

September 17, 2024

Bill Lewis  
1499 Huntington Drive # 305  
South Pasadena, CA 91030

PROJECT NO. PRJ2023-004605-(2)  
CONDITIONAL USE PERMIT NO. RPPL2023005379  
4407 E. Compton Boulevard (APNs: 6180-003-023, 6180-003-019)

Dear Mr. Lewis:

Hearing Officer Mark Herwick, by his action of **September 17, 2024**, 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 **October 1, 2024**. Appeals must be submitted to [appeal@planning.lacounty.gov](mailto: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.

Bill Lewis  
September 17, 2024  
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For questions or for additional information, please contact Pauline Monroy of the Metro Development Services Section at (213) 974-6411, or pmonroy@planning.lacounty.gov.

Sincerely,

AMY J. BODEK, AICP  
Director of Regional Planning

*Carmen Sainz*

Carmen Sainz, Supervising Planner  
Metro Development Services Section

CS:PM

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

c: PW (Building and Safety)  
Zoning Enforcement

LOS ANGELES COUNTY  
DEPARTMENT OF REGIONAL PLANNING  
FINDINGS OF THE HEARING OFFICER  
AND ORDER  
PROJECT NO. PRJ2023-004605-(2)  
CONDITIONAL USE PERMIT NO. RPPL2023005379

**RECITALS**

1. **HEARING DATE.** The Los Angeles County (“County”) Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. **RPPL2023005379** (“CUP”) on September 17, 2024.
2. **HEARING PROCEEDINGS.** A duly-noticed public hearing was conducted for the Project both in-person and virtually on September 17, 2024 before the Hearing Officer. Staff provided a presentation on the Project. Mr. William Lewis, a representative of the permittee, was present in-person and made himself available for questions by the Hearing Officer. Mr. Williams provided additional information to the Hearing Officer about the new wireless tower which is replacing the existing one. The Hearing Officer had no questions for staff or the permittee’s representative. There being no public comments, the Hearing Officer closed the public hearing and approved the Project.
3. **ENTITLEMENT REQUESTED.** The Permittee, Vertical Bridge ("Permittee"), requests the CUP to authorize the removal of an existing wireless communications facility (“WCF”) and the construction and maintenance of a new 65-foot-tall WCF disguised with a faux-palm design that will replace the existing WCF (“Project”) on a property located at 4407 E. Compton Boulevard in the unincorporated community of East Rancho Dominguez ("Project Site") in the C-3 (General Commercial) Zone pursuant to County Code Section 22.140.760. The zoning was changed to MXD (Mixed Use Development) on May 21, 2024, in conjunction with the adoption of the Metro Area Plan. Pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the Permittee chose to have the complete CUP application be subject to the zoning and regulations in effect at the time it was submitted on October 10, 2023.
4. **LOCATION.** The Project is located at 4407 E. Compton Boulevard within the East Compton Zoned District and the Metro Planning Area.
5. **PREVIOUS ENTITLEMENTS.**

<b>CASE NO.</b>	<b>REQUEST</b>	<b>DATE OF ACTION</b>
CUP RPPL2019002418	Request for the continued use, maintenance and operation of an existing WCF	Approved September 3, 2019
CUP 200500182	To construct and operate a WCF mounted on a 55-	Approved August 15, 2006

	foot-tall monopole disguised as a light pole	
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6. **LAND USE DESIGNATION.** The Project Site is located within the CG (General Commercial) land use designation of the County General Plan (“General Plan”) Land Use Policy Map.
7. **ZONING.** The Project Site is located in the East Compton Zoned District and was zoned C-3 when the complete CUP application was submitted on October 10, 2023. Pursuant to County Code Section 22.140.760 (Wireless Facilities), a CUP is required for a WCF. The zoning was changed to MXD on May 21, 2024, in conjunction with the adoption of the Metro Area Plan. Pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the Permittee chose to have the complete CUP application be subject to the zoning and regulations in effect at the time it was submitted on October 10, 2023.
8. **SURROUNDING LAND USES AND ZONING.**

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING*	EXISTING USES
SUBJECT PROPERTY	CG (General Commercial)	C-3 (General Commercial)	Retail Store with Parking Lot and WCF
NORTH	CG, H9 (Residential 9), H18 (Residential 18)	C-3, R-1 (Single-Family Residence), R-2 (Two-Family Residence)	Church, Single-Family Residence (SFR), Multi-Family Residences (MFR), Auto Repair
EAST	CG	C-3	Pawn Shop, School, Auto Repair, LA County Community Center
SOUTH	CG, OS-PR (Open Space – Parks and Recreation), H30 (Residential 30)	C-3, O-S (Open Space), R-2, R-3 (Limited Density Multiple Residence)	Shopping Plaza, LA County Park/Community Center, SFR, MFR
WEST	H18, CG	R-2, C-3	Taco Shop, Retail Shops, SFR, MFR

\*Note: The zoning was changed to MXD on May 21, 2024, in conjunction with the adoption of the Metro Area Plan. Pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the Permittee chose to have the complete CUP application be subject to the zoning and regulations in effect at the time it was submitted on October 10, 2023.

**9. PROJECT AND SITE PLAN DESCRIPTION.**

**A. Existing Site Conditions**

The Project Site is a 246-square-foot lease area within an approximately 0.23-acre property that consists of two legal lots. The property is rectangular in shape, has flat topography, and is developed with a store and a parking lot. The lease area is in the northwest corner of the parking lot abutting the rear alleyway. The lease area contains a six-foot-tall concrete masonry unit (“CMU”) wall enclosure with a 55-foot-and-one-inch-tall monopole disguised as a light pole and appurtenant ground mounted equipment.

Another WCF, authorized by CUP No. 201200032, is located approximately 30 feet east of the subject WCF. The other WCF consists of a similar 55-foot-and-one-inch-tall monopole disguised as a light pole and appurtenant ground mounted equipment enclosed by a six-foot-tall wrought iron gate enclosure. CUP No. 201200032 expires on March 19, 2028.

**B. Site Access**

The Project Site is accessible via East Compton Boulevard to the south. Primary access to the Project Site is via an entrance/exit on Compton Boulevard. There is no secondary access route to the Project Site.

**C. Site Plan**

The site plan depicts the Project Site near the corner of South Atlantic Avenue and East Compton Boulevard. The Project Site is located within a property consisting of two legal lots that is developed with 13 parking spaces and a store that are located on the property’s western side.

**D. Parking**

The Project Site is located on a property that has 13 parking spaces. The County Code states that, for uses not specified in the County Code, required vehicle parking may be provided as determined by the Director of Regional Planning (“Director”) to prevent traffic congestion and excessive on-street parking. The unstaffed WCF will not generate traffic or congestion, as it will require maintenance approximately once a month. Therefore, one parking space for maintenance vehicles will be provided, which will be one of the existing parking spaces on the property.

**10. CEQA DETERMINATION.** Prior to the Hearing Officer’s public hearing on the Project, County Department of Regional Planning (“LA County Planning”) staff (“Staff”) determined that the Project qualified for Categorical Exemptions (Class 2 Exemption, Replacement and Reconstruction, and Class 3 Exemption, New Construction or Conversion of Small Structures) under 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 construction of a utility-type service in the form of a

WCF. The Project is a replacement of the previously approved WCF within the same lease area. The Project Site is not located within or near a historical resource, a hazardous waste site, a scenic highway, or within a Significant Ecological Area. The visual impacts of the WCF are minimized by a proposed faux-palm tree stealth design and a six-foot-tall CMU wall surrounding the lease area and ground equipment. There are no significant effects due to unusual circumstances and no cumulative impacts are anticipated. Therefore, no exceptions to the categorical exemptions apply to the Project per California Code of Regulations Section 15300.2.

11. **COMMUNITY OUTREACH.** In July 2024, prior to the Hearing Officer's public hearing regarding the Project, Staff emailed the Permittee to ask if any community outreach was conducted for the Project. Staff informed the Permittee that community outreach is strongly encouraged. Staff also informed the Permittee that if they conducted community outreach, they should provide Staff with the dates of the outreach, the format in which the outreach was conducted (e.g., community meeting), and the names of the community groups to which they conducted outreach. Staff also provided contact information for the East Rancho Dominguez Neighborhood Association ("Neighborhood Association") to the Permittee.

On July 23, 2024, the Permittee responded to Staff via email and stated that they had reached out to the Neighborhood Association contact provided by Staff. The Permittee also copied Staff on the email they sent to the Neighborhood Association contact on July 23, 2024. Staff subsequently asked the Permittee if they had received any feedback from the Neighborhood Association. The Permittee responded that in addition to the email they sent to the Neighborhood Association on July 23, 2024, they called, left a message, and sent another email the Neighborhood Association contact provided by Staff on August 1, 2024. The Permittee had not heard from the Neighborhood Association. The Permittee reached out again on August 20, 2024, by leaving a voicemail for and emailing the Neighborhood Association contact provided by Staff.

12. **PUBLIC COMMENTS.** Prior to the publication of the Report to the Hearing Officer dated September 5, 2024, Staff received no public comments.
13. **AGENCY RECOMMENDATIONS.** The County Department of Public Works recommended clearance to public hearing with no conditions in a letter dated February 8, 2024.
14. **LEGAL NOTIFICATION.** Pursuant to County Code Section 22.222.120 (Public Hearing Procedure), the community was properly notified of the public hearing by mail, newspaper (Los Angeles Sentinel), and property posting. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On August 7, 2024, a total of 81 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as four notices to those on the courtesy mailing list for the East Compton Zoned District and to any additional interested parties.

**GENERAL PLAN CONSISTENCY FINDINGS**

15. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan because the CG land use designation is intended for local-serving commercial uses, including retail, restaurants, and personal and professional services; single-family and multifamily residences; and residential and commercial mixed uses. The Project would serve these local-serving uses. The Hearing Officer further finds that the Project provides additional wireless coverage to serve the surrounding area, which consists of retail stores, other local-serving commercial uses, single-family residences, and multifamily residences.

16. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with the following policies of the General Plan:

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

This WCF provides improved infrastructure and service for the wireless network and is consistent with Policy PS/F 6.2, which calls for improved wireless telecommunications infrastructure.

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

This WCF is also consistent with Policy PS/F 6.3, which seeks to minimize visual impacts of WCFs through co-location and design. The Project includes a faux-palm design, which improves the visual characteristics of the facility and provides camouflage to the mounted equipment. The Project also has capacity for the co-location of future proposed facilities, which would alleviate the need for new towers.

- *General Safety Policy S 7.1: “Ensure that residents are protected from the public health consequences of natural or human-made disasters through increased readiness and response capabilities, risk communication, and the dissemination of public information.”*

Lastly, this WCF is also consistent with Policy S 7.1, which looks to mitigate public health effects from natural and manmade disasters by improving risk communication. This WCF provides service coverage for telecommunications providers, which can be used in the event of an emergency to ensure fast and thorough communications between residents and first responders.

## **ZONING CODE CONSISTENCY FINDINGS**

17. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the C-3 zoning classification because a WCF is permitted in such zone with a CUP pursuant to County Code Sections 22.20.030 (Principal Use Regulations for Commercial Zones) and 22.140.760 (Wireless Facilities). The zoning was changed

from C-3 to MXD on May 21, 2024, in conjunction with the adoption of the Metro Area Plan. Pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the Permittee chose to have the complete CUP application be subject to the zoning and regulations in effect at the time it was submitted on October 10, 2023.

18. **DEVELOPMENT STANDARDS.** The Hearing Officer finds the Project is consistent with the design standards regarding WCFs in County Code Section 22.140.760. The Project is sufficiently camouflaged by the faux-palm design.
  - a. **Cables.** The cables that serve the WCF will be located within the interior of the structure, sheathed, or hidden to the fullest extent technically feasible.
  - b. **Color.** All pole-mounted equipment that is not concealed will be treated with exterior coatings of a color and texture to match the predominant visual background or existing architectural elements to visually blend in with the surrounding development. The proposed panel antennas will be painted to match the proposed faux-palm branches, and faux bark cladding will be provided from the ground up to where the faux branches begin.
  - c. **Associated Equipment.** The associated ground equipment will be screened by a six-foot-tall CMU solid wall.
  - d. **Fencing.** The fencing is a six-foot-tall CMU solid wall.
19. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.20.050 (Minimum Yard Depth for Commercial Zones).
20. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.140.760.E.1.c, which allows for a 65-foot maximum height. The proposed maximum height is 65 feet to the top of the faux-palm fronds. Although a 10-foot-tall lightning rod is proposed above the branches, this is exempt from the maximum height limit because the lightning rod is similar to a rooftop antenna per County Code Section 22.110.060.C. In addition, the lightning rod serves to protect against a direct lightning strike to the WCF.
21. **PARKING.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces). The County Code states that, for uses not specified in the County Code, required vehicle parking may be provided as determined by the Director to prevent traffic congestion and excessive on-street parking. The unstaffed WCF will not generate traffic or congestion, as it will require maintenance approximately once a month. Therefore, one parking space for maintenance vehicles will be provided, which will be one of the existing parking spaces on the property.
22. **CO-LOCATION AND PROPAGATION.** The Project provides coverage along East Compton Boulevard and the surrounding area. The Project will alleviate a coverage gap along East Compton Boulevard and the surrounding area. If the WCF is not



replaced, a coverage gap will be created. The WCF has co-location capacity for future carriers.

23. **FAUX TREE.** The Project is a replacement of an existing WCF and it is not possible for the Permittee to plant two live trees. The Project Site is small and cannot accommodate two live trees. The rest of the property is outside of the Project Site.
24. **COMMUNITY STANDARDS DISTRICT.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.320.060. The East Rancho Dominguez Community Standards District does not have any applicable standards for WCFs.

### **CONDITIONAL USE FINDINGS**

25. **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 WCF is compatible with the surrounding land uses because it serves as a necessary component of the communications infrastructure and will provide service to neighboring properties and businesses. The Project is camouflaged with a faux-palm design, which provides a more visually appealing appearance and helps the WCF to not draw attention, making it an ideal facility for co-location of equipment while minimizing visual impacts. This WCF will be able to provide service coverage for telecommunications providers, which can be used in the event of an emergency to ensure fast and thorough communications between residents and first responders.
26. **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 Site can easily accommodate the WCF. The WCF will not require any variances or deviations from the development standards in Title 22 related to the existing building and parking lot on the property that includes the Project Site. The WCF will be integrated into the existing layout of the property and located within the northern portion of the property closest to the rear alley.
27. **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 WCF is unstaffed and will not generate traffic or congestion, as it will require only periodic maintenance. The Project Site adjoins public rights-of-way on two sides. East Compton Boulevard, which is a 100-foot-wide Secondary Highway as identified in the County Master Plan of Highways, is located to the south, and a public alley is located to the north. Ingress and egress to the

Project Site will be via an existing driveway off East Compton Boulevard, which is sufficiently wide and improved to accommodate the Project's construction and maintenance. The WCF will be unstaffed and therefore will not increase the flow of traffic or impact parking because the Project Site will be visited approximately once a month for maintenance. The property that includes the Project Site provides adequate parking to accommodate this visit.

28. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 15 years.

### **ENVIRONMENTAL FINDINGS**

29. The Hearing Officer finds that the Project is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15302 (Class 2 Exemption, Replacement and Reconstruction, and Class 3 Exemption, New Construction or Conversion of Small Structures) because the Project involves the construction of a utility-type service in the form of a WCF. The Project consists of the construction of new structures and facilities that are relatively small in size with a minor amount of ground disturbance area. The new WCF will replace the existing WCF on the same site and will have substantially the same purpose and capacity as the structure being replaced. The visual impacts of the WCF are minimized with a proposed faux-palm tree stealth design and a six-foot-tall CMU wall surrounding the ground mounted equipment. The WCF is unstaffed and will not generate traffic or congestion, as it will require maintenance approximately once a month. The Project is consistent with the C-3 zoning classification and related development standards. The zoning was changed from C-3 to MXD on May 21, 2024, in conjunction with the adoption of the Metro Area Plan. Pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the Permittee chose to have the complete CUP application be subject to the zoning and regulations in effect at the time it was submitted on October 10, 2023.

The Project Site is not located within or near a historical resource, a hazardous waste site, a scenic highway, or within a Significant Ecological Area. There are no significant effects due to unusual circumstances and no cumulative impacts are anticipated. Therefore, the Hearing Officer finds that no exceptions to the categorical exemptions apply to the Project per California Code of Regulations Section 15300.2.

### **ADMINISTRATIVE FINDINGS**

30. **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 Metro 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 15302 (Class 2, Replacement or Reconstruction categorical exemption) and 15303 (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
- 2. Approves **CONDITIONAL USE PERMIT NO. RPPL2023005379**, subject to the attached conditions.

**ACTION DATE: September 17, 2024**

CS:PM

9/17/2024

c: Zoning Enforcement, Building and Safety

LOS ANGELES COUNTY  
DEPARTMENT OF REGIONAL PLANNING

CONDITIONS OF APPROVAL  
PROJECT NO. PRJ2023-004605-(2)  
CONDITIONAL USE PERMIT NO. RPPL2023005379

**PROJECT DESCRIPTION**

The project is the removal of an existing wireless communication facility (“WCF”) disguised as a light pole and the construction and maintenance of a new 65-foot-tall WCF disguised with a faux-palm design that will replace the existing WCF (“Project”) subject to the following conditions of approval. The new WCF has a maximum height of 65 feet, which includes the attached fronds and antennas, but excludes the 10-foot-tall lightning rod. Although the 10-foot-tall lightning rod is above the branches, it is exempt from the maximum height limit because it is similar to a rooftop antenna per County Code Section 22.110.060.C. In addition, the lightning rod serves to protect against a direct lightning strike to the WCF. The Project includes related ground mounted equipment within a six-foot-tall concrete masonry unit (“CMU”) wall enclosure. The Project Site is located within the unincorporated community of East Rancho Dominguez and within the East Rancho Dominguez Community Standards District.

**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 (i.e. Recorder Office). 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 September 17, 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 Conditional Use Permit 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 two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
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 **\$3,528.00**, 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. Inspections may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS). Use of an UAS requires the approval of the Permittee pursuant to LA County Planning's UAS Policy, which may be updated from time to time, and which shall be provided to the Permittee upon request.

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 **\$441.00** 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 County Code Chapter 22.238.
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 Regional 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 visible from any public right-of-way or from any neighboring property 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, 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 **November 18, 2024**.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the Permittee shall submit **a 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 the applicable fee for such revision.

**PERMIT SPECIFIC CONDITIONS – CONDITIONAL USE PERMIT**

18. The facility shall be operated in accordance with regulations of the California State Public Utilities Commission.
19. 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 WCFs are located on the subject property or on adjacent properties, the written certification shall include the radio frequency electromagnetic emissions of said WCFs. 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 radio frequency electromagnetic emissions in accordance with County Code Section 22.140.760.E.1.e.ii (Safety Standards).
20. 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.
21. Any modifications to the facility qualifying as an Eligible Facilities Request, as described in Section 6409(a) of the Spectrum Act, shall require the submittal of a

Revised Exhibit "A" application or a Site Plan Review application pursuant to County Code Section 22.140.760.G (Modifications to Existing Macro Facilities), and modifications shall be approved if they are within the limits established by the FCC.

22. If any WCF(s) subsequently co-locate(s) on the facility authorized by this Conditional Use Permit, the Permittee shall be required, upon request, to provide the same written certification required by Condition 19, above.
23. 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.
24. 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.
25. 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" and in the approved photographic simulations presented at the public hearing, which are attached to the approved Exhibit "A."
26. 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.
27. The total height of the WCF shall not exceed 65 feet, excluding the 10-foot-tall lightning rod. The lightning rod is exempt from the maximum height limit because the lightning rod is similar to a rooftop antenna per County Code Section 22.110.060.C. In addition, the lightning rod serves to protect against a direct lightning strike to the WCF.
28. The Permittee shall maintain current contact information with the Zoning Enforcement Section of LA County Planning.
29. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.
30. The FCC Antenna Structure Registration site number, Conditional Use Permit number, and the 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.



31. 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 CMUs. Chain link, chain link with slats, barbed wire, and other types of wire fencing are prohibited.
32. Upon termination of this grant or after the facility has ceased to operate, the Permittee shall remove the 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 its condition prior to the installation of the facility.
33. If the facility ceases to operate for a period of 90 consecutive days, the facility shall be considered abandoned in accordance with County Code Section 22.140.760.M (Abandonment). All permits and other approvals associated with the facility shall be deemed terminated and discontinued unless an application has been submitted to the Director to transfer the approval to another operator before the end of the 90-day period.

After 90 consecutive days of non-operation, the Permittee shall remove the abandoned facility and restore the site as nearly as practicable to its condition prior to the installation of the facility. The Permittee shall provide written verification of the removal to LA County Planning within 30 days after the date the removal is completed. If the facility is not removed within 30 days after the permits and other approvals have been deemed terminated pursuant to County Code Section 22.140.760.M (Abandonment), the WCF shall be deemed to be a nuisance, and the County may cause the WCF to be removed at the expense of the Permittee or by calling any bond or other financial assurance to pay for removal.

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

34. This grant replaces Conditional Use Permit No. RPPL2019002418 and shall authorize the removal of the existing WCF and the construction and maintenance of a new 65-foot-tall WCF disguised with a faux-palm design that will replace the existing WCF, along with related ground mounted equipment within a CMU wall enclosure, subject to the design standards and dimensions as approved and shown on Exhibit "A."
35. Antennas shall be painted or covered to match the branches or the trunk of the faux-palm facility design. The antennas shall not extend beyond the faux-palm branches or fronds. There shall be ample branch coverage to hide the antennas from view as effectively as possible to the satisfaction of LA County Planning. Faux bark cladding shall be provided from the ground to five feet above where the faux branches begin. Above the faux bark cladding, the facility shall have flat non-reflective paint to match the faux bark cladding.
36. New equipment added to the facility shall not compromise the stealth design of the facility.

37. Appurtenant equipment boxes shall be maintained within the facility's lease area and shall be screened by the solid CMU wall.