

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

CONDITIONS OF APPROVAL
PROJECT NO. PRJ2023-001922-(1)
CONDITIONAL USE PERMIT NO. RPPL2023002798

PROJECT DESCRIPTION

The Project is a Conditional Use Permit (“CUP”) for the continued use and operation of an existing Wireless Communications Facility (“WCF”) consisting of a 70-foot-and-0-inch-high mono-pine tree. The adjacent equipment area measures 26 feet 8 inches by 9 feet 2 inches and is enclosed by a block wall on the south and west sides, and a chain link fence on the north and east sides. This use was previously established through CUP No. 04-225. The Project is subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term “permittee” shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning (“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 9 shall be effective immediately upon the date of final approval of this grant by the County. As stated in Condition No. 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. As stated in Condition No. 7, this grant shall expire on **April 2, 2039**.
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 April 2, 2039.** 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 CUP 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 Wireless Communications Facility and satisfaction of Condition No. Two 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 or 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 \$3,408.00, 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 eight (8) 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 \$426.00 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 modified Exhibit "A" shall be submitted to LA County Planning by **June 2, 2024**.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit 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

18. This CUP grants a waiver of design standards of Section 22.140.760.G.1 (Modifications to Existing Macro Facilities) which requires the mounting equipment to extend no more than two feet from the structure. At the 62 feet radius (rad) center, the Project's mounting equipment extends 3 feet 3 inches from the structure. At the 53 feet rad center, the mounting equipment extends 3 feet 1 inch from the structure.
19. This CUP grants a waiver of design standards of Section 22.140.760.E.d.iii (Associated Equipment) which requires the equipment area to be completely enclosed. The adjacent equipment area measures 26 feet 8 inches by 9 feet 2 inches and is enclosed by a block wall on the south and west sides, and a chain link fence on the north and east sides.
20. This CUP grants a waiver of design standards of Section 22.140.760.E.1.b.ii (Development Standards-Location), which requires that the Project be located no more than five feet from the property line. The Project is maintained 392 feet 1 inches from the north property line, 331 feet 6 inches from the east property line, 23 feet 0 inch from the south property line, and 107 feet 7 inches from the west property line.
21. This CUP grants a waiver of design standards of Section 22.140.760.E.1.c.iii (Development Standards-Height), which requires that the Wireless Communication Facility have a height no greater than 65-feet-and-0-inches. The Wireless Communication Facility has a height of 70-feet-and-0-inches.
22. The facility shall be operated in accordance with regulations of the California State Public Utilities Commission.
23. The permittee shall provide upon request to the Zoning Enforcement Section of the LA County Planning ("Zoning Enforcement") written certification that the radio

frequency electromagnetic emissions levels comply with adopted Federal Communications Commission ("FCC") limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WCFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WCFs.

24. Insofar as is feasible, the permittee shall cooperate with any subsequent applicants for WCFs in the vicinity with regard to possible co-location. Such subsequent applications will be subject to the regulations in effect at that time.
25. Any proposed WCF that will be co-locating on the facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to Zoning Enforcement.
26. If any external lighting is proposed, including security lighting, it shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Pole mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the Federal Aviation Administration.
27. As the subject property is adjacent to residences, maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the facility may occur at any time.
28. Placement and height of all pole-mounted equipment shall be in substantial conformance with that shown on the approved Exhibit "A". The facility shall be built as depicted in the photo simulations presented at the public hearing.
29. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.
30. The maximum height of the facility shall not exceed 70 feet above finished grade.
31. The permittee shall maintain current contact information with Zoning Enforcement.
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.
33. The facility shall be maintained in good condition and repair and shall remain free of: general dirt and grease; trash, debris, litter, 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. In order for the Project to better blend into the existing surrounding vegetation

of trees and bushes, within 90 days of approval, the permittee shall replace the existing mesh screening that is maintained on the existing chain link fence of the equipment enclosure, add new branches and replace missing branches, and add antenna socks. Further, all antennas and radios are to be painted dark green, the antenna pine socks are to be painted to match the branches, and the new branches are to be painted a mixture of dark green and brown. The branches are to extend 18-inches from the antennas.

34. Upon request, the permittee shall submit annual reports to Zoning Enforcement to show compliance with the maintenance and removal conditions.
35. The FCC Antenna Structure Registration site number, conditional use permit number, primary leaseholder's and facility manager's contact information shall be kept current and prominently displayed on the facility where it can be easily viewed from ground level.
36. The facility shall be secured by fencing, gates and/or locks. All fencing or walls used for screening or securing the facility shall be composed of wood, vinyl, stone, concrete, stucco, or wrought iron. The adjacent equipment area is enclosed by a block wall on the south and west sides and a chain link fence on the north and east sides.
37. Upon termination of this grant or after the facility has ceased to operate; the permittee shall remove such facility and clear the site of all equipment within six months of the cease of operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility.