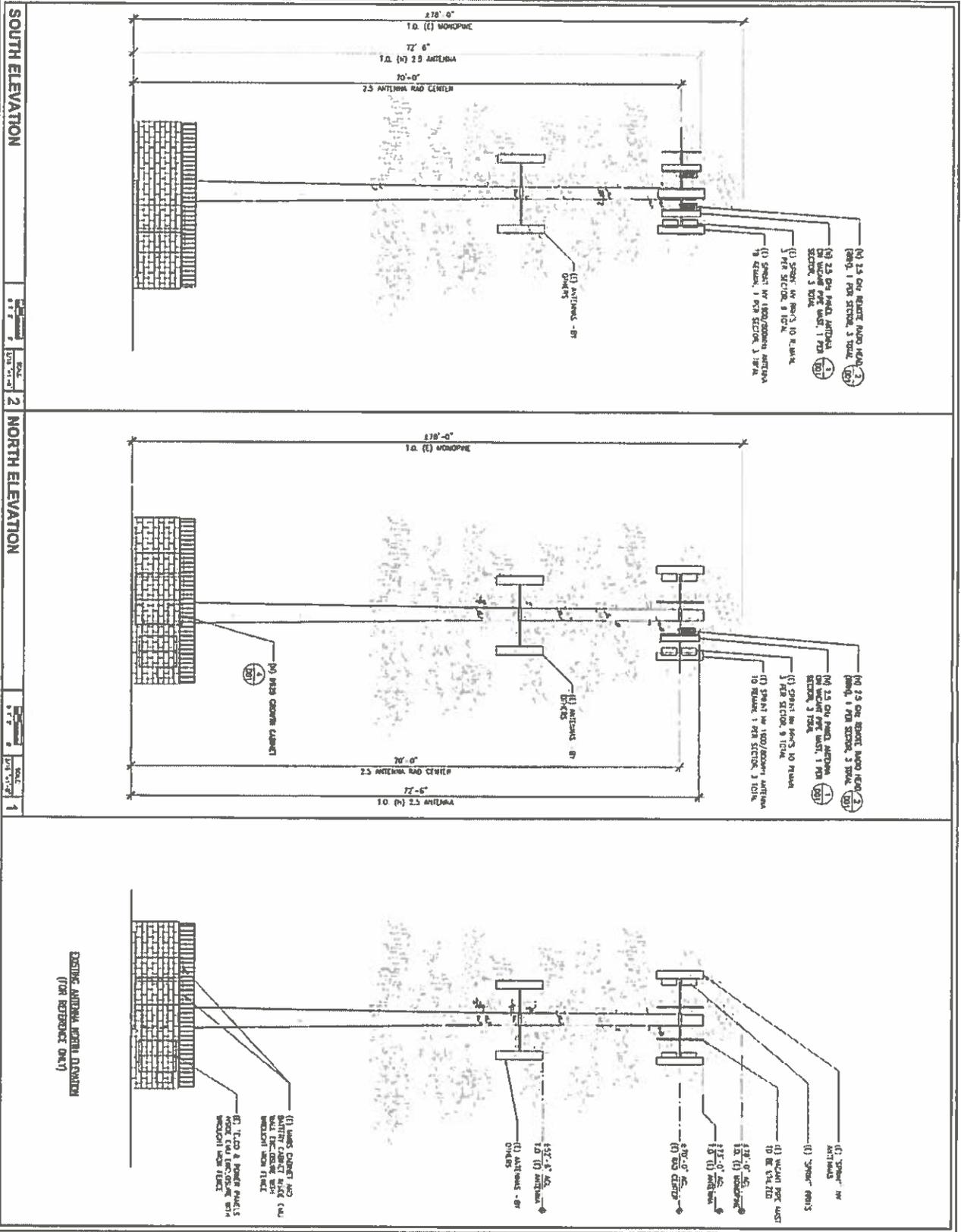


Scale: 1" = 10'-0"

North Arrow

<p>AMR 00-0-016</p> <p>Sprint</p> <p>4000 LINDSEY DRIVE PALMDALE, CA 93551</p>	<p>DCI PACIFIC</p> <p>ALBIC WORKS</p> <p>4000 LINDSEY DRIVE, PALMDALE, CA 93551</p>	<p>SBA</p> <p>U.S. DEPARTMENT OF AGRICULTURE</p> <p>Small Business Administration</p>	<p>STATE OF CALIFORNIA</p> <p>DEPARTMENT OF INDUSTRIAL RELATIONS</p>	<table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> <th>STATUS</th> </tr> <tr> <td>1</td> <td>ISSUED FOR PERMITTING</td> <td>01/15/11</td> <td>JL</td> <td>OPEN</td> </tr> <tr> <td>2</td> <td>REVISION</td> <td>01/15/11</td> <td>JL</td> <td>CLOSED</td> </tr> <tr> <td>3</td> <td>REVISION</td> <td>01/15/11</td> <td>JL</td> <td>CLOSED</td> </tr> <tr> <td>4</td> <td>REVISION</td> <td>01/15/11</td> <td>JL</td> <td>CLOSED</td> </tr> <tr> <td>5</td> <td>REVISION</td> <td>01/15/11</td> <td>JL</td> <td>CLOSED</td> </tr> </table>	NO.	DESCRIPTION	DATE	BY	STATUS	1	ISSUED FOR PERMITTING	01/15/11	JL	OPEN	2	REVISION	01/15/11	JL	CLOSED	3	REVISION	01/15/11	JL	CLOSED	4	REVISION	01/15/11	JL	CLOSED	5	REVISION	01/15/11	JL	CLOSED	<p>SADDLEBACK GROCERY</p> <p>PERmit NUMBER: LAY000530</p>	<p>PERmit ADDRESS: 17051 EAST AVENUE O, PALMDALE, CA 93591</p>	<p>PERmit DESCRIPTION: SITE PLAN</p> <p>A1</p>
NO.	DESCRIPTION	DATE	BY	STATUS																																	
1	ISSUED FOR PERMITTING	01/15/11	JL	OPEN																																	
2	REVISION	01/15/11	JL	CLOSED																																	
3	REVISION	01/15/11	JL	CLOSED																																	
4	REVISION	01/15/11	JL	CLOSED																																	
5	REVISION	01/15/11	JL	CLOSED																																	

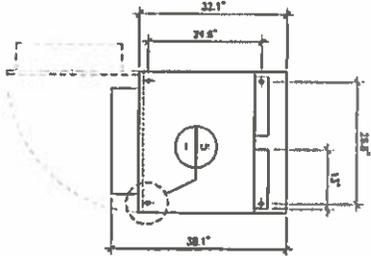
2.5GHZ ±78'-0" MONOPINE



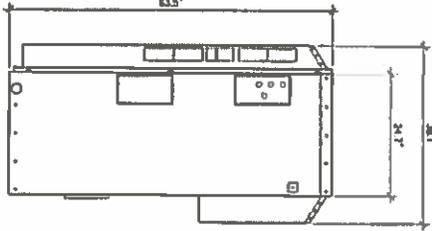
<p>Sprint 400 CONVENT, 1000 200 PALMDALE, CA 93551 Phone: (909) 871-1414</p>	<p>DCI PACIFIC AIEIC SPORTS</p> <p>ADDRESS: 11111 S. PALMDALE BLVD., PALMDALE, CA 93551 PHONE: (909) 871-1414</p>	<p>SBA SBA CONNECTIONS CORPORATION 11111 S. PALMDALE BLVD., PALMDALE, CA 93551 PHONE: (909) 871-1414</p>	<p>CITY OF PALMDALE 11111 S. PALMDALE BLVD., PALMDALE, CA 93551 PHONE: (909) 871-1414</p>	<table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> <th>LD</th> </tr> </thead> <tbody> <tr> <td>001</td> <td>REVISED</td> <td>01/11/11</td> <td>283</td> <td>0</td> </tr> <tr> <td>002</td> <td>ISSUE FOR PERMIT</td> <td>02/27/11</td> <td>001</td> <td>1</td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE	BY	LD	001	REVISED	01/11/11	283	0	002	ISSUE FOR PERMIT	02/27/11	001	1	<p>PER OWNER LA70XC530</p> <p>PER CLIENT SADDLEBACK GROCERY</p>	<p>PER ADDRESS 17051 EAST AVENUE 0 PALMDALE, CA 93591</p>	<p>PER ELEVATION ELEVATIONS</p>	<p>PER SHEET A3</p>
NO.	DESCRIPTION	DATE	BY	LD																			
001	REVISED	01/11/11	283	0																			
002	ISSUE FOR PERMIT	02/27/11	001	1																			

ALU 25 GROWTH CABINET

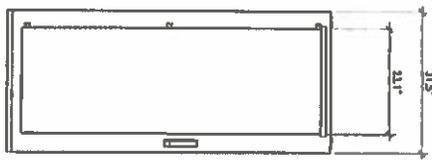
PLAN VIEW



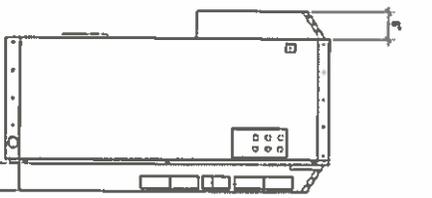
RIGHT SIDE VIEW



FRONT VIEW

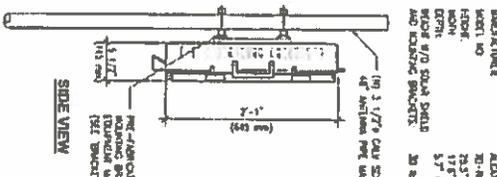


LEFT SIDE VIEW



ALU 25 REMOTE RADIO HEAD (RRH)

FRONT VIEW



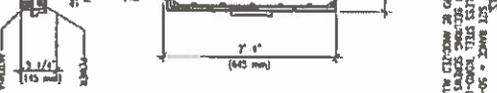
RIGHT SIDE VIEW



LEFT SIDE VIEW



FRONT VIEW



25 ANTENNA

FRONT VIEW



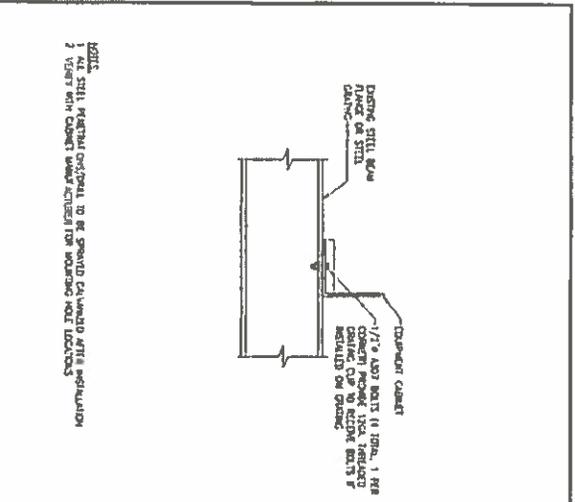
RIGHT SIDE VIEW



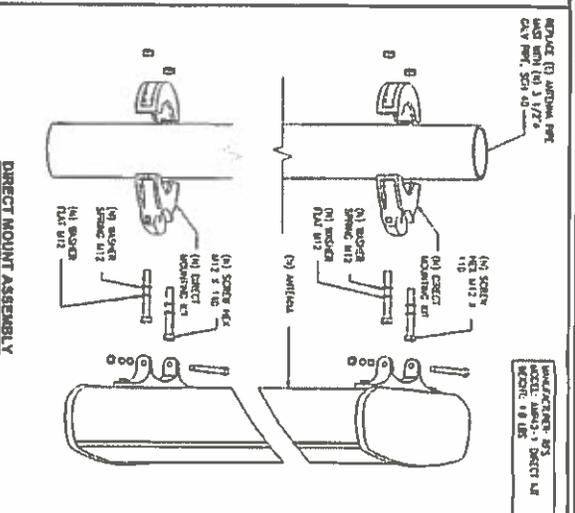
LEFT SIDE VIEW



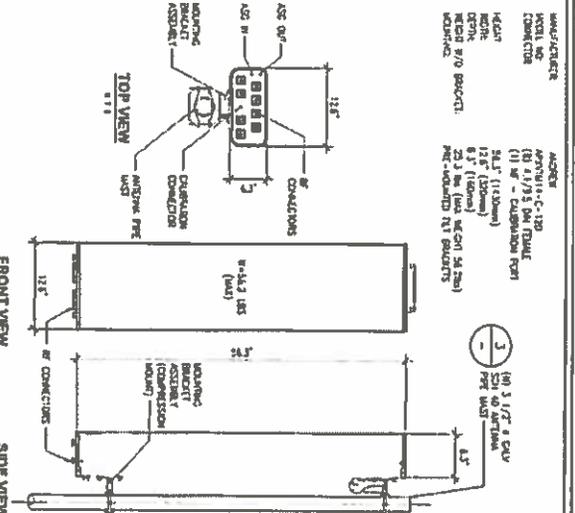
CABINET ANCHOR DETAIL



TYPICAL ANTENNA MOUNT ON PIPE MAST



25 ANTENNA



<p>Sprint 4G LTE 100% Coverage</p>	<p>DCI PACIFIC AIEIC WORKS</p>	<p>SBA U.S. SMALL BUSINESS ADMINISTRATION</p>			<p>SADDLEBACK GROCERY</p>	<p>LOT0XC530</p>	<p>17051 EAST AVENUE D PALMDALE, CA 93591</p>	<p>EQUIPMENT DETAILS</p>	<p>D1</p>
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