

Hearing Officer Transmittal Checklist

Hearing Date
07/19/2016
Agenda Item No.
8

Plan Number: RPPL 2016000544
Case(s): Conditional Use Permit
Planner: Jolee Hui

- 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

Reviewed By: Michele R. Bush for: Maria Masis



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

PLAN NUMBER
 RPPL2016000544

HEARING DATE
 July 19, 2016

REQUESTED ENTITLEMENTS
 Conditional Use Permit No. RPPL2016000544

PROJECT SUMMARY

OWNER / APPLICANT

Francisco Gonzales /Crown Castle/ T-Mobile

MAP/EXHIBIT DATE

11/11/15

PROJECT OVERVIEW

The applicant, Crown Castle, is requesting a Conditional Use Permit (CUP) for the continued operation and maintenance of an existing unmanned wireless telecommunication facility (WTF). The existing WTF consists of T-Mobile panel and microwave antennas mounted on a 60-foot monopole and equipment cabinets at the ground level. The WTF was originally authorized by CUP No. 95-146-(1) in 1996.

LOCATION

4425 E. Olympic Boulevard

ACCESS

via S. Marianna Avenue

ASSESSORS PARCEL NUMBER(S)

5236-009-029

SITE AREA

0.6 acre

GENERAL PLAN / LOCAL PLAN

East Los Angeles Community Plan

ZONED DISTRICT

Eastside Unit No.1

LAND USE DESIGNATION

MD-Medium Density Residential (30 du/ac)

ZONE

R-3-()U (Limited Density Multiple Residence)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

East Los Angeles CSD

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Sections of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.20.300 to 22.20.330 (Development Standards of the R-3 Zone)
 - 22.44.118 (East Los Angeles CSD requirements)

CASE PLANNER:

Jolee Hui

PHONE NUMBER:

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E-MAIL ADDRESS:

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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) for the continued operation and maintenance of an existing unmanned wireless telecommunications facility (WTF) in the R-3 (Limited Density Multiple Residence) Zone pursuant to Section 22.20.290 of the Los Angeles County Code.

PROJECT DESCRIPTION

The applicant, Crown Castle, is requesting a CUP for the continued operation and maintenance of an existing WTF ("Project") located at 4425 E. Olympic Blvd. in the unincorporated community of East Los Angeles. Specifically, the existing WTF is located within the north parking lot adjacent to the north property line ("Project Site"). The existing WTF was first established by CUP No. 95-146-(1) in 1996. It currently consists of six panel antennas (total of three sectors), and one microwave dish antenna mounted on a 60-foot high monopole. Two equipment cabinets are mounted to a concrete pad. The following upgrades to the existing WTF are proposed as part of this CUP request:

- Remove three quad panel antennas (one per sector) and replace with new three eight-foot quad panel antennas (one per sector).
- Remove three existing twin AWS tower mounted amplifiers (TMAs) and replace with new style 3C TMAs mounted on existing pipe.
- Install three new remote radio units (RRUs) on a new H-Frame at ground level.
- Install three new 700/AWS/PCS diplexers mounted below new RRUs on new H-frame.
- Upgrade power in cabinet.
- Remove and replace existing DUL20 with DUS41 inside existing equipment cabinet.

EXISTING ZONING

The northern portion of the subject property is zoned R-3 (Limited Density Multiple Residence) and the southern portion is zoned C-M (Commercial Manufacturing). The Project Site is located in the northern portion of the subject property, which is zoned R-3. Surrounding properties within a 500-foot radius of the subject property are zoned as follows:

North: R-3; O-S (Open Space)

South: C-M

East: R-3; C-M

West: R-3; C-M

EXISTING LAND USES

The subject property is developed with a one-story commercial building, and two surface parking lots (i.e., bus parking to the south and automobile parking to the north of the building). The subject property is occupied by a bus service business (El Paso-Los

Angeles Limousine Express, Inc.) established in 1966. The existing WTF is located within the surface parking lot north of the commercial building. Surrounding properties within a 500-foot radius of the subject property are developed as follows:

- North: Single-family residential; cemetery
South: Commercial
East: Commercial; single-family residential
West: Commercial; single-family residential.

PREVIOUS CASES/ZONING HISTORY

The zoning history of the subject property is as follows:

- Ordinance No. 1690, adopted by the Board of Supervisors on June 24, 1929, established a large portion of the subject property in the R4 (Unlimited Residential) Zone and a small southern portion in the M1 (Factory) Zone.
- Ordinance No. 880153, adopted on September 13, 1988, established the northern portion of the property in the R-3 Zone and the southern portion in the C-M Zone.

The following cases are associated with the subject property:

- Conditional Use Permit No. 95-146-(1) authorized Pacific Bell Mobile Services to construct, operate, and maintain an unmanned WTF, including an 60-foot high monopole, equipment cabinets, and other appurtenant facilities. This grant was approved on March 26, 1996 and terminated on January 30, 2006.
 - Revised Exhibit "A" was approved on January 27, 2000 to modify the Exhibit "A" of CUP No. 95-146-(1). Modification included the installation of a 24" diameter microwave dish. No entitlement record exists after 2000.
- Enforcement Case No. 122185 was opened on October 10, 2012 after an inspection was conducted on the property that found banners to be displayed in violation of County Code Section 22.52.800 and 22.52.900.F. This case closed on October 15, 2012 and is unrelated to the WTF operation at the subject property. There is no active enforcement case associated with the subject property at this time.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff determines that the Project is eligible for Categorical Exemption (Class 1 Exemption — Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Project is exempt because it is a continuation of an existing use and no exceptions to the categorical exemption apply to the Project per Section 15300.2 of the California

Code of Regulations. The Project Site is not located within or in close proximity to an environmentally sensitive area, a historical resource, a hazardous waste site, or a scenic highway. No significant effect due to "unusual circumstances" and no cumulative impact are anticipated. Therefore, County Staff recommends that the Hearing Officer determine that the Project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The northern portion of the subject property is designated within the MD-Medium Density Residential and the southern portion is designated within the CM-Commercial Manufacturing land use categories of the East Los Angeles Community Plan. The existing WTF is sited within the MD-Medium Density Residential land use category. This land use category is intended for apartments and other multi-family housing, generally not exceeding three stories in height. The maximum density is 30 dwelling units per acre. Local infrastructure is also allowed within this land use category to support the surrounding developments.

The continued operation and maintenance of the existing WTF is consistent with the East Los Angeles Community land use designation. It provides the necessary supportive communication facilities and public safety networks to the immediate commercial area as well as the surrounding residential community.

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

- *Policy PS/F 1.4: "Ensure the adequate maintenance of infrastructure."*
- *Policy PS/F 6.2: "Improve existing wired and wireless telecommunication infrastructure."*

The existing WTF is a part of an overall communication infrastructure that serves the existing local urban development. The WTF's continued operation would maintain this balance between the demand of existing development for communication facilities and the capacity of the communication facilities. Furthermore, the existing WTF has been periodically maintained and upgraded to provide communication services for nearly two decades.

- *Policy S 4.1: "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."*

Cellular service is often used to make emergency calls and the ability to make emergency calls is important in any environment. The wireless coverage will be beneficial for the public and emergency personnel. The existing WTF would continue to provide such a service and help to ensure it is readily available under an emergency situation.

Zoning Ordinance and Development Standards Compliance

Title 22 of the County Code (Zoning Ordinance) does not explicitly specify WTF as a use. The use most closely matching a WTF is "radio or television stations and/or

towers.” According to Section 22.20.290 of the County Code, radio and television stations and towers are uses subject to conditional use permits in the R-3 Zone. Until the County adopts a wireless telecommunication facility provisions to the existing Zoning Ordinance, the County requires a CUP for such a use.

The Subdivision and Zoning Ordinance Policy Memo No. 01-2010 (dated July 26, 2010) establishes the County's policies and guidelines regarding the siting, maintenance, and visual screening of WTFs. In accordance with the policies set in this memo, the WTF is located in the rear of a commercial property. The two palm trees located immediately adjacent to the monopole and the on-site commercial building provide visual screening to the WTF. The WTF is setback from the property line to the maximum extent possible to minimize its visual presence from the public rights-of-way (i.e., Olympic Boulevard and Marianna Avenue).

This policy memo also requires that if wireless facilities are located within a CSD, the height shall not exceed the applicable height limit for the CSD, and any CSD area height standards that apply to the subject property. However, the East Los Angeles CSD does not have a height limit applicable to the existing WTF. The maximum height permitted by the policy memo is 75 feet. The height of the existing WTF does not exceed 60 feet.

Because the WTF is a use not explicitly specified in the County Code and has no specified parking requirements, Section 22.52.1220 allows the director to impose the amount of parking spaces deemed adequate to prevent traffic congestion and excessive on-street parking. One non-exclusive space is deemed adequate for the existing WTF because it is unmanned and only requires periodic maintenance visits. A surface parking lot is located on-site and is available to accommodate the parking need associated with the Project.

Site Visit

A site visit was conducted on June 22, 2016 by County Staff. The Project was found to be consistent with the site plan. Staff took photographs of the Project.

Neighborhood Impact/Land Use Compatibility

The existing WTF has operated at the subject property for the past 20 years without any violation related to the operation of the WTF. The WTF is setback approximately 170 feet from Olympic Boulevard and approximately 80 feet from Marianna Avenue. A mix of businesses such as auto repair shops, retail stores, warehouses, and residences exist within the project vicinity. The presence of wood utility poles and transmission lines in the surrounding area helps blend the WTF into the background. The two palm trees planted immediately north of the monopole provide screening for the adjacent residences to the north. The surrounding buildings, surface parking lots, and the setbacks from the public rights-of-way further reduce the visibility of the monopole. Although the antenna replacements and minor equipment upgrades are proposed for the existing WTF, these upgrades are not anticipated to substantially alter the appearance of the existing WTF. There is no increase in the number of panel antennas

or TMAs mounted on the monopole. For these reasons, the Project will not be aesthetically detrimental to the surrounding neighborhood.

The WTF is also required to operate within the safety standards of the Federal Communications Commission (FCC), and any sounds generated by the Project are subject to the County noise control regulations. Because the WTF is unmanned, the flow of traffic and parking would not be impacted. Periodic maintenance visits are anticipated and the frequency of these visits is not projected to change. The maintenance technician can access the Project Site via Marianna Avenue which is sufficient width to accommodate occasional maintenance trips. Ample surface parking is available on-site and the maintenance technician can access the WTF directly from the on-site surface parking lot.

Therefore, the continued operation of an existing WTF is unlikely to adversely affect the health, peace, comfort or welfare of the surrounding community, be detrimental to the surrounding properties, or create a hazard to public health, safety, or general welfare.

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.

Alternative Site Analysis

The Project has operated at the existing location for nearly 20 years without violating its previous CUP grant conditions. Relocating the Project to a new site would be unnecessary because the Project is consistent with the County's policy.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The Project has no proposed changes. Review by other County Department is not necessary.

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 Department of Regional Planning 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 Conditional Use Permit Number RPPL2016000544-(1), subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

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

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NUMBER RPPL2016000544-(1) SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Jolee Hui, Regional Planning Assistant II, Zoning Permits East Section
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings
Draft Conditions of Approval
Applicant's Burden of Proof statement
Site Photographs, Aerial Image
Site Plan, Land Use Map, Zoning Map

MM:JH
07/19/2016

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
CONDITIONAL USE PERMIT NO. RPPL2016000544-(1)**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing on July 19, 2016 in the matter of Conditional Use Permit No. RPPL2016000544-(1).
2. The applicant, Crown Castle ("permittee"), is requesting a Conditional Use Permit ("CUP") to authorize the continued operation and maintenance of an existing unmanned wireless telecommunications facility ("WTF") located within the parking lot of a commercial property at 4425 E. Olympic Blvd. ("subject property") in the R-3 (Limited Density Multiple Residence) Zone pursuant to Los Angeles County Code ("County Code") Section 22.20.290.
3. The subject property is 0.6 gross acre (26,429 square feet) in size, and is one parcel (APN: 5236-009-029) consisting of five contiguous lots (Lot 87 to 91). The parcel is rectangular with generally flat topography. The existing WTF is located in Lot 87 immediately adjacent to the north property line ("Project Site").
4. The Project Site is located in the Eastside Unit No.1 Zoned District and in the East Los Angeles Community Standard District (CSD).
5. The Project Site is located within the MD-Medium Density Residential land use category of the East Los Angeles Community Plan.
6. Surrounding properties within a 500-foot radius of the subject property are zoned as follows:
 - North: R-3; O-S (Open Space)
 - South: C-M (Commercial Manufacturing)
 - East: R-3; C-M
 - West: R-3; C-M
7. Surrounding existing land uses within a 500-foot radius of the subject property include:
 - North: Single-family residential; cemetery
 - South: Commercial
 - East: Commercial; single-family residential
 - West: Commercial; single-family residential

8. Primary access is provided through a driveway on Marianna Avenue. A non-exclusive parking space is available for vehicle use during routine maintenance visits.
9. The subject property is developed with a one-story commercial building in the center of the property, and two surface parking lots directly north and south of the building. The existing WTF is located within the north parking lot.
10. The site plan depicts the existing WTF ("Project") consisting of six panel antennas (two per sector, three sectors total) and one microwave dish mounted at the top of a 60-foot high monopole. Two equipment cabinets are mounted on a concrete pad at the ground level and stand behind a metal fence. The following proposed upgrades are also shown: 1) remove three panel antennas and replace with new three eight-foot quad panel antennas (one per sector); 2) remove three existing tower mounted amplifiers (TMAs) and replace with new style 3C TMAs mounted on existing pipe; 3) install three new remote radio units (RRUs) on a new H-Frame at ground level; 4) install three new 700/AWS/PCS diplexers mounted below new RRUs on new H-frame; 5) upgrade power in cabinet; 6) remove and replace existing DUL20 with DUS41 inside existing equipment cabinet.
11. The WTF was originally established by CUP No. 95-146-(1) on March 26, 1996 and the grant expired on January 30, 2006.
12. There is no history of violations associated with the previous CUP No. 95-146-(1) grant conditions.
13. The nearest residence is approximately 20 feet north of the existing WTF.
14. As the Project is an existing facility with no significant changes proposed, consultation with other County departments are not required.
15. The WTF is required to provide written verification that the proposed facility's radiofrequency radiation and electromagnetic field emissions will fall within the adopted Federal Communications Commission (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 CUP.
16. The WTF will operate in compliance with all applicable local, state, and federal regulations. The radio frequency exposure generated by the facility shall comply with standards adopted by FCC.
17. Prior to the Hearing Officer's public hearing on the Project, Department of Regional Planning ("Regional Planning") staff determined that the Project qualified for a Categorical Exemption, under the Class 1 — Existing Facilities, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) ("CEQA"), the CEQA Statute and Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project

is the continued operation and maintenance of an existing wireless facility, with negligible or no expansion of use beyond that which was previously existing.

18. 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.
19. Prior to the Hearing Officer's public hearing, the Regional Planning staff received no public comment related to the Project.
20. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*
21. A duly noticed public hearing was held on July 19, 2016 before the Hearing Officer.
22. The Hearing Officer finds that the Project is consistent with the goals and policies of the East Los Angeles Community Plan and the General Plan 2035. The Project Site is designated within the MD-Medium Density Residential land use category of the East Los Angeles Community Plan. This land use category is intended for apartments and other multi-family housing, generally not exceeding three stories in height. Local infrastructure is also allowed within this land use category to support the surrounding developments. The continued operation and maintenance of the existing WTF-provides the necessary supportive communication facilities and public safety networks to the immediate commercial area as well as the surrounding residential community. It is a part of an overall communication infrastructure that serves the existing local urban development. The Project is therefore consistent with the permitted uses of the underlying land use category.
23. The Hearing Officer finds that the Project is aesthetically consistent with the surrounding area. The WTF is setback approximately 170 feet from Olympic Boulevard and approximately 80 feet from Marianna Avenue. The presence of wood utility poles and transmission lines in surrounding area helps blend the WTF into the background. The two palm trees planted immediately north of the monopole provide screening for the adjacent residences to the north. The surrounding buildings, surface parking lots, and the setbacks from the public rights-of-way further reduce the visibility of the monopole. The WTF has been in operation since 1996 and will not be visually detrimental to the surrounding neighborhood.
24. The Hearing Officer finds that the continued operation and maintenance of the existing 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. The ability to make emergency calls is important in any environment. The coverage provided by the existing WTF is beneficial for the public and emergency personnel.
25. The Hearing Officer finds that the Project is consistent with the development standards of the R-3 Zone and the East Los Angeles CSD. As set forth in Section

22.20.290 of the County Code, development of radio and television stations and towers is a permitted use in the R-3 Zone provided that a CUP is first obtained. Furthermore, the project complies with applicable development standards of Subdivision & Zoning Policy No. 01-2010 (Wireless Telecommunications Facilities) for ground-mounted WTFs not located on a public right-of-way by not exceeding the maximum permitted height of 75 feet. The existing WTF does not exceed 60 feet in height. The WTF is also partially screened by adjacent palm trees, buildings, and is setback from the rights-of-way to the maximum extent possible to minimize its visual presence from the public rights-of-way.

26. The Hearing Officer finds that the requested use at the location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The 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 a substantial increase in noise, odor, dust, glare, or shadows. The Project presents no additional risk of fire hazard since the proposed upgrades are not substantial.
27. The Hearing Officer finds that the Project Site is adequate in size and shape to accommodate all project components. The Project is an existing use and will not affect yards, walls, fences, parking, and loading facilities, landscaping, or other development features in the community since the proposed upgrades will be contained within the lease area and does not require the expansion of the Project Site.
28. The Hearing Officer finds that the Project is adequately served by improved local roads and highways to carry the kind and quantity of traffic such use would generate and by other public or private service facilities as are required. The existing WTF is unmanned. The site is visited on average once a month for maintenance. The frequency of these visits is not projected to change. The Project will not increase the flow of traffic or impact parking. There is non-exclusive parking in the vicinity to accommodate the monthly maintenance vehicle.
29. The Hearing Officer finds that it is necessary to limit the term of the grant to fifteen (15) years to assure the continued compatibility between the use of the Project Site allowed by this grant and surrounding land uses.
30. 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 the El Camino Real Library located in the vicinity of the subject property. On June 14, 2016, a total of 75 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 Eastside Unit No.1 Zoned District, and to any additional interested parties.

31. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

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

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Statute and Guidelines (Class 1 — Existing Facilities categorical exemption); and
- 2. Approves Conditional Use Permit No. RPPL2016000544-(1), subject to the attached conditions.

ACTION DATE: July 19, 2016

MM:JH
July 19, 2016

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
CONDITIONAL USE PERMIT NO. RPPL2016000544-(1)**

PROJECT DESCRIPTION

The grant authorizes the continued operation and maintenance of an existing unmanned wireless telecommunications facility consisting of a 60-foot high monopole and appurtenant equipment located at 4425 E. Olympic Blvd. in the unincorporated community of East Los Angeles. 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 Conditions No. 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 10 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 July 19, 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 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 **\$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 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 Project Site in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal

decorations or signage provided under the auspices of a civic or non-profit organization.

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

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **September 19, 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 TELECOMMUNICATION FACILITY)

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 wireless telecommunication facilities are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said wireless telecommunication facilities.
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 wireless telecommunication facilities 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 agencies.
24. All existing external lighting shall remain appropriately screened and in good repair. If any new 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 for the wireless telecommunications facility is prohibited on the leasehold. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the Federal Aviation Administration.
25. The subject property is adjacent to single-family residences; therefore maintenance of the facility shall be limited to the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday. Emergency repairs of the facility may occur at any time.
26. Placement and height of all antennas and equipment shall be in substantial conformance with that shown on said Exhibit "A". The facility shall remain essentially as depicted in the photo simulations presented at the public hearing.
27. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways.
28. The maximum height of the facility shall not exceed 60 feet above finished grade, as shown on the Exhibit A.
29. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
30. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.
31. Appurtenant equipment boxes shall be screened or camouflaged.
32. The facility shall be secured by fencing, gates and/or locks. All new or replacement 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.
33. 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.

34. 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.
35. 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.
36. 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.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

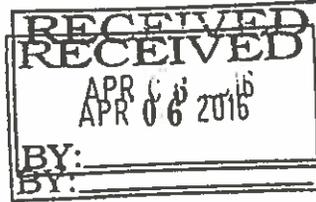


CONDITIONAL USE PERMIT BURDEN OF PROOF

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>Crown Castle is applying to renew the Conditional Use Permit for an existing wireless facility. Renewing the CUP will not adversely affect people or property in the surrounding area. The site is already existing and has not negatively impacted neighbors. The site operates well within FCC guidelines and does not generate hazardous materials, waste, odor, light or glare.</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 existing site is adequate in size and shape to accommodate all of the development features prescribed in Title 22. The existing use does not impact any required yard or setbacks, parking or loading facilities, fencing or landscaping. The facility is existing. The proposed modification includes the removal and replacement of an existing panel antennas with (3) 8 foot antennas (1 per sector). The antennas proposed antennas will not increase the height of the existing facility. The existing site is located in a commercial area in the parking lot.</p>
<p>C. That the proposed site is adequately served:</p> <ol style="list-style-type: none"> 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and 2. By other public or private service facilities as are required.
<p>The existing use is an unmanned wireless telecommunications facility. No additional traffic has been generated by this site due to its montly maintenance visit, nor has it caused any circulation impacts to the surrounding community. The existing wireless facility is adequately served by Olympic Blvd and Marianna Ave.</p>



Setting the new standard
Core Development Services
2749 Saturn Street
Brea, CA 92821
Main: (714)729-8404
Fax: (714)333-4441
web: www.core.us.com

Project Justification

Crown Castel Site: "Wood Avenue"

Address: 4425 East Olympic Blvd, Los Angeles CA 90023

APN: 5236-009-029

Project Representative

Sonal Thakur, Zoning Manager

Core Development Services

2749 Saturn Street

Brea, CA 92821

714-328-4349

sthakur@core.us.com

Dear Jolee,

As we discussed, Crown Castle is proposing to renew the CUP associated with the existing monopole, at the address above. Additionally, T-Mobile, the carrier that is located on the monopole, is proposing to remove and replace three panel antennas, remove and replace three TMAs, and install three RRUs on H-frames within the equipment area.

You inquired if Crown Castle would consider providing more camouflage to the existing wireless telecommunication facility now that the facility is up for renewal, in light of the fact that the facility was constructed before the implementation of the County Policy No. 01-2010. While the County Policy requires that all wireless facilities use camouflage techniques to minimize visual impacts and provide more screening, Crown Castle believes that this needs to be considered on a case by case basis. Sometimes what is deemed as a "stealth facility" is actually more noticeable in certain neighborhoods, and can actually be more of an eye sore over time, than continuing to utilize the facility as it currently operates.

The context of the area surrounding the subject parcel is a mix of residential, industrial auto body repair shops, wholesale warehouses. Crown Castle feels that the existing monopole design is the most appropriate for the property, more so than a stealth monotree would be. There are several wood pole power lines along the sidewalk/street, so the existing monopole design is consistent with the surrounding area, like a utility pole. The monopole design has existed in the neighborhood and property for many years, so the introduction of another stealth design such as a monotree would actually be more obtrusive, as there is no context for the trees.

Photosim views of a monopine and monopalm have been provided. The monopine would not make sense on this property, because there are no other live pines as landscape in the area to provide a context. A single 60' tall monopine in the middle of a property that is used for tourist autobuses and



limousines does not make sense. A monopine facility would actually stand out in the neighborhood more than the proposed monopole design. Additionally, monopine faux branches can fade and fall over time, so the facility may end up looking worse than a monopole does. A monopole is like any other utility pole, but stealth trees sometimes become problematic in the future with exposure to weather. Also, with modifications of larger antennas, the antennas will be more difficult to stealth and continue looking like a monopine.

Also, while the monopalm view in the photosim appears to look nice, and there are live palm trees in the surrounding area and vicinity, the appearance of the live palms and the monopalm are different from one another. Monopalm is historically problematic because they do not effectively screen additional antennas and equipment. Also, with modifications to the antennas, TMAs, and RRUs that will happen with new technology, the monopalm design will not screen the antennas well. The pods and faux dead fronds also will not effectively screen the antennas and equipment. Over time, the facility will look worse than if it was kept as a monopole.

Additionally, the diameter of the poles or trunks for the monopalm and monopine would need to be larger in order to handle the weight from the branches and faux fronds/foliage used for screening. The pole would no longer be able to fit in the existing lease area. The size of the existing lease area cannot be increased and modified.

Crown Castle believes that the monopole at this specific facility is the most appropriate for the area, and will also have the best appearance and longevity with time and exposure to various weather conditions. The monopole blends into the area as a utility pole, as there are other power and utility poles in the area. Crown believes that the stealth monopine and monopalm facilities would not make sense here, and over time would actually degrade in their appearance, not only from the exposure to weather conditions, but with the various modifications and upgrades that carriers will seek to install. Monopalm is difficult to conceal beyond the point when they are initially installed. The carriers are likely to need larger antennas in the near future, and the facility will be more of an eyesore. The antennas can only be painted green. On monopines, while pine needle socks can be installed on antennas, branches can fall off, and the larger 8' antennas that carriers need will not be effectively screened over time. Further, with modifications and the spacing that carriers need between the antennas, collocation and modifications may not look as good as keeping the monopole design.

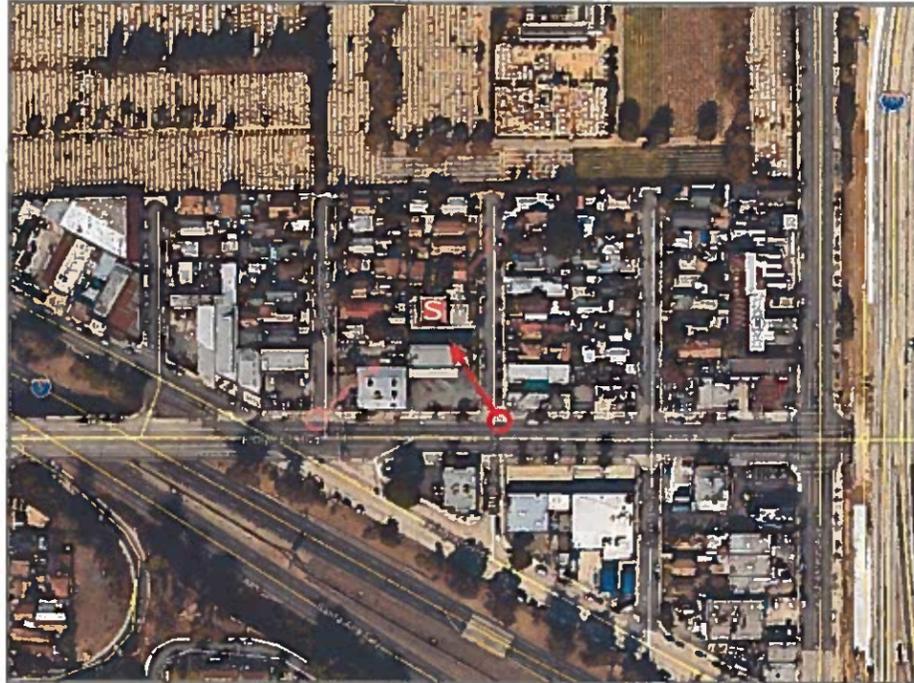
Since the monopole design does not try to mimic another form, and is constructed and interpreted/observed by the public as a utility structure, it will always maintain its consistent look. There is no need to worry about faded foliage, fallen branches, unrealistic looking landscape, etc.

We respectfully request that Staff consider allowing this CUP and antenna modification to be approved, with the monopole design that is currently proposed, as the monopole design has been present in this community for several years, and it is the most appropriate with the given surroundings.

("Preferred Design")

Monopole

VIEW 1



LOCATION

©2018 Google Maps

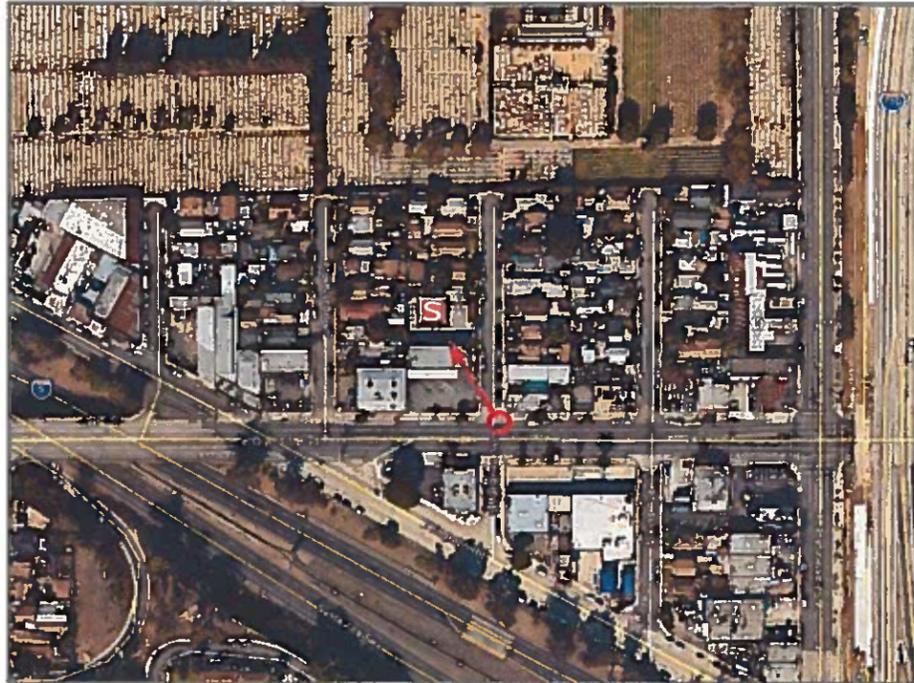


EXISTING



PROPOSED

LOOKING NORTHWEST FROM OLYMPIC BOULEVARD



LOCATION

©2018 Google Maps



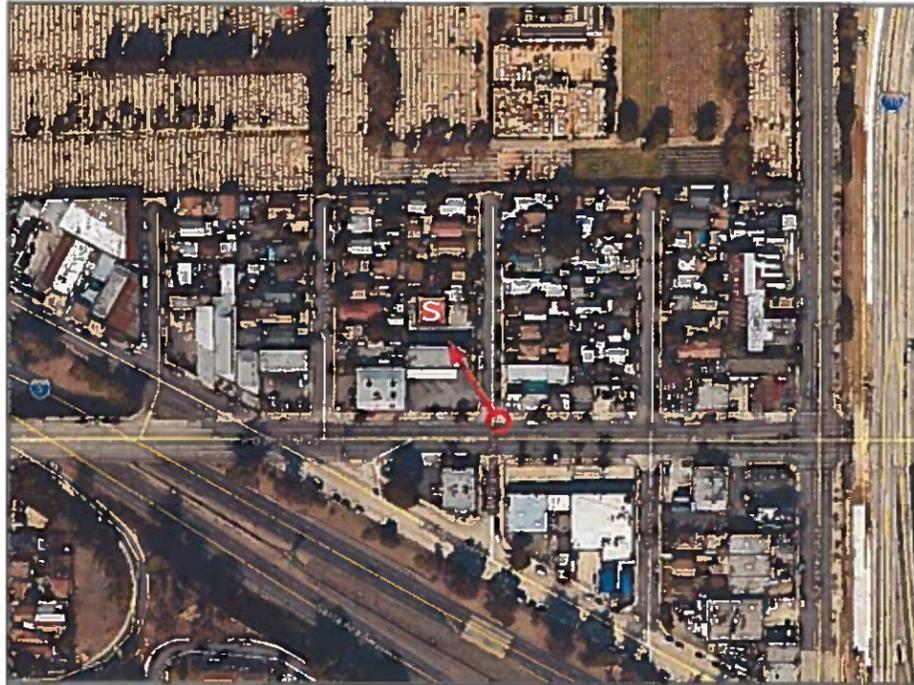
PROPOSED REPLACEMENT MONOPINE
WITH NEW REPLACEMENT ANTENNAS



EXISTING

PROPOSED

LOOKING NORTHWEST FROM OLYMPIC BOULEVARD



LOCATION

©2018 Google Maps



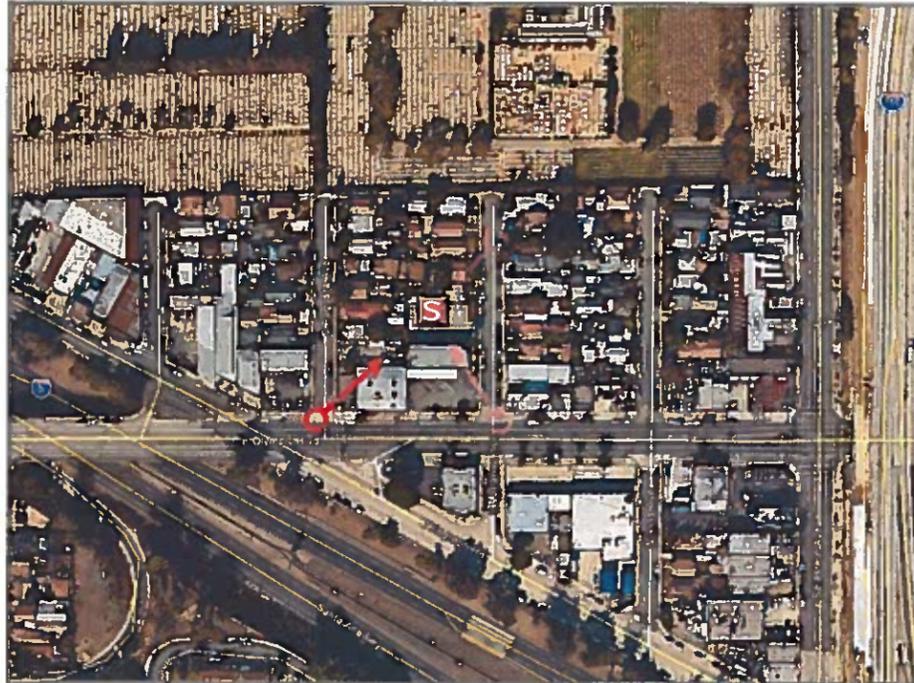
PROPOSED REPLACEMENT MONOPALM WITH NEW REPLACEMENT ANTENNAS

PROPOSED

LOOKING NORTHWEST FROM OLYMPIC BOULEVARD



EXISTING

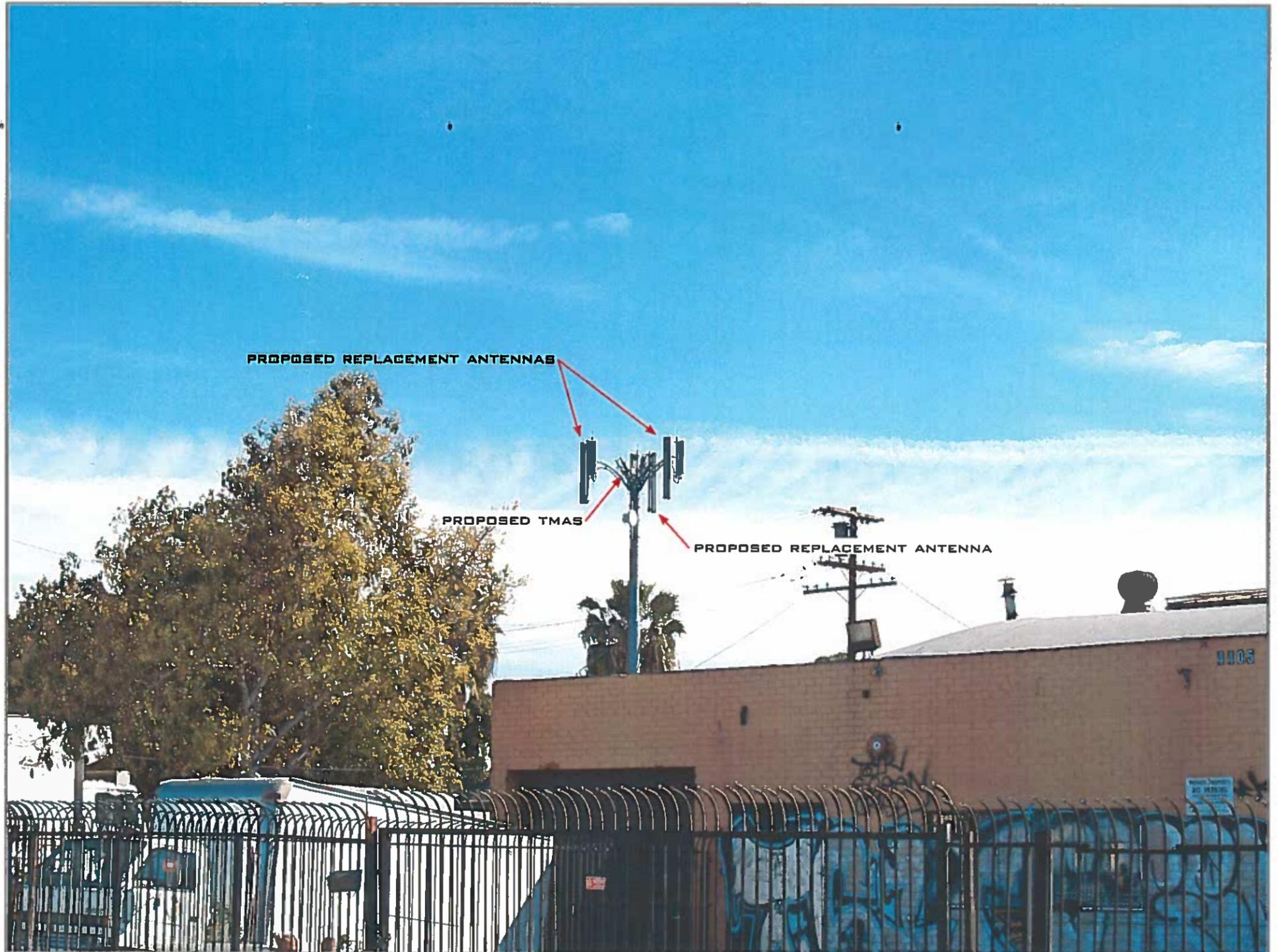


LOCATION

©2018 Google Maps

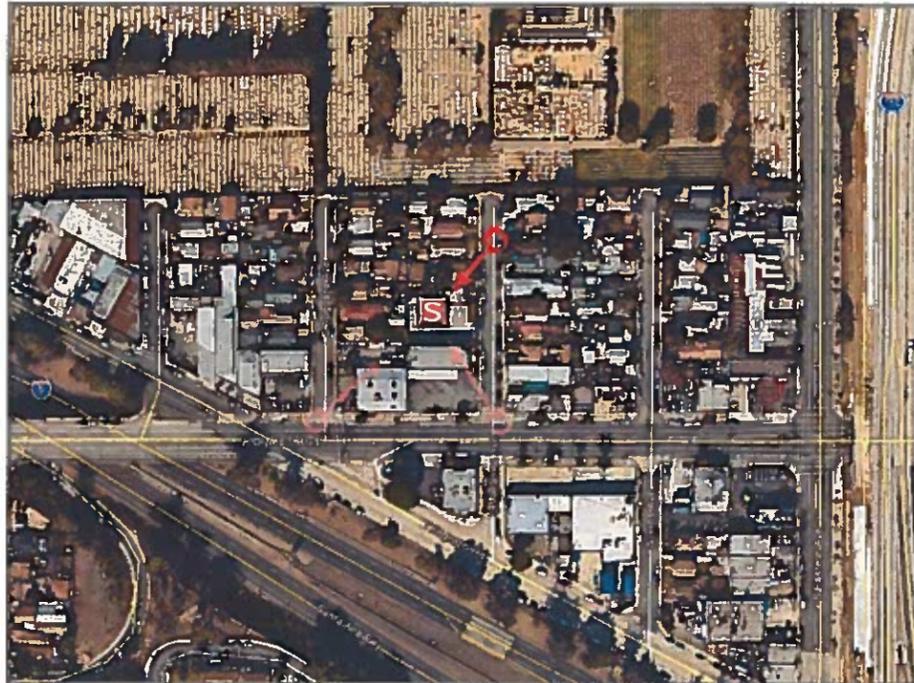


EXISTING



PROPOSED

LOOKING NORTHEAST FROM OLYMPIC BOULEVARD



LOCATION

©2018 Google Maps

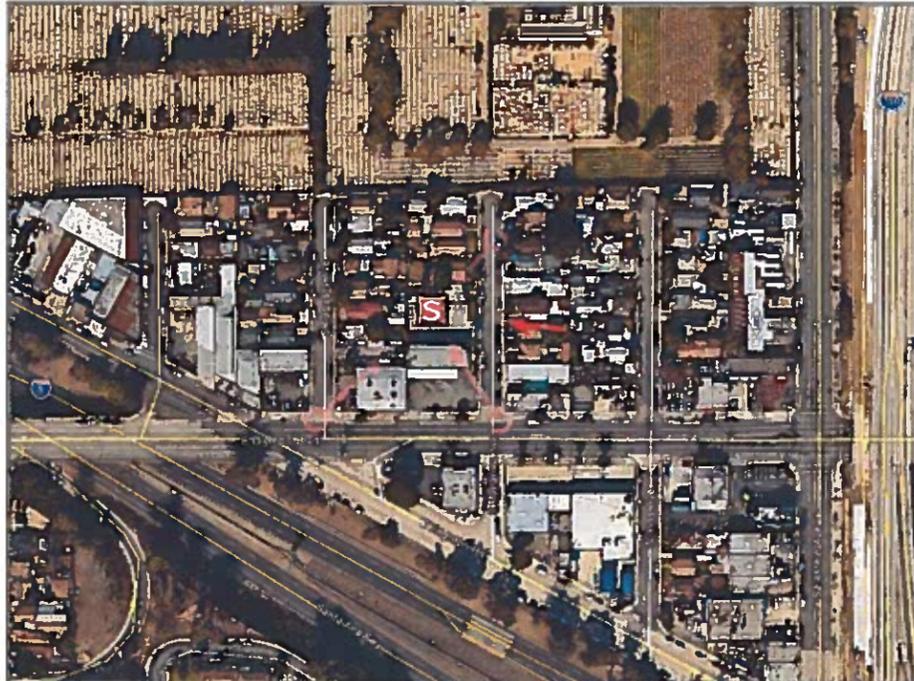


EXISTING



PROPOSED

LOOKING SOUTHWEST FROM MARIANNA AVENUE



LOCATION

©2018 Google Maps



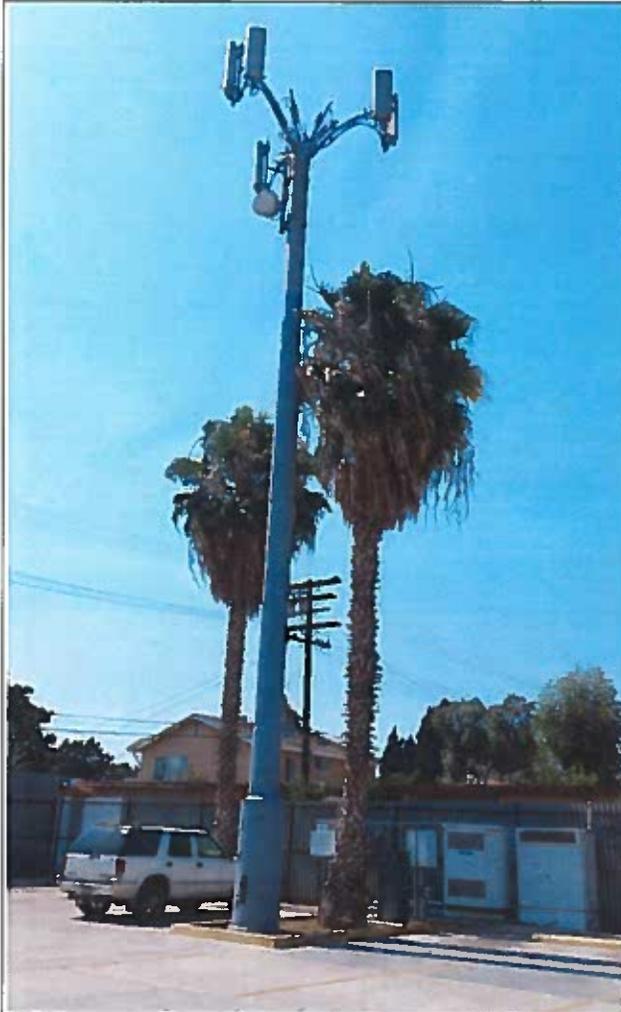
EXISTING



PROPOSED

LOOKING WEST FROM MARIANNA AVENUE

SITE PHOTOS
CUP NO. RPPL2016000544



View of the existing wireless communication facility (looking northwest).



View of the existing wireless communication facility from Marianna Avenue (looking west).



View of the wireless communication facility from Olympic Boulevard (looking north from afar).



Equipment cabinets and other appurtenances at the ground level (looking north).



View of residences from the subject property and across from Marianna Avenue (looking east).



Residence immediately adjacent to the subject property (looking west).



View of the he tourist bus service business on-site from corner of Olympic Boulevard and Marianna Avenue (looking west).



View of a surrounding auto repair shop adjacent to subject property and residences (looking south).

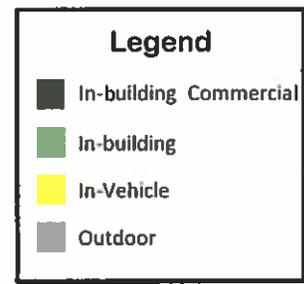
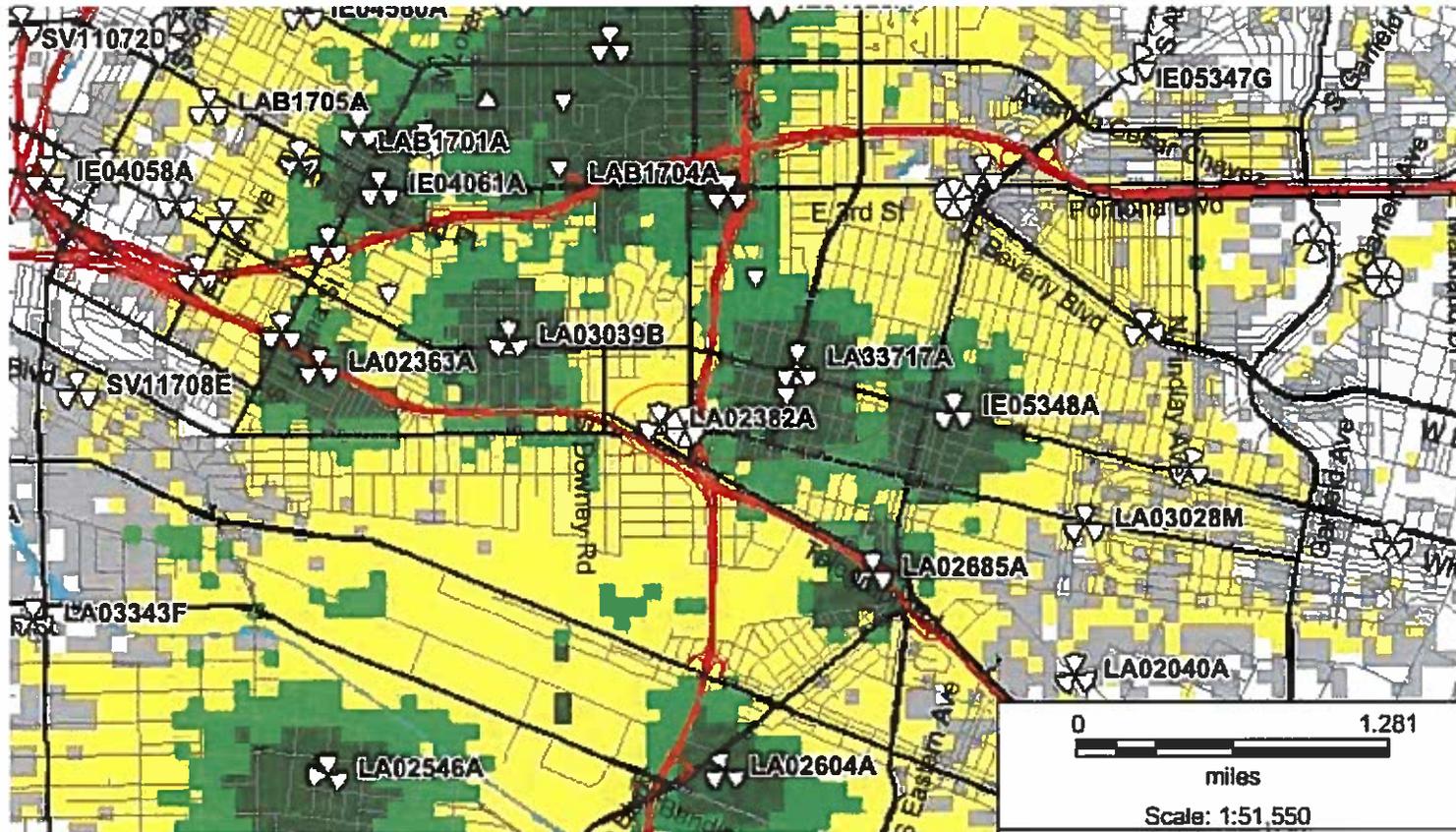
T-Mobile

**LA02382A
GSM PREDICTION PLOT**

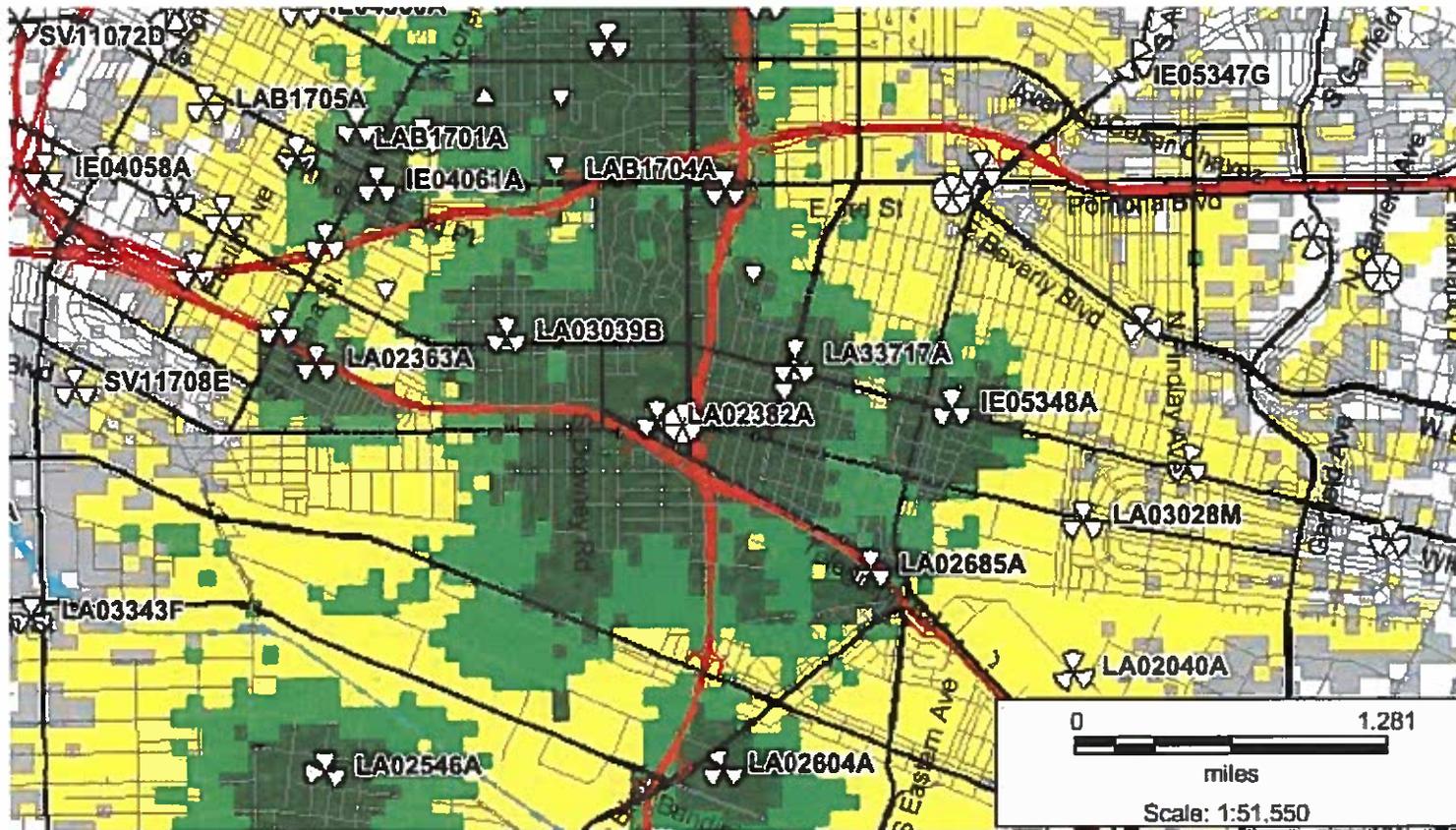
The Right Results
The **Right** Way™



Predicted GSM Coverage without LA02382A



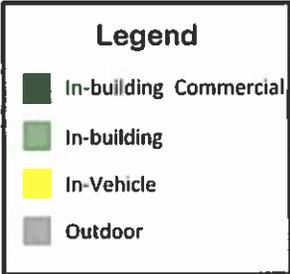
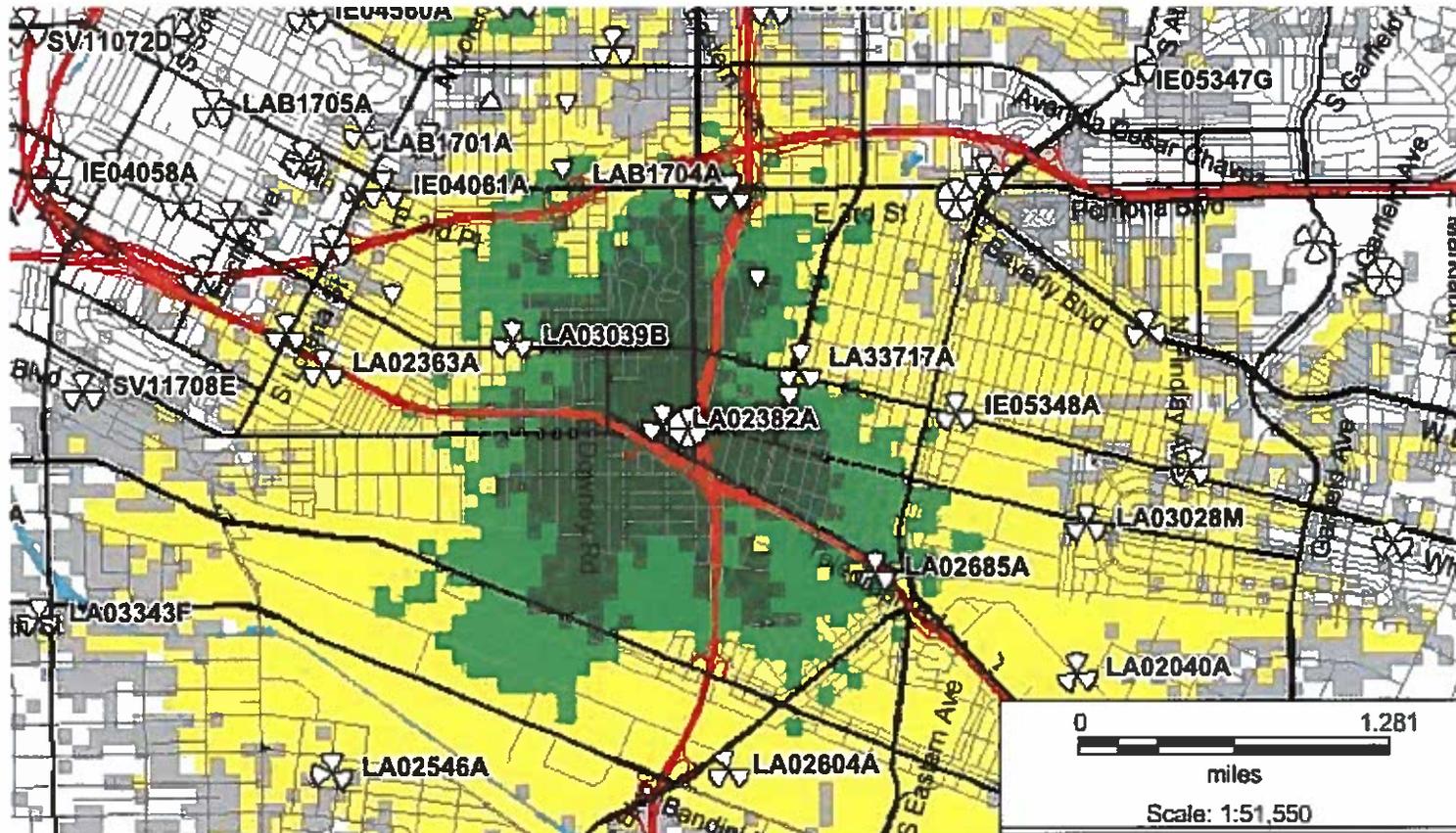
Predicted GSM Coverage with LA02382A

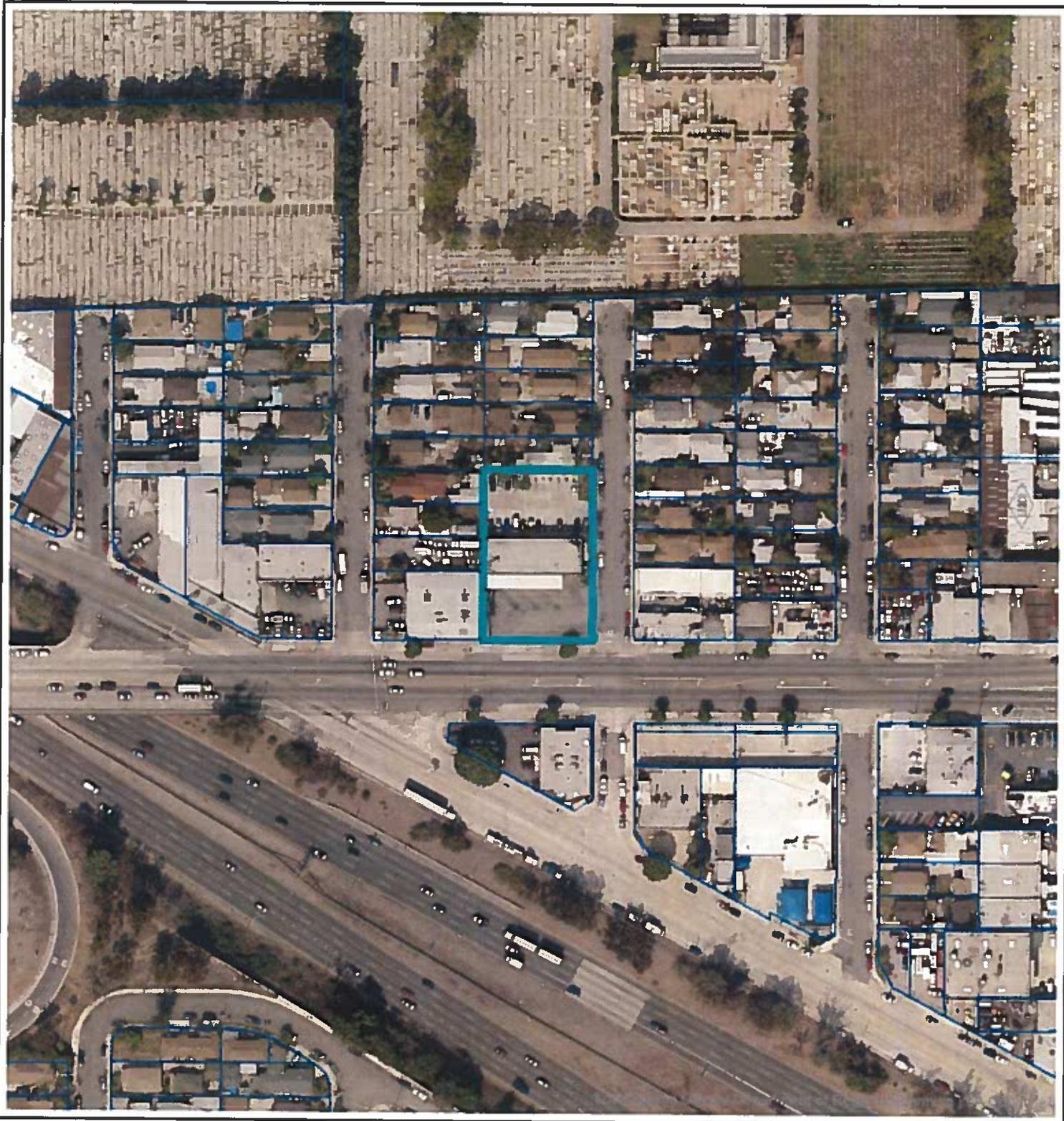


Legend

- In-building Commercial
- In-building
- In-Vehicle
- Outdoor

Predicted GSM Coverage with site only LA02382A





Aerial Map

CUP No.RPPL2016000544

Printed: Jun 29, 2016



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Zoning Map

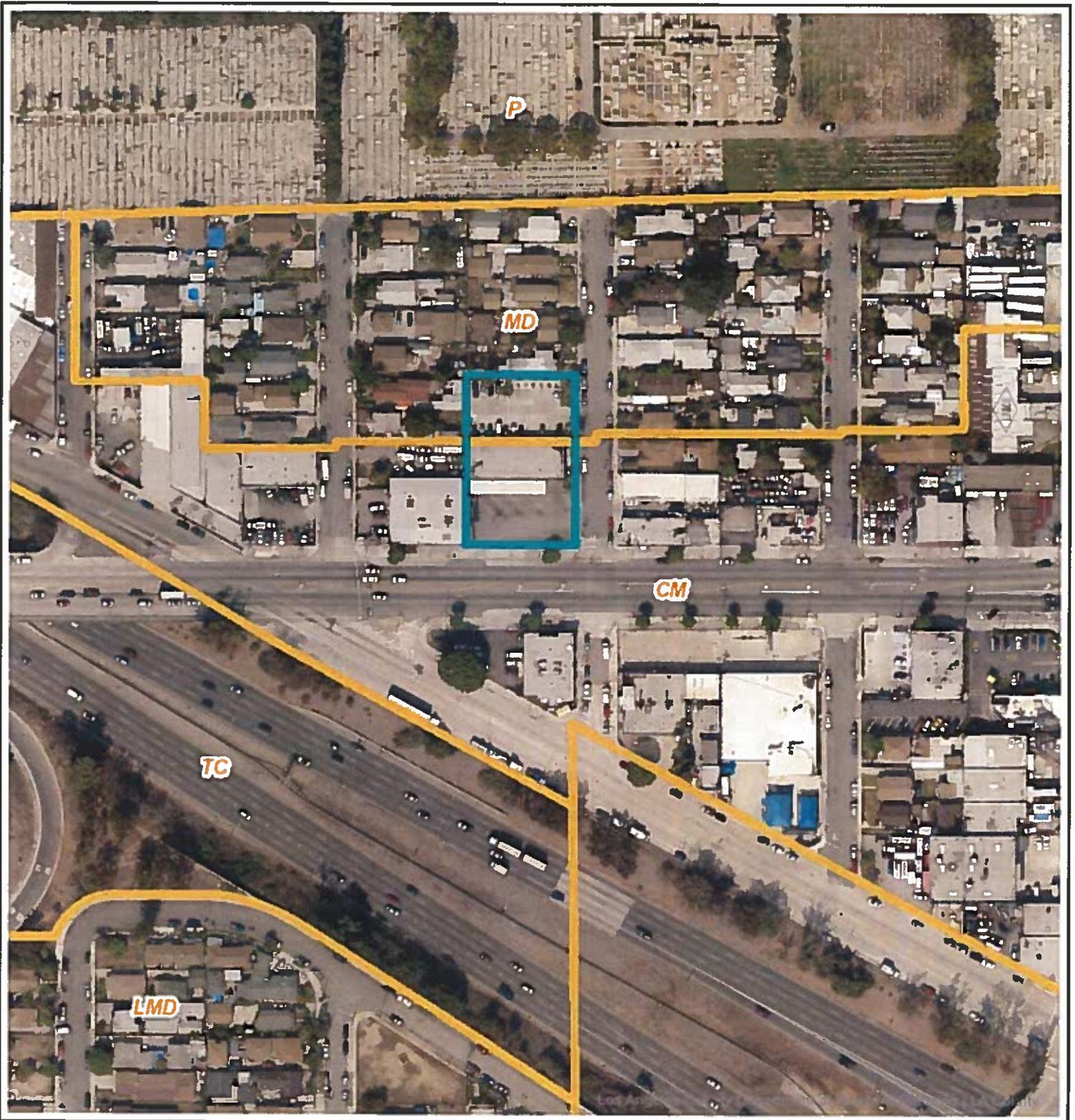
CUP No.RPPL2016000544

Printed: Jun 29, 2016



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Land Use Policy Map

CUP No.RPPL2016000544

Printed: Jun 29, 2016

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*Los Angeles County
Department of Regional Planning*

Director of Planning, James E. Hartl, AICP



March 26, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Robert J. Berger
Pacific Bell Mobile Services
5959 W. Century Boulevard Suite 200
Los Angeles, CA 90045

RE: CONDITIONAL USE PERMIT CASE NO. 95-146-(1).
To construct, maintain and operate an unmanned communication facility consisting of a 60-foot monopole with six antennas attached and two equipment cabinets.
4425 Olympic Boulevard, East Los Angeles

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 2 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 necessary forms and 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 at (213) 974-6443.

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: The applicant is requesting a Conditional Use Permit to construct, maintain and operate an unmanned communication facility consisting of a 60-foot monopole with six antennas attached and two equipment cabinets in a C-M (Commercial Manufacturing) zone.

FACTUAL SUMMARY:

March 26, 1996 Hearing

A duly noticed public hearing was held. The applicant's agent testified in favor of the proposed project. There was no opposition testimony. The Hearing Officer closed the public hearing and instructed staff to prepare findings and conditions for approval of the project.

Findings

The applicant has requested a Conditional Use Permit to construct, maintain and operate an unmanned communication facility consisting of a 60-foot monopole with six antennas attached and two equipment cabinets in an C-M (Commercial Manufacturing) zone.

The site is located at 4425 Olympic Boulevard, in the community of East Los Angeles.

The subject property is a rectangular parcel located in East Los Angeles. The site is located in the Eastside Unit No. 1 Zoned District.

The zoning on the subject project site is C-M (Commercial Manufacturing). Surrounding zoning consists of R-3 to the north, C-M to the south, R-3 to the east and west.

The project site is designated as "Commercial Manufacturing" and "Medium Density Residential" in the East Los Angeles Community Plan.

A one-story, 26,260 sq.ft. bus station is located the subject property. The surrounding land uses consist of residential properties to the north, east, and west. Law offices are located to the south.

The submitted site plan (Exhibit "A") depicts an existing 26,260 sq. ft. bus station in the middle of the property. The proposed communication facility is located on the north side of the project site. The overall height of the monopole is 60 feet with 6 antennas and two equipment cabinets.

The site takes access from Marianna Avenue to the east.

The project has been granted a Negative Declaration under CEQA reporting requirements.

Staff concluded no adverse visual impacts would be posed by the project.

No public comment has been received by staff.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

REGARDING THE CONDITIONAL USE PERMIT:

- A. The proposed use is consistent with the adopted community 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 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 and general welfare;
- C. That, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. That, 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;
- E. Compatibility with surrounding land use will be ensured through the conditions anticipated if this conditional use permit were to be approved;
- F. Establishment of the cellular facility at such location is in the interest of public health, safety and general welfare and in conformity with good zoning practice;

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 section 22.56.090, Title 22 of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. I approve the Negative Declaration for the project, certify that I have reviewed and considered the environmental information contained in the initial study for the proposed project, and determine that the proposed project will not have a significant effect on the environment.
2. In view of the findings of fact presented above, Conditional Use Permit Case No. 95-146-(1) is APPROVED.

BY: Raymond P. Ristic
RAYMOND RISTIC, HEARING OFFICER
Department of Regional Planning
County of Los Angeles

Date: April 1, 1996

DCC:CQT:cqt

Attachment:
Affidavit

c: Each Commissioner; Zoning Enforcement; Building and Safety;

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
3. The permittee shall 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 65907. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully 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 fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. 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 expense involved in the department's cooperation in the defense, including but not limited to, deposition, 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 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 permittee according to Los Angeles County Code Section 2.170.010.

5. This grant will expire unless used within 2 years from the date of approval. A one year time extension may be requested before the expiration date.
6. This grant will terminate March 26, 2006.

Entitlement to use of the property thereafter shall be subject to the regulations then in effect.

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. 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. The permittee shall deposit with the County of Los Angeles the sum of \$500. The fee 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. The fee provides for five biennial inspections.

If any future 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 enforcement efforts necessary to bring the subject property into compliance.

9. This grant allows the development, operation and maintenance of a cellular communications facility, including a monopole with appurtenant antennas, and two equipment cabinets subject to the following restrictions as to use:
 - a. The facility shall be operated in accordance with regulations of the State Public Utilities Commission;
 - b. Said monopole and antennas shall not exceed 60 feet in height.
 - c. Said facilities shall be removed if in disuse for more than six (6) months.

10. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent revised plans are submitted the written authorization of the property owner is necessary.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
12. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
13. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
14. 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 business being operated on the premises or that do not provide pertinent information about said premises.
15. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours, 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.