

May 29, 2025

Panorama Ranch, LLC
Attn: James Kay
P.O. Box 7890
Van Nuys, CA 91409

PROJECT NO. PRJ2022-000138-(3)
CONDITIONAL USE PERMIT NO. RPPL2022010983
918 Latigo Canyon Road (APN: 4464-022-013)

Dear applicant:

Hearing Officer Diane Temple, by her action of **May 27, 2025**, has approved the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to LA County Planning (see enclosed Affidavit of Acceptance Instructions).

Appeals:

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **June 10, 2025**. Appeals must be submitted to appeal@planning.lacounty.gov before the end of the appeal period.

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

In addition, any applicable California Environmental Quality Act fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. A Notice of Exemption, if applicable, may also be filed according to the instructions in the enclosed Affidavit of Acceptance.

Panorama Ranch, LLC

May 29, 2025

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For questions or for additional information, please contact William Chen, AICP of the Coastal Development Services Section at (213) 974-0051, or by email at wchen@planning.lacounty.gov.

Sincerely,

AMY J. BODEK, AICP
Director of Regional Planning

A handwritten signature in cursive script that reads "Rob Glaser".

Robert Glaser, Supervising Regional Planner
Coastal Development Services Section

RG:wc

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion), Notice of Exemption

c: PW (Building and Safety)
Zoning Enforcement

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2022-000138-(3)
CONDITIONAL USE PERMIT NO. RPPL2022010983

RECITALS

1. **HEARING DATE(S).** The Los Angeles County Department of Regional Planning ("LA County Planning") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. **RPPL2022010983** ("CUP") on May 27, 2025.
2. **HEARING PROCEEDINGS.** Staff delivered a presentation of the proposed project. The Hearing Officer then asked clarification questions about the project, which Staff provided responses to. The Hearing Officer provided editorial changes to the exhibit, findings and conditions. The applicant then provided testimony in support of the project. Following testimony, the Hearing Officer closed the public hearing and approved the Project.
3. **ENTITLEMENT(S) REQUESTED.** The permittee, Panorama Ranch, LLC c/o James Kay ("permittee"), requests the CUP to authorize the continued operation of a wireless communications facility ("WCF") ("Project") and the construction of an 80-foot monopole as approved by CDP no. 4-97-074 and 4-98-219. The Project is located in the R-C-20 (Rural Coastal, 20-acre minimum required lot area) zone pursuant to the Los Angeles County Code ("County Code") Section 22.44.1750. The Project is not subject to County Code Section 22.140.760, as the project was filed prior to the Wireless Ordinance effective date and not applicable to Projects within the Santa Monica Mountains Local Coastal Program ("SMMLCP").
4. **LOCATION.** The Project is located at 918 Latigo Canyon Road (APN: 4464-022-013) unincorporated community of Malibu ("Project Site") within the Malibu Zoned District and Santa Monica Mountains Planning Area.
5. **PREVIOUS ENTITLEMENT(S).** Conditional Use Permit No. RCUP-CP96054 authorized the construction of an unmanned communications facility. Plot Plan No. PP4470 Approval in Concept for the replacement of an unmanned communications facility. CDP no. 4-97-074 authorized a wireless telecommunications facility. CDP no. 4-98-219 authorized a wireless telecommunications facility.
6. **LAND USE DESIGNATION.** The Project Site is located within the RL20 (Rural Lands, 1 unit per 20 acres) land use category of the Santa Monica Mountains Land Use Plan ("Area Plan").
7. **ZONING.** The Project Site is located in the Malibu Zoned District and is currently zoned R-C-20. Pursuant to County Code Section 22.44.1330.A, a Minor Coastal Development ("CDP") is required for new wireless telecommunications facilities, however the Project previously received entitlement from the California Coastal

Commission. CDP No. 4-97-074 and CDP No. 4-98-219, issued on July 9, 1997, and May 11, 1999, respectively, authorized the development of a wireless communications facility. Therefore, the CUP request is to authorize the continued operation of a wireless communications facility pursuant to Section 22.16.030.C, which authorizes radio and television stations and towers, and communication equipment buildings with a CUP within the A-1 (Light Agricultural) Zone, which was the prior zoning category of the subject property before the adoption of the SMMLCP. This zone category is appropriate since the project is not subject to the SMMLCP, since there is no new development being requested. So, the previous zoning category would be the appropriate zone to reference for this permit. All Wireless Telecommunications Facilities are subject to a CUP under A-1 zone, which this request for the continued operation of such facility is required to obtain.

8. SURROUNDING LAND USES AND ZONING

LOCATION	LAND USE POLICY	ZONING	EXISTING USES
NORTH	RL20 (RURAL LANDS 20)	R-C-20	VACANT
EAST	RL20	R-C-20	VACANT
SOUTH	P (PUBLIC AND SEMI-PUBLIC FACILITIES), OS-P (OPEN SPACE PARKS)	IT (INSTITUTIONAL), O-S-P (OPEN SPACE PARKS)	WIRELESS COMM FACILITIES, OPEN SPACE
WEST	RL20	R-C-20	WIRELESS COMM FACILITIES

9. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 20.03 gross acres in size and consists of one legal lot. The Project Site is rectangular in shape with steep topography and is developed with an unmanned wireless communications facility.

B. Site Access

The Project Site is accessible via Castro Motorway to the south and serves as the primary access.

C. Site Plan

The site plan depicts the Project Site with an existing wireless communications facility that is delineated by three (3) phased locations, all located within the southeast corner of the parcel. The CUP project scope encompasses only the Phase 1 area.

Phase 1 is comprised of four (4) existing equipment shelters, one (1) existing fuel tank, one (1) existing generator, two (2) existing utility cabinets, and one (1) existing transformer pad. A total of twelve (12) dish equipment are affixed on top of the

equipment shelters. Two (2) existing antennas and an existing lattice structure comprised of three (3) wood poles are located in the center of the Phase 1 area.

Phase 1 proposes the construction of one (1) new 80 ft. monopole tower, which had been previously authorized as a 120 ft. tower by the Coastal Commission but never constructed. The California Coastal Commission, in their letter dated July 10, 2024, determined that CDP No. 4-97-074 and 4-98-219 were both vested despite the 120 ft. tower having not been constructed. The Phase 1 area is enclosed by an existing chain link perimeter fence.

10. COMMUNITY OUTREACH. Public outreach was not conducted prior to hearing.

11. PUBLIC COMMENTS. No public comments were received.

12. AGENCY RECOMMENDATIONS.

A. Los Angeles County Fire Department: Recommended clearance to public hearing with conditions in a letter dated November 14, 2023.

B. Los Angeles County Department of Public Health: Recommended approval in a letter dated November 14, 2023.

13. LEGAL NOTIFICATION. The Hearing Officer finds that pursuant to Sections 22.222.120, Public Hearing Procedure, of the County Code, the community was properly notified of the public hearing by mail, and newspaper The Malibu Times, and property posting. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On April 16, 2025, a total of 27 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 notices to those on the courtesy mailing list for the Malibu Zoned District and to any additional interested parties.

14. CEQA DETERMINATION. Prior to the Hearing Officer's public hearing on the Project, LA County Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the continued operation of an existing WCF with no expansion of use beyond that which was previously approved development. Exceptions to the Class 1 Exemption are not applicable. The Project does not generate cumulative impacts because this is an existing use. The Project does not generate significant effect because this is an existing use. The Project does not damage scenic resources because this is an existing use. The Project will not be a hazardous waste site. The Project will not cause substantial adverse change to historical resources because this is an existing use. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

GENERAL PLAN CONSISTENCY FINDINGS

15. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the Land Use Plan because the RL20 allows for telecommunications facilities, the land use category into which this Project falls.
16. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with Policy LU-52, which encourages clustering wireless telecommunication facilities and structures. The Project does not expand the development footprint, which occupies approximately 1,100 sq. ft. in development area. This constitutes less than one percent of the total parcel.
17. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with Policy LU-53, which requires the siting and design of wireless telecommunication facilities to avoid or minimize impacts to Sensitive Environmental Resource Areas (SERA) and scenic resources. The Project does not propose new development which expands previously entitled infrastructure.
18. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with Policy LU-54, requires the siting and design of wireless telecommunication facilities to avoid when possible the visibility of the facility from public viewing areas. The Project does not propose new development which generates visual impacts beyond what was previously entitled.

ZONING CODE CONSISTENCY FINDINGS

19. **PERMITTED USE IN ZONE.** The Hearing Officer finds the Project is the continued operation of an existing WCF and construction of an 80-ft monopole tower that was previously authorized by CDP no. 4-97-074 and 4-98-219. Since the CDP has been determined to be vested by the California Coastal Commission's letter dated July 10, 2024, a CUP is requested to authorize its continued operation pursuant to Section 22.16.030.C, which authorizes radio and television stations and towers, and communication equipment buildings with a CUP within the A- 1 Zone, which was the prior zoning category of the subject property when CDP no. 4-97-074 and 4-98-219 were approved.

CONDITIONAL USE PERMIT FINDINGS

20. **The Hearing Officer finds that 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.** The Project is located within a rural area with a low development footprint. The surrounding uses are comprised of similar telecommunications infrastructure as the Project. The proposed development activity will not exceed or expand beyond what has previously been entitled.

21. **The Hearing Officer finds 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 Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.** The Project occupies a minimal footprint on the overall property. All development conforms to the development standards for wireless telecommunications facility infrastructure.
22. **The Hearing Officer finds that 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.** The Project is unmanned and would not generate significant traffic impacts. The Project Site is accessible by existing roads.
23. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 15 years.

ENVIRONMENTAL FINDINGS

24. The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities categorical exemption). The Project is a request to continue operations of an existing WCF and construct an 80-foot monopole tower without new modification beyond previously approved development in CDP no. 4-97-074 and 4-98-219. The previously approved 120-ft monopole will be reduced to 80-feet.

ADMINISTRATIVE FINDINGS

25. **LOCATION OF DOCUMENTS.** 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 LA County 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 Coastal Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities categorical exemption); and
- 2. Approves **CONDITIONAL USE PERMIT NO. RPPL2022010983**, subject to the attached conditions.

ACTION DATE: May 27, 2025

RG:wcc

May 15, 2025

c: Zoning Enforcement, Building and Safety

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING**

**CONDITIONS OF APPROVAL
PROJECT NO. PRJ2022-000138-(3)
CONDITIONAL USE PERMIT NO. RPPL2022010983**

PROJECT DESCRIPTION

The project is for the continued operation of an existing WCF ("Project"), and construction of an 80-foot monopole tower as approved by CDP no. 4-97-074 and 4-98-219. The Project is located at 918 Latigo Canyon Road (APN: 4464-022-013) in the unincorporated community of Malibu 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 ("LA County 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. 6, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 3, 4, and 8, shall be effective immediately upon the date of final approval of this grant by the County.
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 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.
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 make an initial deposit with LA County 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 LA County 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.

5. 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.
6. 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.
7. **This grant shall terminate on May 27, 2040.** 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 or other applicable entitlement application with LA County Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least twelve 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.
8. 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 WCF and satisfaction of Condition No. 2 shall be considered use of this grant.
9. 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. No provision of any easement of any other encumbrance on the property shall exempt the permittee and/or property owner from compliance with these conditions and applicable regulations. 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 **\$4,560.00**, which shall be placed in a performance fund and be used exclusively to reimburse LA

County Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of this grant. The fund provides for **Ten (10)** inspections. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS).

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 LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$456.00 per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

10. 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 22.238 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. 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 LA County Planning ("Director").
14. 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.
15. 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 LA County 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 48 hours of such

notification, 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.

16. 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, **a digital copy of a modified Exhibit "A"** shall be submitted to LA County Planning by **July 27, 2025**.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **one digital copy 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

18. Future modifications of the WCF which exceed substantial conformance of the Permit, shall require a Minor CDP pursuant to 22.44.1330 Wireless and Other Telecommunications Facilities.
19. This Project shall remain subject to the conditions imposed by Coastal Development Permit No. 4-97-074 and 4-98-219. Project has been determined to be vested by the California Coastal Commission's letter dated July 10, 2024. Any future modification of the WCF which results in height impacts exceeding beyond those entitled shall be subject to a new Coastal Development Permit for such development.

PROJECT SITE-SPECIFIC CONDITIONS

20. This grant shall authorize the continued operation of an existing WCF and the construction of an 80-foot monopole tower.
21. All wireless and other telecommunication facilities shall be designed so as to be resistant to and minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions that would result in hazardous conditions, visual blight, or nuisances.
22. All wireless and other telecommunication facilities shall be maintained on a regular basis. Maintenance shall include painting and the care and replacement of dead or diseased landscaping planted in conjunction with the facility.
23. The facility shall be operated in accordance with regulations of the California State Public Utilities Commission.
24. Upon completion of construction of the facility, the Permittee shall provide upon request, written certification to the Zoning Enforcement Section of LA County Planning 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 facilities are located on the subject property or on adjoining or adjacent properties, the written certification report shall include the radio frequency electromagnetic emissions of said wireless facility. No facility or combination of facilities shall produce at any time exposure levels in any general population area that exceed the applicable FCC standards for radiofrequency electromagnetic emissions in accordance with County Code Section 22.140.760.E.1.e.ii (Safety Standards).

25. Insofar as is feasible, the Permittee shall cooperate with any subsequent applicants for wireless facilities in the vicinity with regard to possible co-location. Such subsequent applications will be subject to the regulations in effect at that time.
26. If any wireless facilities that subsequently co-locates on the facility shall be required, upon request, to provide the same written certification required in Condition No. 24.
27. If any external lighting is proposed, including security lighting, it shall be on motion sensors, be of low intensity, and be fully shielded and directed away from any adjacent or adjoining properties and public rights-of-way. Pole mounted lighting is prohibited on the leasehold. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the Federal Aviation Administration.
28. If the subject property is adjoining or adjacent to residences, construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the facility may occur at any time.
29. The placement and height of all tower-mounted equipment shall be in substantial conformance with that shown on the approved Exhibit "A". The facility shall be maintained as depicted on the approved Exhibit "A".
30. Sufficient parking space for one maintenance vehicle shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.
31. The Permittee shall maintain current contact information with the Zoning Enforcement Section of LA County Planning.
32. 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.
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 LA County Planning to show permit conditions compliance.
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. The facility shall be secured by fencing, gates and/or locks.
37. If a wireless facility has ceased to operate for a period of 90 consecutive days, the facility shall be considered abandoned. Any permit or other approvals associated with that facility shall be deemed terminated and discontinued, unless before the end of the 90-day period, the Director determines that the facility has resumed operation, or an application has been submitted to transfer the approval to another operator. After 90 consecutive days of non-operation, the Permittee shall remove the abandoned wireless facility and restore the site to its original conditions. The Permittee shall provide written verification to LA County Planning of the removal of the facility within 30 days of the date the removal is completed. If the facility is not removed within 30 days after the permit/approval has been terminated, the facility shall be deemed to be a nuisance, and the County may cause the facility to be removed at the expense of the Permittee/operator or by calling any bond or other financial assurance to pay for removal.
38. Upon termination of this grant or after the facility has ceased to operate; the Permittee shall remove facility and clear the site of all equipment within 30 days of the termination date of this grant or within 30 days of the cease of operation date, whichever is earlier. The Permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility.
39. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated November 14, 2023.
40. The permittee shall comply with all conditions set forth in the attached County Health Department letter dated November 14, 2023.

Attachments:

- | | |
|-------------|---|
| Exhibit D-1 | Fire Department Letter dated November 14, 2023 |
| Exhibit D-2 | Health Department Letter dated November 14, 2023 |
| Exhibit D-3 | CDP no. 4-97-074 |
| Exhibit D-4 | CDP no. 4-98-219 |
| Exhibit D-5 | Coastal Commission vesting determination letter dated July 10, 2024 |



COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4293, Fax (323) 890-9783

EPIC-LA NUMBER:	RPPL2022010983	PROJECT NUMBER:	PRJ2022-000138 Castro Peak WCF
CITY/COMMUNITY:	Santa Monica Mountains	STATUS:	Cleared
PROJECT ADDRESS:	918 Latigo Canyon Road Malibu, CA 90265	DATE:	11/14/2023

CONDITIONS

1. Specific fire and life safety requirements for the construction phase will be addressed at the Fire Department building plan check review. There may be additional fire and life safety requirements during this time.
2. This property is located within the area described by the Fire Department as a Fire Hazard Severity Zone. The development of this project must comply with all applicable code and ordinance requirements for brush clearance along with the preparation of a Fuel Modification Plan.
3. This project does not propose construction of structures or any other improvements at this time. Therefore, until actual construction is proposed, the County of Los Angeles Fire Department, Land Development Unit, has no comments.
4. Provide a report verifying the list of hazardous materials to be stored on-site. Quantities of hazardous materials to be stored or created at the site must not exceed the exempt amounts as verified by Table 307.1 of the California Building Code.

For any questions regarding the report, please contact Joseph Youman at (323) 890-4243 or joseph.youman@fire.lacounty.gov.



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

MUNTU DAVIS, M.D., M.P.H.
County Health Officer

MEGAN McCLAIRE, M.S.P.H.
Chief Deputy Director

LIZA FRIAS, REHS
Director of Environmental Health

BRENDA LOPEZ, REHS
Assistant Director of Environmental Health

SCOTT ABBOTT, REHS, M.P.A.
Assistant Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5374 • FAX (626) 813-3000

www.publichealth.lacounty.gov/eh/



BOARD OF SUPERVISORS

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Kathryn Barger
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November 14, 2023

TO: Robert Glaser
Supervising Regional Planner
Department of Regional Planning

Attention: William Chen

FROM: Charlene Contreras 
Director, Community Protection Branch
Department of Public Health

SUBJECT: CONDITIONAL USE PERMIT (CUP) REQUEST
CASE: RPPL2022010983
918 LATIGO CANYON ROAD MALIBU CA 90265

Thank you for the opportunity to review the application and project located at the subject property. The project proposes the continued operation of an existing unmanned wireless communications facility including antennas, ground equipment, and equipment storage containers.

The project description does not indicate wastewater generation. However, if water closets/toilets and or other structures are proposed in the future, an additional review will be required.

There is no water related structures on the site plan. Drinking Water Program has no conditions that need to be applied to this project if ultimately approved by the advisory agency.

- ☒ Public Health recommends the approval of the aforementioned project if ultimately approved by the advisory agency.
- ☐ Public Health requires that the conditions or information requested below are addressed prior to agency approval; therefore, the Department **DOES NOT** recommend clearance of this project until the following conditions are met:

1. Community Protection: Environmental Hygiene

Please Note: The following are general requirements for Noise and Air Quality recommendations for the proposed project.

The applicant shall abide by all applicable requirements contained in Title 12, Chapter 12.08 - Noise Control Ordinance of the County of Los Angeles (reference available at municode.com). The sections in Title 12 that apply to this project include but are not limited to 12.08.390 (Exterior Noise Standards).

1.1 Exterior Noise

Ordinance:

12.08.390 Exterior Noise Standards

No person shall operate or cause to be operated, any source of sound at any location within the unincorporated county or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person which causes the noise level, when measured on any other property either incorporated or unincorporated, to exceed any of the following exterior noise standards in Table 1.

Exterior Noise Standards, dBA						
Area	Duration	Std # 1 = L50	Std # 2 = L25	Std # 3 = L8.3	Std # 4 = L1.7	Std # 5 = L0
		30min/hr	15min/hr	5 min/hr	1 min/hr	At no time
Residential	7 am – 10 pm	50	55	60	65	70
	10 pm – 7 am	45	50	55	60	65
Commercial	7 am – 10 pm	60	65	70	75	80
	10 pm – 7 am	55	60	65	70	75
Industrial	Anytime	70	75	80	85	90

Table 1. Std = Standard dB that may not exceed the cumulative period

Findings:

The subject site was surrounded by vacant residential and governmental zoned lands. Per the applicant, there are no noise sources from the operation of the facility.

On November 3, 2023, noise levels were measured using a sound level meter (Larson Davis Sound Advisor 831C) set to A-weighting (dBA) on the shoulder of Latigo Canyon Road to determine background noise levels.

As shown in Table 2 below, the exterior background noise level results exceeded the residential L0 noise standard only. As a result, the background noise level for L0 becomes the exterior noise standard #5 (see highlighted noise level). But it is anticipated that the facility noise level would be lower since the subject facility was located further away from where the sound level measurement was taken.

Exterior Noise Standards, dBA											
Zone	Duration	Std # 1 = L50		Std # 2 = L25		Std # 3 = L8.3		Std # 4 = L1.7		Std # 5 = L0	
		30min/hr	Result	15min/hr	Result	5min/hr	Result	1min/hr	Result	At no time	Result
Residential	11:21 am to 12:21 pm	50	31.4	55	36.1	60	43.6	65	54.9	70	71.4

Table 2. Std = Standard dBA that may not exceed the cumulative period

1.4 Recommendations

1.4.1 Exterior Noise

The operation of the subject site must adhere to the Los Angeles County Exterior Noise Standards. All other applicable Noise Control Ordinance of the County of Los Angeles must also be complied with at all times.

For questions regarding above comments, please contact Yonas Taye of Public Health, Environmental Hygiene Program at (626) 430-5201 or ytaye@ph.lacounty.gov.

If you have any other questions or require additional information, please contact Veronica Aranda of Public Health, Planning & Land Use Liaison at (626) 430-5201 or varanda@ph.lacounty.gov.

CC:va
DPH_CLEARED_918 LATIGO CANYON ROAD MALIBU CA 90265_RPPL2022010983_11.14.2023

W12g

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
800 SOUTH CALIFORNIA ST., SUITE 200
VAN NUYS, CA 91401
(805) 641-0142

Filed: 5-1-97
49th Day: 6-19-97
180th Day: 10-28-97
Staff: SPF-VNT
Staff Report: 6-18-97
Hearing Date: July 8-11, 1997
Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-97-74

APPLICANT: Remote Communication Systems, Inc. AGENT: Carolyn Ingram-Seitz
(RCSI)PROJECT LOCATION: A parcel on Castro Peak, east of Latigo Canyon Road,
Malibu; Los Angeles County. APN: 4464-022-013.

PROJECT DESCRIPTION: Removal of concrete and trash on site; recompaction of site; reconstruction of fence. Placement of eight 20 ft. high monopole antennas on six foot high chain-link fence, placement of self standing 50 foot high antenna, placement of three 120 sq. ft. pre-fabricated structures on a new concrete pad, a fourth 260 sq. ft. pre-fabricated structure on a separate concrete pad, utilities and appurtenant equipment (i.e. generators and fuel tanks).

Lot area:	20.18 acres
Building coverage:	1,100 sq. ft.
Pavement coverage:	0
Landscape coverage:	0
Parking spaces:	0
Project density:	0
Ht abv fin grade:	26 and 50 feet

LOCAL APPROVALS RECEIVED: Approval in Concept from Los Angeles County
Department of Regional PlanningSUBSTANTIVE FILE DOCUMENTS: Malibu/Santa Monica Mountains Land Use Plan.
Coastal Development Permits 4-94-203 (GTE Mobilnet), 4-94-234 (GTE Mobilnet),
and 6-97-009 (Pacific Bell Mobile Services).SUMMARY OF STAFF RECOMMENDATION:

This is an after-the-fact application for the removal of concrete and trash on a vacant lot previously housing antenna and associated buildings, and the placement of structures and antenna for the same purpose. There are two other sites adjacent to the subject property which have similar service equipment. This project was originally processed as a de-minimus waiver; an objection was given by a neighboring property owner. Therefore the Commission determined that a coastal development is required for this project. Staff recommends approval of the project with special conditions regarding abandonment, revegetation, and condition compliance.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions.

1. Future Redesign of Telecommunications Facilities

Prior to the issuance of the coastal development permit, the applicant shall agree in writing that where future technological advances would allow for

reduced visual impacts resulting from the proposed communication facility, the applicant agrees to make those modifications which would reduce the visual impact of the proposed facility. If, in the future, the facility is no longer needed, the applicant agrees to abandon the facility and be responsible for the removal of all permanent structures, and restoration of the site consistent with the character of the surrounding area. Before performing any work in response to the requirements of this condition, the applicant shall contact the Executive Director of the California Coastal Commission to determine if an amendment to this coastal development permit is necessary.

2. Revegetation Plan

Prior to the issuance of the Coastal Development Permit, the applicant shall submit, for the review and approval of the Executive Director, two sets of a revegetation plan, prepared by a qualified biologist, resource specialist, or landscape architect, for the areas disturbed outside the fenced communication facility. The plan shall detail the areas cleared of vegetation and indicate any regrowth of native and/or non-native vegetation. The plan shall show the removal of invasive plants on site; native vegetation shall not be removed. The plan shall incorporate the use of native plants and seed consistent with the vegetation in the immediate surrounding area.

The revegetation plan shall be implemented no later than October 1, 1997. Should there be no rain by that time the applicant may request an extension of time. In no event, should the planting occur later than February 1, 1998. Such planting shall be adequate to provide 90 percent coverage of the site within two years and shall be repeated, if necessary, to provide such coverage.

3. Condition Compliance

The requirements specified in the foregoing special condition that the applicant is required to satisfy as a prerequisite to the issuance of this permit must be fulfilled within 45 days of Commission action. Failure to comply with such additional time as may be granted by the Executive Director for good cause will terminate this permit approval.

STAFF NOTE

This project was originally processed by Commission staff as a De-Minimus waiver. The site was posted and scheduled to be reported to the Commission on May 13, 1997. On May 8, 1997, Commission staff received a letter from a neighboring property owner objecting to the proposed waiver (Exhibit 9). The author of the letter, Darrell Bevan, claims that information submitted by the applicant was incorrect, that violations existed on site, and that the proposed site is not needed as services are available on Bevan's site. Mr. Bevan also spoke at the Commission hearing and requested denial of the application. The facts, stated in the letter of objection, regarding the development previously on site, and currently on site are not completely accurate. A complete description of the development previously on site and currently proposed is described below. In order to provide the Commission with complete and accurate information on this site, the application was pulled from the District Director's Report rendering the need for a coastal development permit.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Project Description and Background

This is an after-the-fact application for the removal of concrete and trash from a previous communications facility and reconstruction of a new communications facility. The new construction consists of two concrete pads for a total of four structures and a small parking area. The structures consist of three 120 sq. ft. pre-fabricated communication housing structures, and the fourth is a 260 sq. ft. prefabricated concrete storage building. There is a fence surrounding the approximately one acre communication facility with eight 20 foot high monopoles attached. There is a temporary tower comprised of three 35 foot high telephone poles, in a row, with antenna above bringing the height of the structure to approximately 50 feet. There are miscellaneous equipment structures such as a generator, back-up generator, fuel tank, and an 80 sq. ft. storage shed (See Exhibit 5). A trench outside the fenced area was dug to install underground utilities cables to a telephone/utility pole outside the fenced area. The applicant also cleared all vegetation in at least a 100 foot radius around the fenced area. Finally, there is a small recreational vehicle outside the fenced area which is for security guards when they are on site. It is not intended to be used as a residential unit.

This site was previously used as a communication facility by another lessee of the property (See Exhibit 7). The structures which were previously on the site included a chain link fence with approximately twenty 20 foot high monopoles attached; a concrete foundation for pre-fabricated structures, a generator and other appurtenant structures. There was also a utility pole used to convey utilities to the subject site. Upon termination of the lease, the previous lessee removed all structures, concrete foundations, fencing and antenna from the site. The site was left with trash and concrete rubble. In addition, the previous lessee graded part of the site and left a trench in the middle of the road to inhibit access. The current lessee removed the trash, fixed the trench and recompact the site. This action is a part of this application.

The communication facility is situated over approximately one acre on a 20 acre lot off of Castro Peak Motorway (See Exhibit 6). The subject lot is not located in a wildlife corridor or significant watershed. Access to the site is by Castro Peak Motorway, a unpaved fire road with access from Latigo Canyon Road (See Exhibits 1, 3, and 4). Immediately adjacent to the site are two other communication facilities. The first is a County owned and operated facility on a .46 acre lot; the other is located on a 2.36 acre lot and owned by L. Darrell Bevan. National Park Service property is located immediately south of the subject site.

The application lists both RCSI and L.A. Cellular as applicants for the project. Both RCSI and L.A. Cellular have submitted letters authorizing Carolyn Ingram-Seitz to represent them for this application. Moreover, a copy of the lease between the property owner, Ellen Fielding, and the lessee, RCSI, is included in the application. L.A. Cellular is a third party lessee, leasing a portion of the site from R.C.S.I..

B. Environmental Resources and Visual Impacts

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

In addition, the Malibu Land Use Plan contains several policies regarding the control of runoff, minimization of water pollution, the development on ridgelines and the protection of scenic resources. These policies have been used by the Commission as guidance in past permit actions. For example, Policy 82 suggests that new development shall minimize grading to reduce the effects of runoff and erosion on coastal resources; and Policy 84 suggests the use of landscaping plans for stability and the minimization of the fuel load. Policy 96 suggests that water quality be protected from pollutants and runoff. Policy 125 suggests that new development be sited and designed to protect public views from designated scenic highways and scenic coastal areas. Policy 130 states, in part, that new development in highly scenic areas should be sited to protect views, be compatible with the surrounding area, and minimize landform alteration.

Solstice canyon, south of Castro Peak motorway is a significant watershed. The watershed actually includes both the main canyon and Dry Canyon, a small tributary to the east; both canyons contains significant wildlife values, includes a perennial stream, a waterfall and riparian woodland with stands of sycamore and white alder as well as high scenic values. Although the site is not located within this watershed, it contains a significant stand of healthy chaparral vegetation, and thus provides the same value as the watershed below for nesting, breeding, and feeding of native fauna.

The subject lot remains heavily vegetated with native vegetation, including sage and Manzanita, with the exception of the one acre communication facility and the access road. During development on the site, the applicant cleared vegetation for a distance of at least one hundred feet downslope from the access road. Some of the vegetation removed was on National Park Service land. The National Park Service has already requested that the applicant

reseed disturbed park land, which the applicant has done. The excessive removal of vegetation on steep ridgeline slopes has the potential to create adverse environmental impacts on canyons and streams below by increasing sedimentation and siltation of streams. Increased runoff from steep ridgeline slopes does negatively impact canyon and stream habitats below by covering vegetation, and feeding, nesting and breeding grounds with sedimentation. Increased siltation in water courses can deplete oxygen sources, cover the natural stream bottom with soil, and bury feeding, nesting and breeding grounds.

Moreover, This amount of clearance exceeds the allowances set forth by the Fire Department and the Coastal Commission. In accordance with the Fire Department standards, the Commission allows for the clearance of all vegetation for a maximum radius of 50 feet around structures. The next 50 to 150 feet around a structure may be thinned of vegetation; however, total clearance of all vegetation is typically not permitted. The purpose in retaining some vegetation is to provide habitat and erosion protection. The Fire Department suggests, and the Commission allows, for the reduction in the fuel load through the removal of dead brush and the reduction in the height of remaining plants. The removal of all vegetation on a steep slope will result in surficial erosion which in turns increase sedimentation and siltation downslope. In addition, an increase in surficial erosion can lead to instability of the slope. Therefore, the Commission requires the applicant to submit a revegetation plan for those areas cleared of vegetation. The plan shall outline the areas cleared and indicate the vegetation which is regrowing. All non-native, invasive plant material shall be removed; native vegetation should remain. The plan shall detail the plants and or seeding to be done to revegetate the area. The Commission further requires that this plan be implemented before the 1997/1998 rainy season. In no event should the revegetation occur later than February 1, 1998.

The subject site also has the potential to create adverse visual impacts. The subject site is located on the top of a major ridgeline in the Santa Monica Mountains. The subject site is located on a major ridgeline with little development in the area. The Castro Peak ridgeline is a LUP designated "significant ridgeline." Significant ridgelines constitute a scenic resource of the Coastal Zone due to their visibility from many vantage points. The site is also visible from the 101 Freeway in some locations.

There are two sites immediately adjacent to the subject property which also have communication facilities. The County site has a large tower, fencing, and a small structure. The site to the east has a large tower with several dished antenna attached, several monopoles attached to the top of telephone poles, and equipment structures. Previously, on this site, there was previously a communication facility on this site with monopole antennas attached to fencing and a tower, as evidenced in Exhibit 4.

The proposed development is consistent with development in the surrounding area. The proposed twenty foot high monopoles are attached to the six foot high chain link fence. They are not as bulky as the adjacent towers or telephone poles with monopoles, and thus are not as visible. The temporary tower comprises three 35 foot high telephone poles placed in a row with various antenna attached at the top. This tower is proposed to be temporary until such time that both Regional Planning and the Commission approve a permanent tower. This temporary tower is visible from scenic lookouts; however, the temporary tower is lower in height than the towers on the other

lots. The Commission finds that the monopole antennas and temporary tower do not create a significant adverse visual impact as seen from nearby scenic highways.

Similar communication facilities have been approved in other areas within the Coastal Zone. As noted above, on the adjacent lot, owned by Mr. Bevan, the Commission has granted waivers for additional antenna on the existing adjacent tower [Coastal Development permit Waivers 4-94-016 (PacTel Cellular) and 4-96-117 (Airtouch Cellular)].

In 4-94-203 (GTE Mobilnet of Santa Barbara), the Commission approved the installation of cellular telephone repair facility at Diablo Peak on Santa Cruz Island. This development included several appurtenant structures and accessory units such as storage buildings and generators. The Commission approved the project, and a subsequent amendment to the project (4-94-203A) subject to nine special conditions. The conditions related to fire suppression and protection, protection of native habitat, future development and abandonment of the site. In 4-94-234 (GTE Mobilnet of Santa Barbara), the Commission approved a similar project, to that described above, for a cellular repeater facility on Mt. Pleasant on Santa Cruz Island. That permit was subject seven special conditions including fire suppression, protection of native habitat, future development and abandonment.

In San Diego, the Commission approved the construction of a wireless communication facility with four panel antennas on a 32 foot high steel pole and an equipment pole just east of interstate 5 under coastal development permit 6-97-9 (Pacific Bell Mobile Services). This permit was approved subject to 1 special condition which required that the applicant agree that should technological advances enable changes to occur to minimize visual impacts, those changes shall occur. The condition further required that should the development become obsolete the site shall be restored. In this case, the proposed development is a replacement of communication facilities that previously existed with new communication facilities. The subject development does not expand further than the existing graded pad on site. No permanent tower is proposed at this time; no development exceeds the height or bulk of the neighboring tower on Los Angeles County property to the immediate south of the subject site. The proposed project thus will not create significant adverse visual impacts as proposed.

However, the Commission acknowledges that the applicant is currently seeking a conditional use permit (CUP) from Los Angeles County Department of Regional Planning for a permanent tower on the site. Should the applicant receive both a CUP and a coastal development permit for this tower, the existing tower, and possibly the monopoles, may become obsolete. Further, in the future, the communications equipment on site may become obsolete all together based on the advancement of technology. Should this occur in the future, there may be no need for the existing equipment on site. Although the individual effect of this development is not significant, the cumulative effect of additional towers and structures on this ridgeline, as technology progress, can create adverse visual impacts. Therefore, in the event that future technological advances allow for a reduced visual impact, the Commission finds it necessary to require the applicant to agree to make those modifications which would reduce the visual impact of the proposed facility. Likewise, if, in the future, the facility is no longer needed, the applicant shall agree to abandon the facility and be responsible for the removal of all permanent structures, and restoration of the site as noted in special condition 1.

The Commission finds that only as conditioned is the project consistent with Sections 30231 and 30251 of the Coastal Act.

C. Violation

This application includes the after-the-fact request to remove concrete and trash from a communication facility site and establish a new communication facility site. Placement of structures, minor grading to install underground utilities, and clearing of vegetation occurred without the benefit of a coastal development permit.

Although development has taken place prior to submission of this permit application on lot 1, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Approval of this permit does not constitute a waiver of any legal action with regard to any violation of the Coastal Act that may have occurred.

D. Local Coastal Program

Section 30604 of the Coastal Act states that:

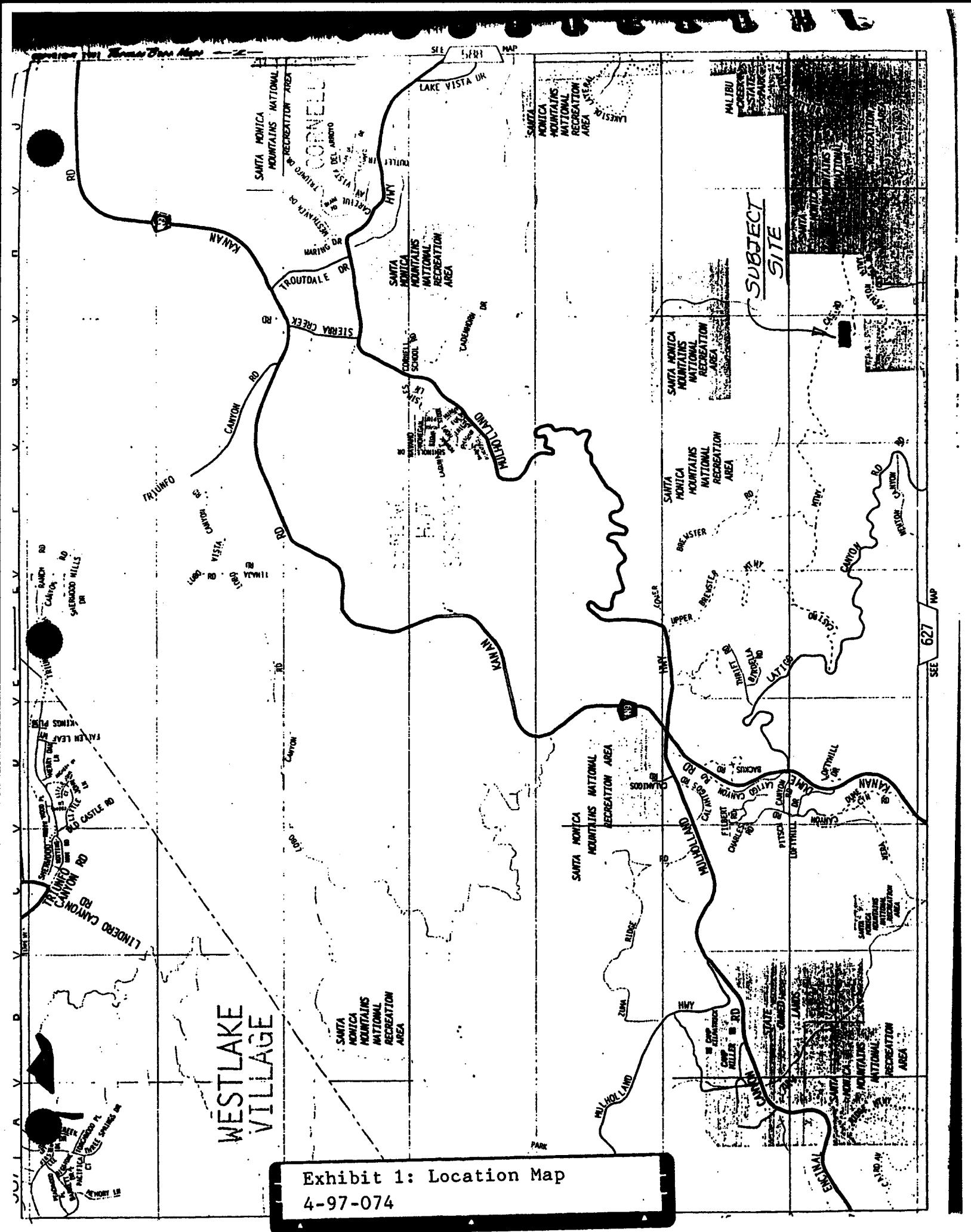
- a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding section provides findings that the project as conditioned is in conformity with the provisions of Chapter 3. As conditioned, the development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the development, as conditioned, will not prejudice the County's ability to prepare a Local Coastal Program for Malibu which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

There are no negative impacts caused by the proposed development, as conditioned, which have not been adequately mitigated. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.



1992

PG
19

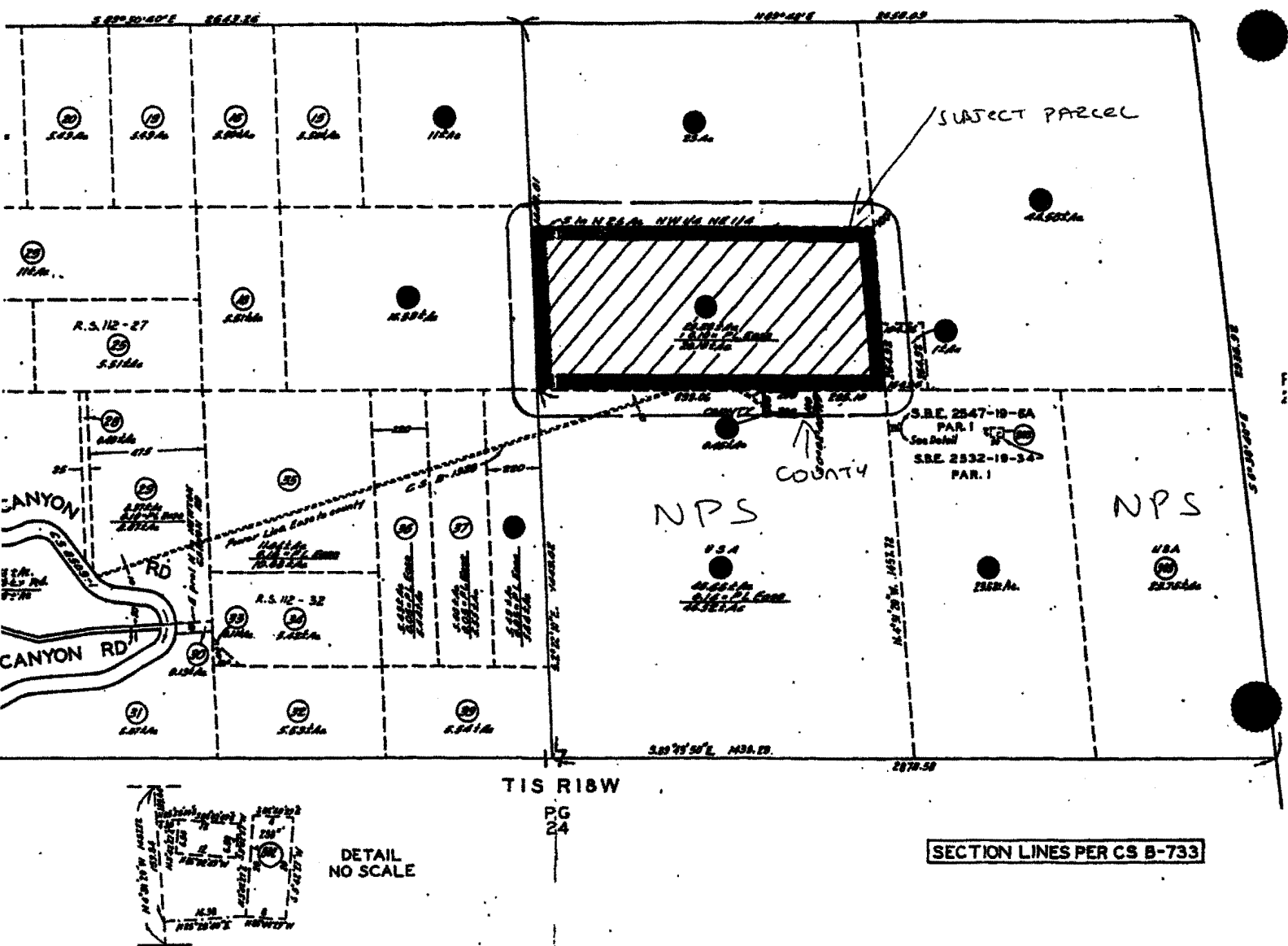


Exhibit 2: Parcel Location
4-97-074



Exhibit 3: Aerial Photograph
4-97-074 circa 1983

R.C.S.I. SITE LOCATION

U.S.G.S. TOPO- CURRENT ISSUE @ 400%

T.17 R.18 W.

1" EQUALS 500 FEET

453

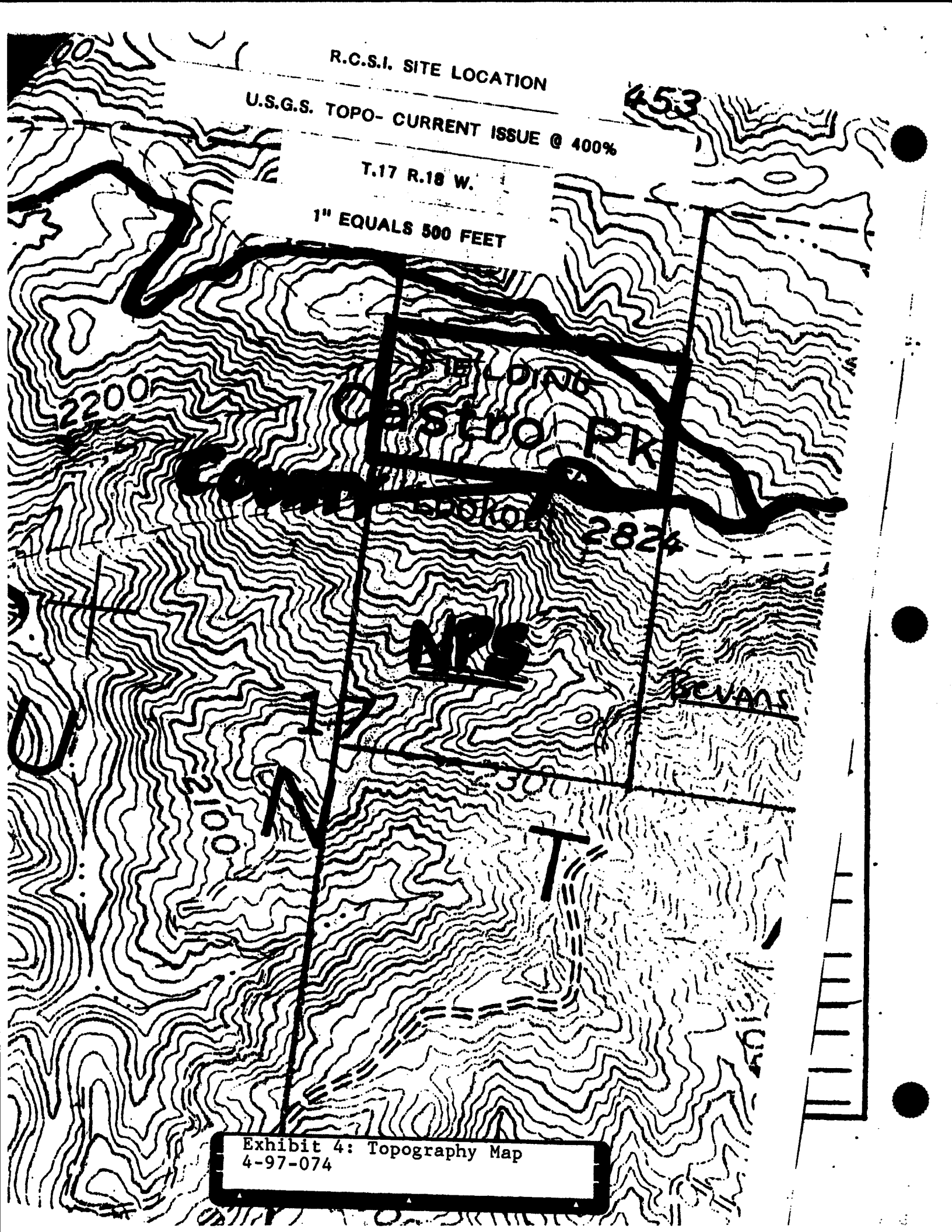
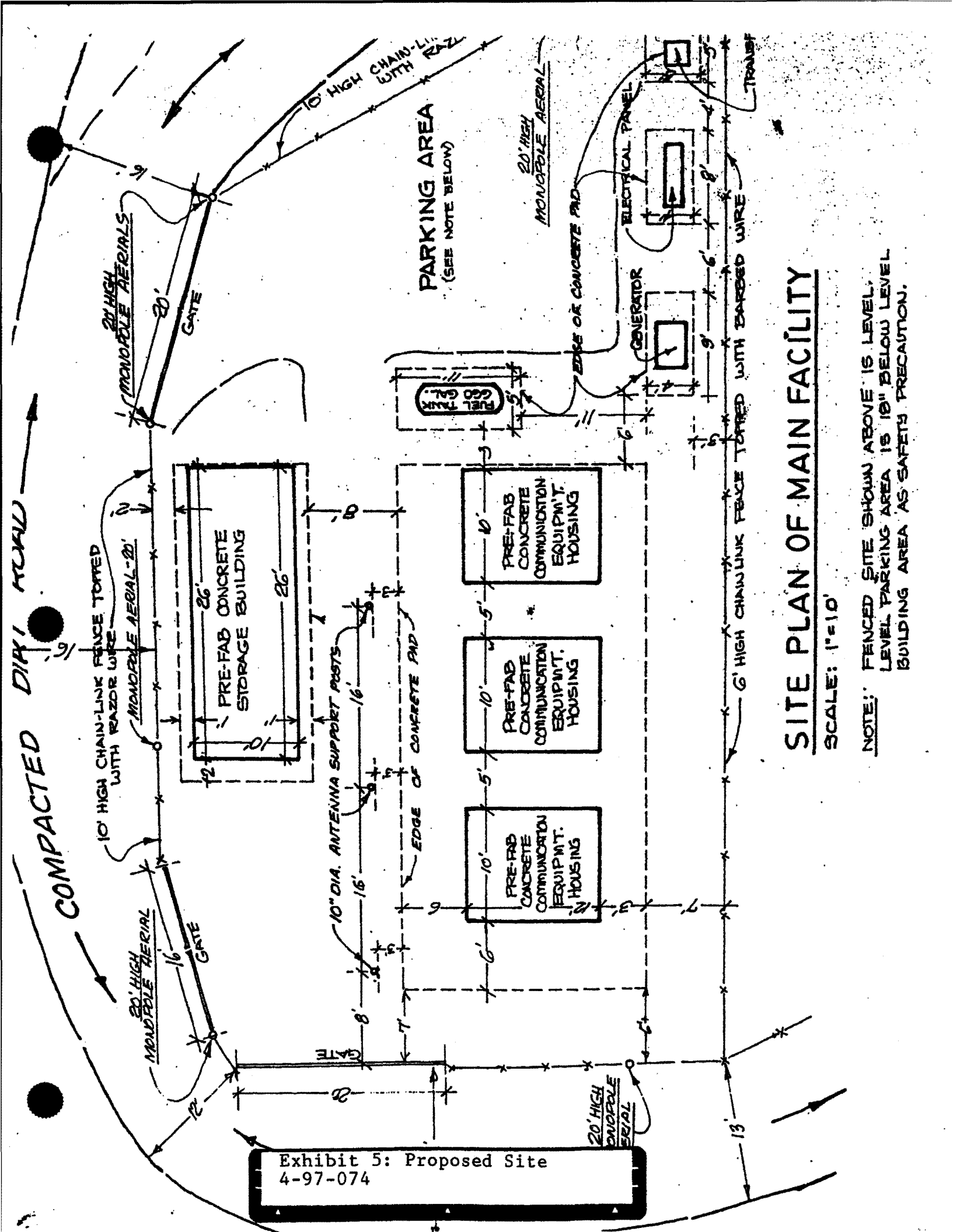


Exhibit 4: Topography Map
4-97-074



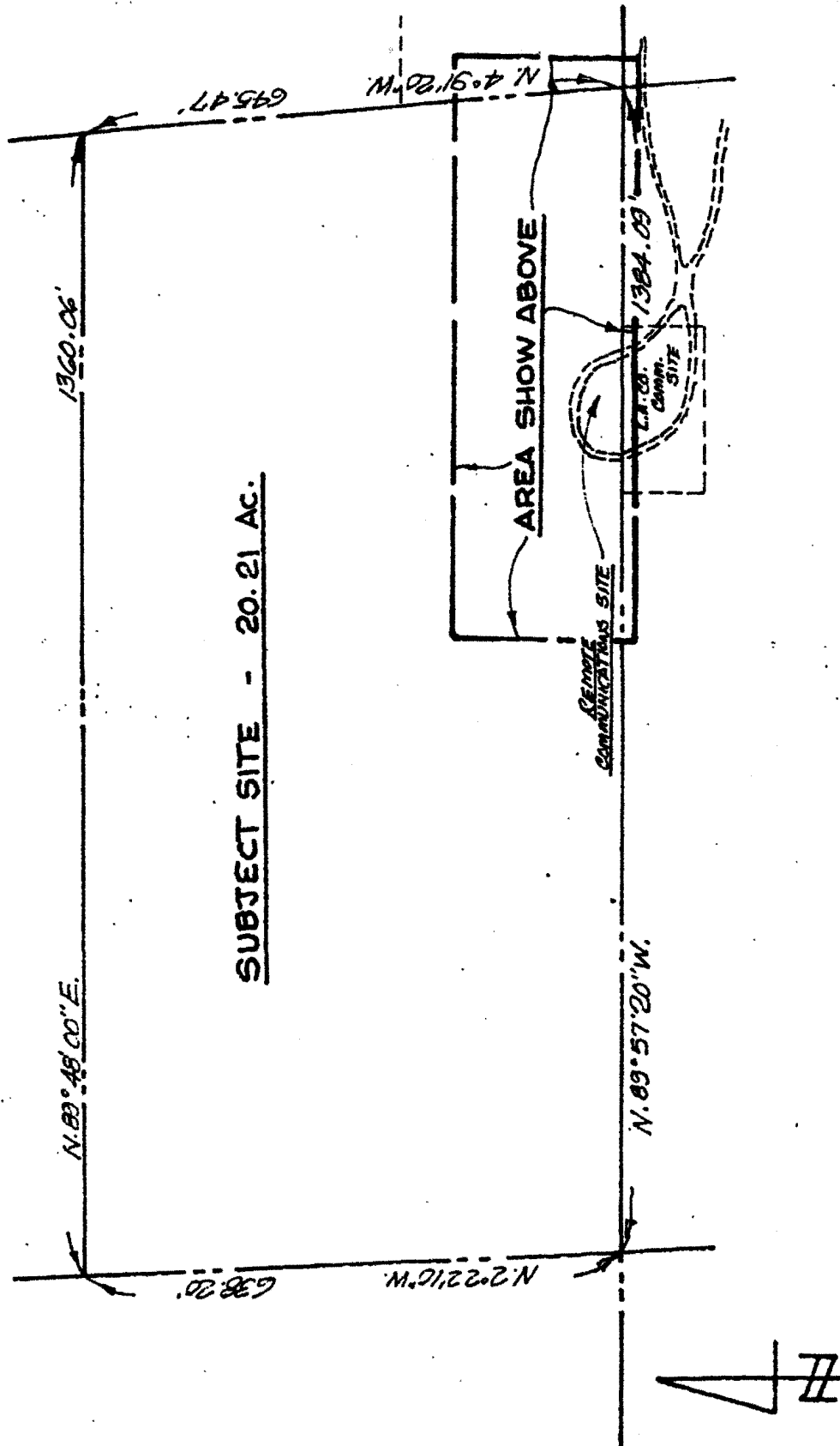
SITE PLAN OF MAIN FACILITY

SCALE: 1"=10'

NOTE: FENCED SITE SHOWN ABOVE IS LEVEL.
LEVEL PARKING AREA IS 10" BELOW LEVEL
BUILDING AREA AS SAFETY PRECAUTION.

LOCATION MAP

SCALE: 1" = 200'

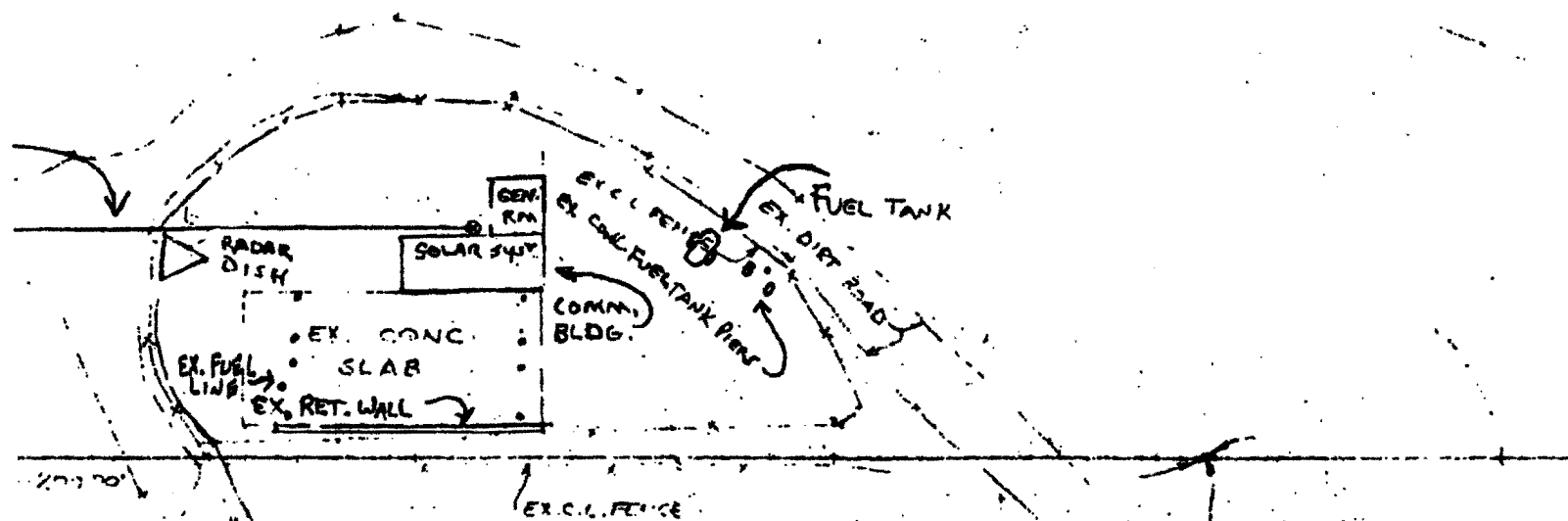


SUBJECT SITE - 20.21 AC.

Exhibit 6: Site location on lot 4-97-074

WACADA

DETAIL "A" BELOW FOR MONOPOLE LOCATIONS



F.B.I. MAY
COUNTY SUBJECT TO
MON. TIL 12 W
APR 5 17
2414 1943

SCALE: 1" = 30'

INSIDE COMPOUND NOT TO EXACT SCALE
NO ACCESS AVAILABLE.

2" Ø 6 IP
CORNER
ON TOP.
OWNER
CONTACT
TEL

Exhibit 7: Previous development
4-97-074

PP 44740 REQUIREMENTS FOR CONSISTENCY 2/12/97

Approved for replacement of two portable unmanned communications equipment shelters, one portable storage container and appurtenant ground support equipment in connection with and accessory to the continuation of a non-conforming communication facility that includes 14 existing twenty foot high monopole antennas. Site development will also include establishment of an amateur radio station with antenna structure in conformity with the standards of Section 22.52.1430 of the Zoning Ordinance, attached hereto. All development will take place on existing concrete slabs that have been previously used for the same purpose and within the perimeter of the existing graded development site with no new grading necessary. The subject property requires recordation of a clear certificate of compliance prior to approval of Conditional Use Permit Case No. 96-054, for expansion of this communications facility.

The subject property is located in the County's coastal zone and requires approval of a coastal development permit by the California Coastal Commission due to the erection of the new antenna structure. The development site is located just northerly of the Eastern Wildlife Corridor and not within 200 feet of either the Newton Canyon Inland Environmentally Sensitive Habitat Area and a remnant of the La Sierra Inland Environmentally Sensitive Habitat Area, all as designated in the Malibu Local Coastal Plan. The proposal is, therefore, exempt from the requirement for a recommendation by the County's Environmental Review Board.

Runoff from impervious surfaces shall be collected, retained and dissipated on-site in such a manner as to not cause erosion into Cold Creek located to the west. All graded slopes shall be replanted with native, non-invasive species.

Exhibit 8: County Approval
4-97-074

May 7, 1997

L. Darrell Bevan
1164 Amberton Lane.
Newbury Park, CA 91320

Susan Friend
California Coastal Commission
89 South California St., Suite 200
Ventura, CA 93001

Reference: Application 4-97-074W

Dear Ms. Friend,

While visiting your office today to obtain information regarding making application for a Waiver DM I reviewed an application for a waiver on the property adjacent to mine. I was surprised at the inaccuracies and misleading nature of the application. The following are some of the discrepancies I noted. I will provide you supporting evidence to my claims if you desire. I do not believe the requested waiver is in the best interest of the Commission or the tenants being served.

The applicant was listed as Remote Communications (RCSI) and L. A. Cellular. L. A. Cellular Telephone Company (LACTC) is a client of mine operation under authority of CONDITIONAL USE PERMIT CASE NO. 88-021-(4) granted on June 6, 1988. No information is provided indicating authorship of the application by LACTC.

The response to your request for proof of ownership makes no reference to Remote Communications or L. A. Cellular.

At the time RCSI's took possession of the property it had been returned to it's original undeveloped state in accordance with the terms of the previous lease. There were no buildings or structures damaged or destroyed on the property.

Previous to their removal the following items, as shown on the photographs in your file, were:

- A. 54 square foot trailer (not a structure) used for equipment.
- B. 499 gallon propane tank on a trailer.
- C. Solar panels to charge batteries delivering an average power of 100 Watts.
- D. 48 square foot garden shelter containing one 4kW emergency generator.
- E. 14 antennas 20 foot high.
- F. 175 feet of chain link fence approximately 7 feet high.
- G. One (1) concrete pad used only for parking.

Items claimed by RCSI to be on the property during this period but, in fact, were not:

- A. Antenna structure or tower over 20 feet tall.
- B. Over 800 square feet of portable buildings on cement pads.
- C. Extensions of commercial electricity and telephone.
- D. 1000 gallon fuel tank.

Exhibit 9: Letter of Objection
4-97-074 received for waiver

Violations of the PP44740 REQUIREMENTS FOR CONSISTENCY 2/12/97 exist including the following expansions of site by RCSI that never previously existed:

- A. Over 600 square feet of communication equipment buildings.
- B. Massive antenna support structure approximately 36 feet wide X 50 feet high.
- C. Underground commercial Edison power of 400 Amps at 120/240 Volts.
- D. Underground commercial GTE telephone lines, 25 pairs.
- E. More than two acres clear-cut of natural vegetation. No replanting or runoff control as required.
- F. Extensive grading without a permit resulting in a citation from the County of Los Angeles.
- G. Involuntary use of private driveway without easement for access or egress.
- H. Installation of three (3) generators each rated at 60 kW. At least one of which has been running continuously since April 11, 1997 without required permits.
- I. Installation of 500 gallon propane tank and 660 gallon diesel fuel tank.
- J. Installation and operation of communication equipment and building without first obtaining a conditional use permit or a required building permit from the County of Los Angeles.
- K. Operation of PUC regulated services in violation of General order 159A.
- L. Installation of as many as thirty (30) antennas ranging up to 50 feet high.
- M. Representations to tenants and others that all permits and authorizations have been obtained.

It is clear that there are numerous violations including Title 22 of the Zoning Code. Nonconforming use was terminated upon the removal of nonconforming building or structure according to 22.56.1540 A. 1. Even if it could be argued that the buildings or structures were damaged or destroyed, authority for rebuilding of like for like must be at a cost of reconstruction not to exceed 50 percent of the total market value as defined in 22.56.1510 G. A file has been opened in the Zoning Enforcement department of County of Los Angeles Department of Regional Planning identified as file # 970937 to investigate the matter.

There has been and continues to be adequate and permitted facilities for all private and public needs for communication equipment and antennas on Castro Peak servicing the West end of Los Angeles County and the Conejo Valley. There is no justification to the proliferation of facilities onto land designated for A1-1 usage. The County of Los Angeles maintains a site which it shares with State agencies including CHP. The Federal government also has a facility in operation adjacent. My 23 acre property is permitted and has been used to service private telecommunication providers and telephone companies. There is adequate space on my property to service all the needs in the foreseeable future. This facility is available to other site providers, including RCSI.

It is my recommendation that Remote Communications be denied their request for waiver until such a time that their application and representations accurately reflect the facts.

Sincerely,



L. Darrell Bevan

CALIFORNIA COASTAL COMMISSION

1000 SOUTH CENTRAL COAST AREA
1000 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 641-0142

**RECORD PACKET COPY**

Filed: 10/28/98
49th Day: 12/16/98
180th Day: 04/26/99
Staff: MHC-V *for*
Staff Report: 02/25-99
Hearing Date: March 9, 1999

STAFF REPORT: REGULAR CALENDAR**APPLICATION NO.:** 4-98-219**APPLICANT:** Remote Communications Systems**AGENT:** Carolyn Seitz**PROJECT LOCATION:** Castro Peak, Santa Monica Mountains, Los Angeles County**PROJECT DESCRIPTION:** One 170-ft, two 120-ft communication towers, and appurtenant facilities

Lot area: 20.18 acres.
Ht above fin grade: 170 feet

LOCAL APPROVALS RECEIVED: Los Angeles County CUP 96-054

SUBSTANTIVE FILE DOCUMENTS: Application 4-98-219; Santa Monica Mountain/Malibu Land Use Plan; Coastal Development Permit 4-94-234 (GTE Mobilnet of S.B.); Coastal Development Permit 4-94-203-A (GTE Moilnet of S.B.); Coastal Development Permit 4-97-074 (RCSI).

STAFF NOTE

Based upon the information submitted to the Commission with the subject application, it is the Commission's understanding that the various communications facilities proposed here will be used by the applicant to provide a wide range of communication services, including broadcasting, cellular phone transmissions, pager signal transmissions, and facsimile transmissions. Accordingly, the Commission's consideration of certain aspects of the proposed development is bound by the requirements of federal law. Under 47 United States Code Section 332©(7) (the Telecommunications Act of 1996), while state and local governments may regulate the placement, construction and modifications of person wireless services facilities to a certain extent, such governments may not unreasonably discriminate among providers of personal wireless services, and any decision to deny a permit for a personal wireless service facility must be in writing and must be supported by substantial evidence. (47U.S.C. Section 332©(7)(B).) These provisions are similar to the requirements of California law, including the Coastal Act. The Telecommunications Act also prevents state and local governments from regulating the effects of radio frequency emissions to the extent that such facilities comply with the requirements of the Federal Communications Commission (CC) concerning such emissions. (47 U.S.C. Section 332(c)(7)(B) iv).

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Future Development Deed Restriction
 - (a.) This permit is only for the development described in coastal development permit No. 4-98-219. Pursuant to Title 14 California Code of Regulations section 13253(b)(6), the exemptions otherwise provided in Public Resources Code section

30610 (b) shall not apply to the communication facilities included in this permit. Accordingly, any future improvements to the permitted structure, shall require an amendment to Permit No. 4-98-219 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

- (b.) Prior to the issuance of the Coastal Development Permit, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, reflecting the above restrictions on development. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

2. Future Redesign of Telecommunications Facilities

Prior to the issuance of the coastal development permit, the applicant shall submit a written agreement stating that where future technological advances would allow for reduced visual impacts resulting from the proposed communication facility, the applicant agrees to make those modifications which would reduce the visual impact of the proposed facilities. In addition, the applicant agrees that if in the future, the facility is no longer needed, the applicant agrees to abandon the facility and be responsible for the removal of all permanent structures, and restoration of the site consistent with the character of the surrounding area. Before performing any work in response to the requirements of this condition, the applicant shall contact the Executive Director of the California Coastal Commission to determine if an amendment to this coastal development permit is necessary.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicant is proposing the construction of a 120-foot transmission tower as part of an expansion of Phase I of a previously approved telecommunication facility (Coastal Development Permit 4-97-074). Additionally, the applicant proposes the development of two additional phases of the project site. Phase II consists of 4 prefabricated communications buildings (10 x 40 feet), a 170 foot tower, electrical generator, a 1000 gallon fuel tank, security building (10 X 35 feet), emergency lighting and a fencing. Phase III consists of a prefabricated communications building (10 X 40 feet), 120 foot tower, electrical generator, 1000 gallon fuel tank, emergency lighting, and a fencing. The expansion of Phase I and the addition of Phase II and III will not require any grading, and will be serviced via an existing road and driveway. (See Exhibits 1 through 4.)

The purpose of the proposed development is to provide a wide range of communication services, including broadcasting, cellular telephone transmissions, pager signal transmissions, and facsimile transmissions.

The subject site is located on a 20.18 acre foot lot on the Castro Peak ridgeline within the unincorporated area of Malibu (Exhibit 1-2). Access to the site is by Castro Peak Motorway, an unpaved fire road with access from Latigo Canyon Road. The Phase I site is currently developed with a series of temporary antennas and three storage vaults which were previously approved by the Commission in past permit action.

B. Visual Resources and Landform Alteration

Section 30251 of the Coastal Act states that:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30251 of the Coastal Act requires scenic and visual qualities to be considered and protected. To assist in the determination of whether a project is consistent with Section 30251 of the Coastal Act, the Commission has, in past coastal development permit actions, looked to the Malibu/ Santa Monica Mountains LUP for guidance. The Malibu/ Santa Monica Mountains LUP has been found to be consistent with the Coastal Act and provides specific standards for development within the Santa Monica Mountains. The following LUP policies pertain to the proposed project:

Policy 125 *New development shall be sited and designed to protect public views from LCP-designated scenic highways to and along the shoreline and to scenic coastal areas, including public parklands. Where physically and economically feasible, development on sloped terrain should be set below road grade.*

Policy 129 *Structures should be designed and located so as to create an attractive appearance and harmonious relationship with the surrounding environment.*

Policy 130 *In highly scenic areas and along scenic highways, new development shall:*

- ♦ *Be sited and designed to protect views to and along the ocean and to and along other scenic features, as defined and identified in the Malibu LCP.*
- ♦ *Minimize the alteration of natural landforms.*
- ♦ *Be landscaped to conceal raw-cut slopes.*
- ♦ *Be visually compatible with and subordinate to the character of its setting.*
- ♦ *Be sited so as not to significantly intrude into the skyline as seen from public viewing places.*

Policy 131 *Where feasible, prohibit placement of structures that will break the ridgeline view, as seen from public places.*

The proposed project includes the construction of a 170 foot high and two 120 foot high open lattice steel communications towers, the installation five prefabricated buildings under 10 feet high, a miscellaneous appurtenant facilities (generators, fuel tanks, and lighting and fencing). The construction of the tower will not increase the amount of paved surfaces and does not include any grading; however, it does have the potential to create adverse visual effects. The subject site is located on Castro Peak, which the LUP designates as a "significant ridgeline." Significant ridgelines constitute a scenic resource of the Coastal Zone due to their visibility from many vantage points including Highway 101. Castro Peak is one of the highest and most prominent peaks in the Santa Monica Mountains. The peak's high elevation and geographic location provides for an ideal radio communications site.

The site currently has one 35-foot high temporary wooden tower approved by the Commission in Coastal Development Permit 4-97-074, that provides antenna space for several Federal agencies as well as privately owned pager companies (See Exhibit 3). The property owned by Darrel Bevan located to the east of the subject site contains a cellular service site operated by Pac Tell Cellular approved by the Commission per Coastal Development Permit 4-94-016. This property also has two large towers with several antenna dishes attached, several amateur radio sites attached to the top of telephone poles, and several equipment structures. Some of the existing development on Bevan's parcel was constructed without the benefit of a coastal development permit and is currently being investigated by the Commission's Enforcement unit. A portion of the area on Castro Peak is owned by the County of Los Angeles and is currently developed with a 120-foot tall orange and white striped steel lattice communications tower and 80 foot

The proposed 170-foot and two 120-foot steel communications tower will be sited immediately north of the existing County of Los Angeles facilities located on the ridgeline of the mountaintop. The existing towers owned and operated by the County of Los Angeles are painted white and orange as a precautionary safety measure for aviation. The Commission recently granted a Coastal Development Permit (4-98-074) to the County of Los Angeles for an additional 80-foot communication tower immediately south of the site, which is the subject of this application. The new towers will be visible from Highway 101 and Highway 1, a designated scenic highway, as well as several hiking trails and scenic areas within the Santa Monica Mountains.

There is another pending coastal development permit application that has been received by the Commission Darrel Bevan. Bevan, the owner of APN 4464-022-005, is proposing to relocate an existing unpermitted 60-foot tower from National Parks Service Land and increase the height to 120 feet. Therefore, the cumulative visual impact from these towers is of concern.

The tower location clusters development on the ridgeline in order to minimize the adverse visual effects seen from public places. The proposed towers will not result in any additional significant adverse visual impacts as seen from public viewing points or scenic highways in the area. Therefore, the Commission finds that the proposed tower is consistent with the existing permitted development located on Castro Peak due to its proposed height and location.

However, to ensure that any additional microwave dishes or antennas added to the proposed tower will not significantly increase the height of the tower and create adverse visual impacts the Commission finds that proposed project can only be approved attached with Special Condition One (1). Special Condition One (1) requires that any modification

to the approved coastal development permit including additions or improvements to the structures will require a coastal development permit or amendment.

Further, in the future, the communications equipment on site may become obsolete based on advanced technology. Should this occur, there would not be any need for the proposed development. Although the individual effect of this development is not significant, the cumulative effect of additional towers and structures on this ridgeline, as technology progresses, can create adverse visual impacts. Therefore, in the event that future technological advances allow for a reduced visual impact, the Commission finds it necessary to require the applicant to agree to make those modifications which would reduce the visual impact of the proposed facility. Likewise, if in the future, the facility is no longer needed, the applicant shall agree to abandon the facility and be responsible for the removal of all permanent structures, and restoration of the site as outlined in Special Condition Two (2).

The Commission finds the proposed 170-foot and two 120-foot towers in the proposed location as specifically designed here are consistent with Section 30251 of the Coastal Act. The Commission notes that other towers in alternative locations, with different designs and in different heights might not be consistent with the Coastal Act policies. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Section 30251 of the Coastal Act.

C. Geological and Natural Hazards

Section 30253 of the Coastal Act states in part that new development shall:

- (1) *Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) *Assure stability and structural integrity, and neither create nor contribute significantly to erosion, instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

The proposed development is located in the Santa Monica Mountains, an area that is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property. Section 30253 of the Coastal Act requires that new development minimizes risk to life and property in areas of high geologic, flood and fire hazard, and assures stability and structural integrity.

Section 30253 of the Coastal Act requires that new development minimizes risk to life and property in areas of high geologic, flood and fire hazard, and assures stability and structural integrity. The applicant is proposing the construction of one 170-foot and two 120-foot high open lattice steel communications towers, the installation five prefabricated buildings, and appurtenant facilities. Previous geological investigations of the Castro Peak site have indicated that the soil and rock conditions at the site are suitable for drilled cast-in-pile type foundations which have been used for existing, previously approved, and currently proposed open lattice communications towers.

Therefore, the Commission finds that the proposed development as proposed, is consistent with Section 30253 of the Coastal Act.

D. Local Coastal Program

Section 30604(a) of the Coastal Act states that:

Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

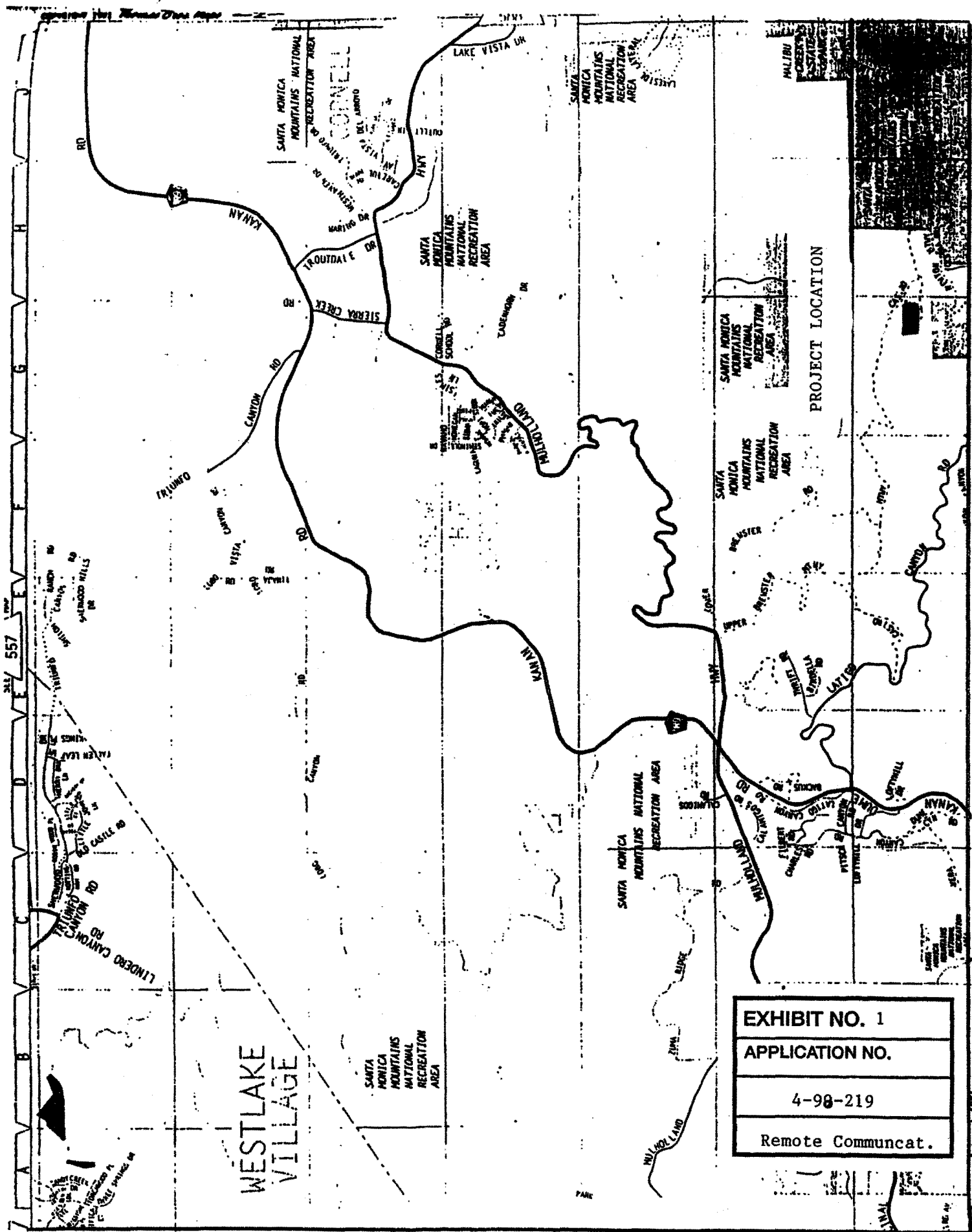
Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3.

Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the County's ability to prepare a Local Coastal Program for Malibu which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects which the activity would have on the environment.

The proposed project, as conditioned, will not have any significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is consistent with CEQA and the policies of the Coastal Act.



WESTLAKE
VILLAGE

EXHIBIT NO. 1
APPLICATION NO.
4-98-219
Remote Communicat.

LOCATION MAP

SCALE: 1"=200'

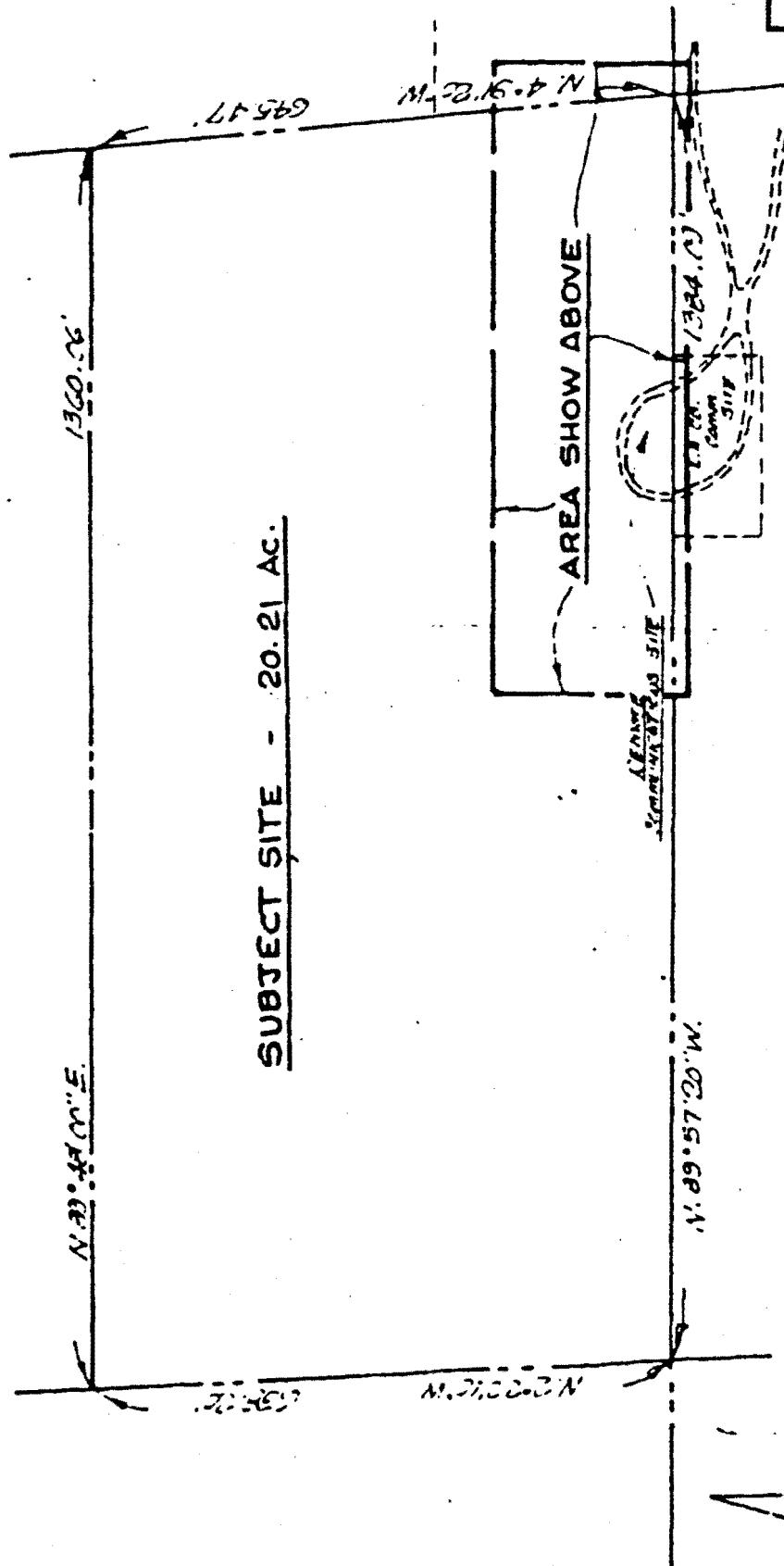


EXHIBIT NO. 2

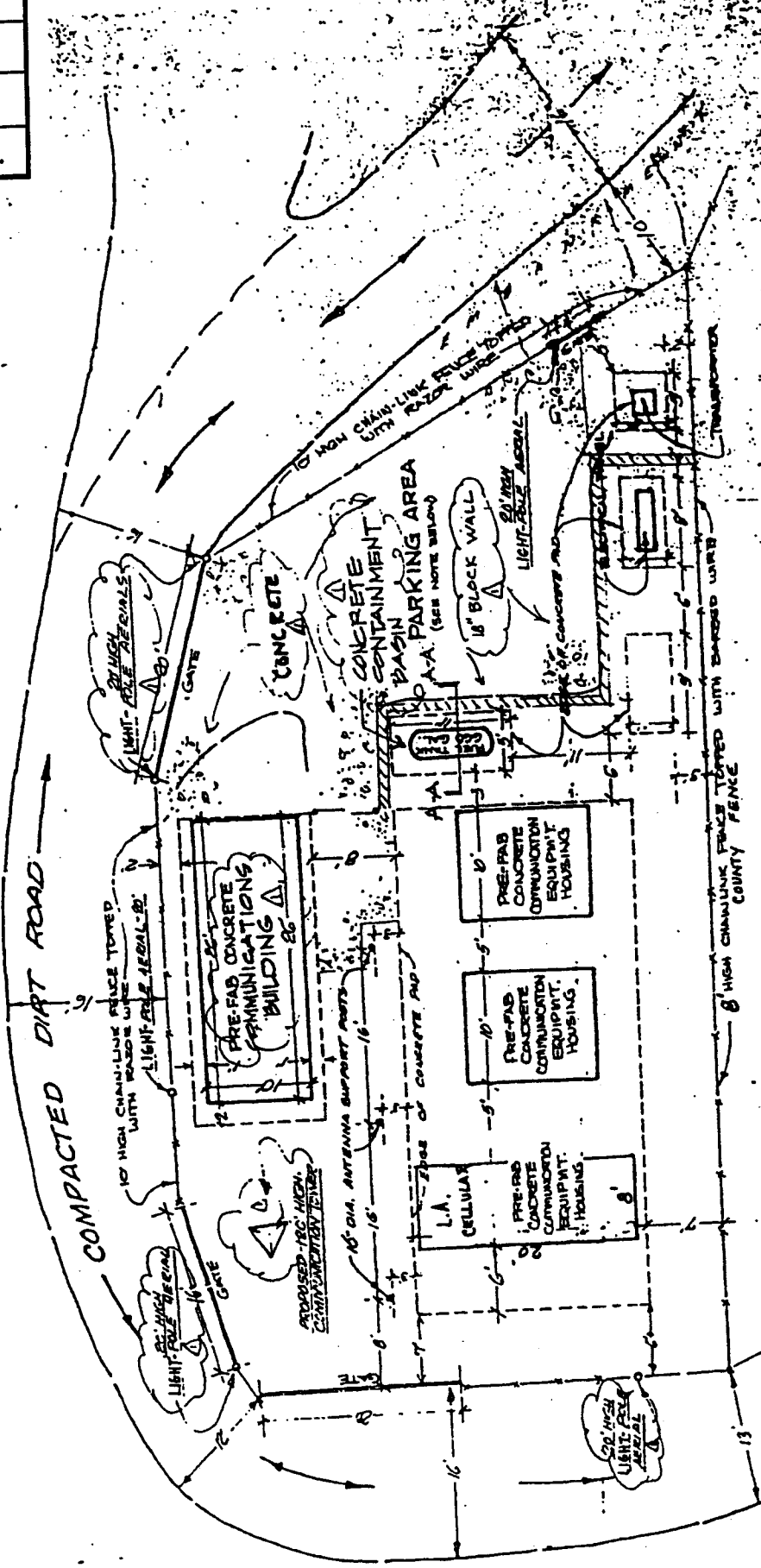
APPLICATION NO.

4-98-219

Remote Communicat.

EXHIBIT NO. 4
APPLICATION NO.
4-98-219
Remote Communicat.

SECTION A-A
SCALE: 1/2" = 1'-0"



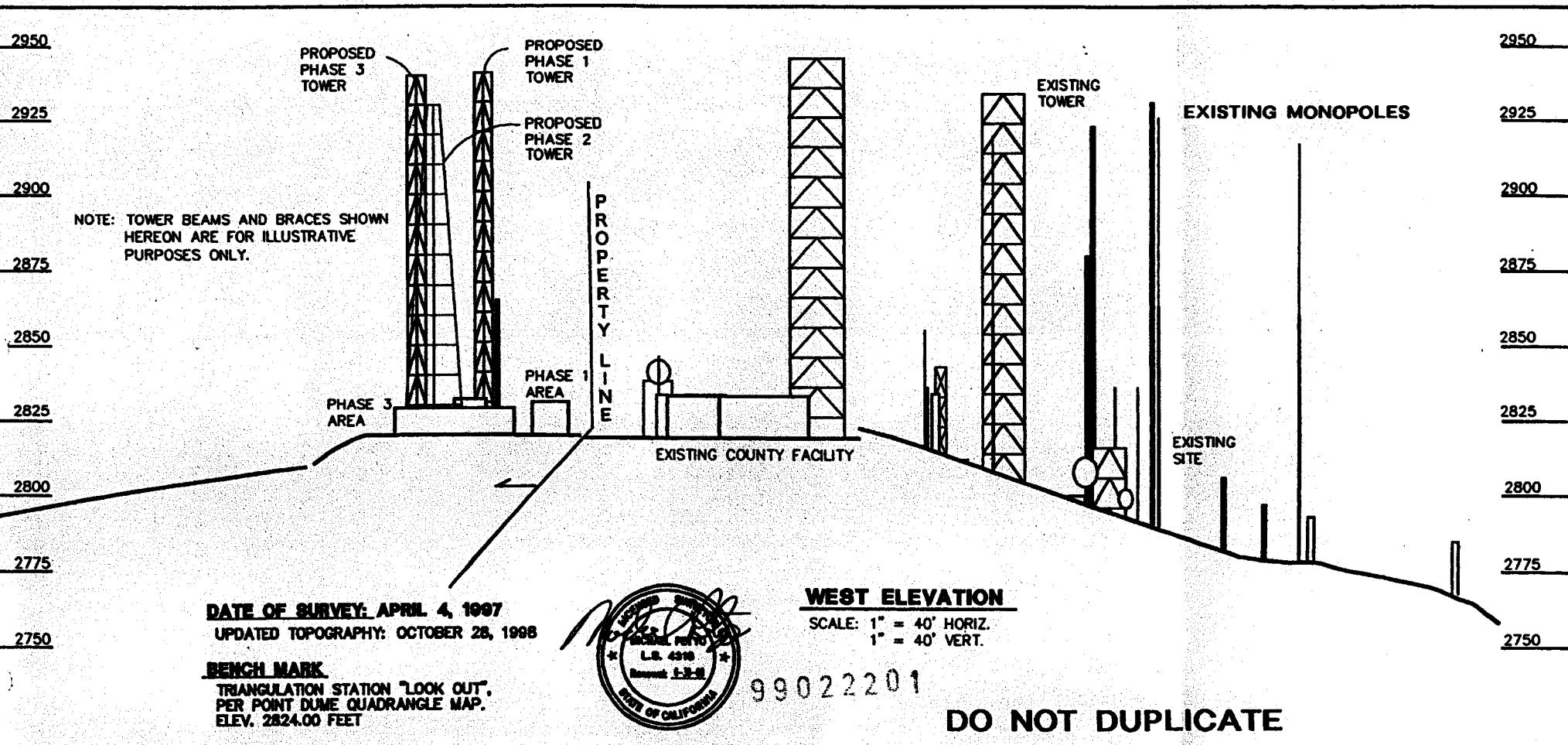
SITE PLAN OF PHASE I
SCALE: 1" = 10'

NOTE: FENCED SITE SHOWN ABOVE 16' LEVEL.
LEVEL PARKING AREA 16' - 18' BELOW LEVEL.
BUILDING AREA AS SAFETY PRECAUTION.

PHASE I LAND USAGE: EXIST. USAGE IS LESS THAN
502 SQ. FT. WHICH IS JUST IN EXCESS OF 9/10ths
ONE PERCENT OF PARCEL AREA (0.248 %).

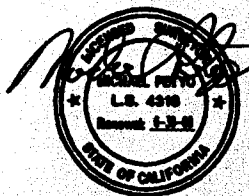
APN 4464-022-013

EXHIBIT NO.	5
APPLICATION NO.	
4-98-219	
Remote Communicat.	



WEST ELEVATION

SCALE: 1" = 40' HORIZ.
1" = 40' VERT.



99022201

DO NOT DUPLICATE

PREPARED BY:

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17982 SKY PARK CIRCLE, SUITE B
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PREPARED FOR:

R.C.S.I.
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SIMI VALLEY, CA 93062-1510
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PROFILE VIEWS
TOWERS, ANTENNAS & FACILITIES
CASTRO PEAK
SANTA MONICA MT. CALIFORNIA

SHEET

1

OF 4 SHEETS

DRAWN: 2/16/99

BY: B.J.G.

CHECKED: M.P.

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NOTE: TOWER BEAMS AND BRACES SHOWN
HEREON ARE FOR ILLUSTRATIVE
PURPOSES ONLY.

EXISTING MONOPOLES

EXISTING
TOWER

EXISTING COUNTY FACILITY

PROPERTY
LINE

PROPOSED
PHASE 1
TOWER

PROPOSED
PHASE 3
TOWER

PROPOSED
PHASE 2
TOWER

PHASE 1
AREA

PHASE II AREA

EXISTING
SITE

EXISTING
SITE

99022201

EAST ELEVATION

SCALE: 1" = 40' HORIZ.
1" = 40' VERT.

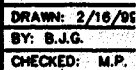
DO NOT DUPLICATE

PROFILE VIEWS
TOWERS, ANTENNAS & FACILITIES
CASTRO PEAK
SANTA MONICA MT., CALIFORNIA

SHEET
2
OF 4 SHEETS
DRAWN: 2/15/99
BY: B.J.G.
CHECKED: M.P.
05600MP.DWG

EXHIBIT NO. 6
APPLICATION NO.
4-98-219
Remote Communicat.

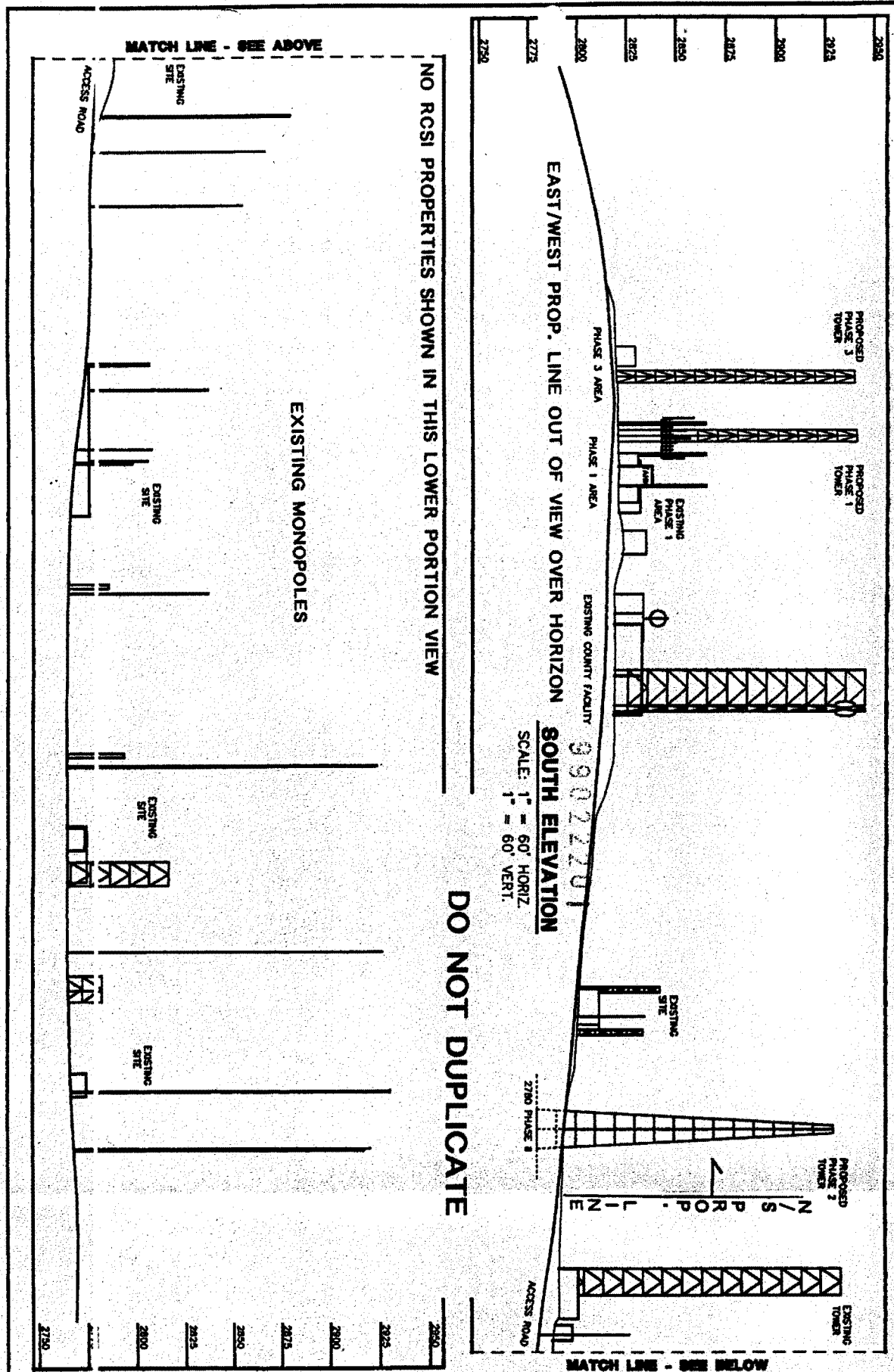
Remote Communicat.



8

4-98-219

Remote Communicat.



PROFILE VIEWS
TOWERS, ANTENNAS & FACILITIES
CASTRO PEAK
SANTA MONICA MT. CALIFORNIA

**SHEET
4
OF 4 SHEET**

DRAWN: 2/16/9
BY: B.J.G.
CHECKED: M.P.

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-2801
VOICE (805) 585-1800
FAX (805) 641-1732



July 10, 2024

Panorama Ranch, LLC
c/o April Winecki and Alan Nelson
Email: April@wineckiconsulting.com
marquetteconsult@gmail.com

**Subject: Status of Coastal Development Permit Nos. 4-97-074 and 4-98-219
918 Latigo Canyon Road, Santa Monica Mountains, Los Angeles County**

Dear April Winecki and Alan Nelson,

This letter is in response to your request for a determination of whether Coastal Development Permit (CDP) Nos. 4-97-074 and 4-98-219, approved by the Commission on July 9, 1997 and May 11, 1999, respectively, for the development of telecommunication facility improvements located at 918 Latigo Canyon Road (APN 4464-022-013) in the Santa Monica Mountains of Los Angeles County is vested.

CDP 4-97-074, issued on August 6, 1997, was valid, issued, and unexpired from August 6, 1997 to July 9, 1999. Based upon the information provided, a substantial portion of the development approved by the above referenced CDP commenced prior to the permit expiration date. Therefore, we consider Coastal Development Permit No. 4-97-074 to have been activated and vested.

CDP 4-98-219, issued on February 16, 2000, was valid, issued, and unexpired from February 16, 2000 to May 11, 2001. Based upon the information provided, a substantial portion of the development approved by the above referenced CDP commenced prior to the permit expiration date. Therefore, we consider Coastal Development Permit No. 4-98-219 to have been activated and vested.

Please contact me if you have any questions regarding this matter.

Sincerely,

Deanna Christensen

Deanna Christensen
District Supervisor