

REPORT TO THE HEARING OFFICER

DATE ISSUED: July 3, 2024

HEARING DATE: July 16, 2024 AGENDA ITEM: 3

PROJECT NUMBER: PRJ2023-001989-(5)

PERMIT NUMBER(S): Conditional Use Permit RPPL2023002887

SUPERVISORIAL DISTRICT: 5

PROJECT LOCATION: 4718 Sierra Highway, Acton

OWNER: David V. Erlendsson Trust

APPLICANT: American Tower Corporation (“ATC”)

PUBLIC MEETINGS HELD: 0

INCLUSIONARY ZONING ORDINANCE (IZO): The Project is not subject to the IZO because it is not a housing development project and not subject to the IZO.

CASE PLANNER: Soyeon Choi, Senior Planner
schoi@planning.lacounty.gov

RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

LA County Planning staff (“Staff”) recommends **APPROVAL** of Project Number PRJ2023-001989-(5), Conditional Use Permit Number (“CUP”) RPPL2023002887, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motion:

CEQA:

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

ENTITLEMENT:

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NUMBER RPPL2023002887 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement(s) Requested

- Conditional Use Permit (“CUP”) for the continued operation and maintenance of an existing unmanned macro wireless facility (“WCF”), repair of an existing seven (7)-foot-tall chain link fence with slats, and repainting of the monopole for Verizon Wireless consisting of a 115.4-foot-high monopole and appurtenant facilities in the M-1 (Light Manufacturing) Zone pursuant to County Code Sections 22.22.030 (Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5) and 22.140.760 (Wireless Facilities).

B. Project

The applicant, ATC, requests a CUP to authorize the continued operation and maintenance of an existing WCF consisting of a 115.4-foot-high monopole and appurtenant facilities for Verizon Wireless and repair of an existing seven (7)-foot-tall chain link fence with slats (“Project”), located at 4718 Sierra Highway (“Project Site”), Assessor’s Parcel Number 3217018030, within the M-1 Zone in the Soledad Zoned District.

The Project Site consists of one 1.87-acre lot and is currently developed with an equipment rental yard. The subject property is accessible via Sierra Highway to the north, which is a designated Major Highway in the County Master Plan of Highways.

The site plan depicts the existing WCF located at the northwestern corner of the Project Site, adjacent to Sierra Highway to the north and an existing storage building. The WCF consists of a 115.4-foot-high monopole within the 1,250-square-foot lease area. The lease area is currently enclosed with a seven (7)-foot-high chain link fence and is proposed to be repaired or replaced with new slats where any slats are missing or damaged. The monopole is located inside the enclosed lease area, which also contains an existing equipment shelter and a generator.

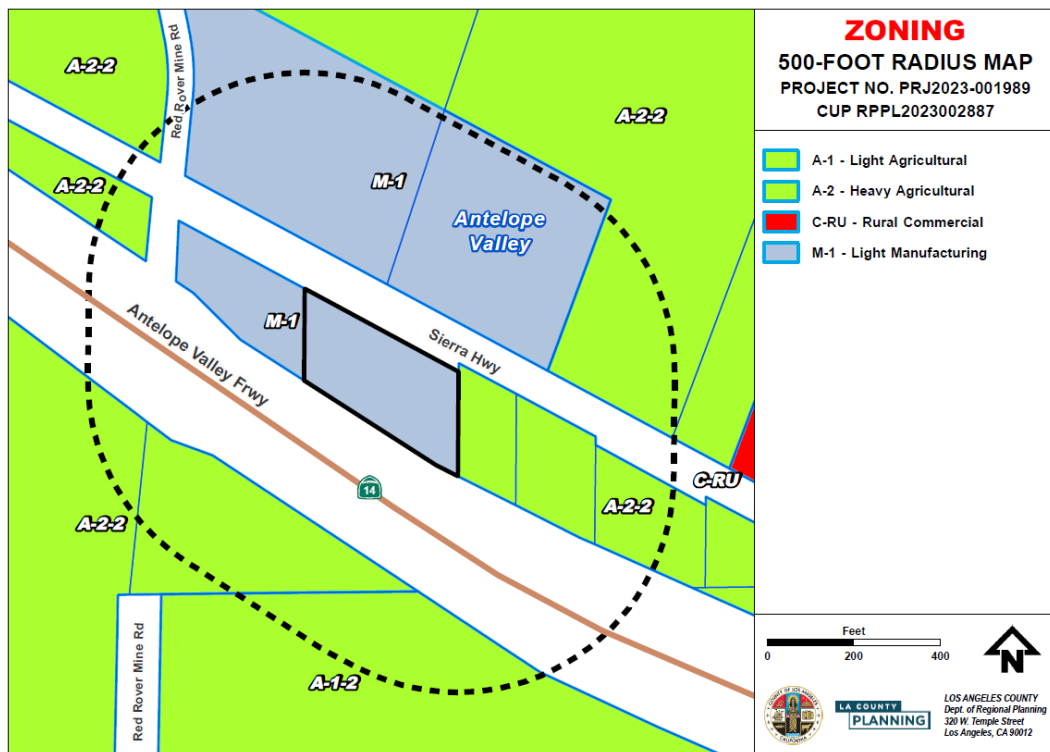
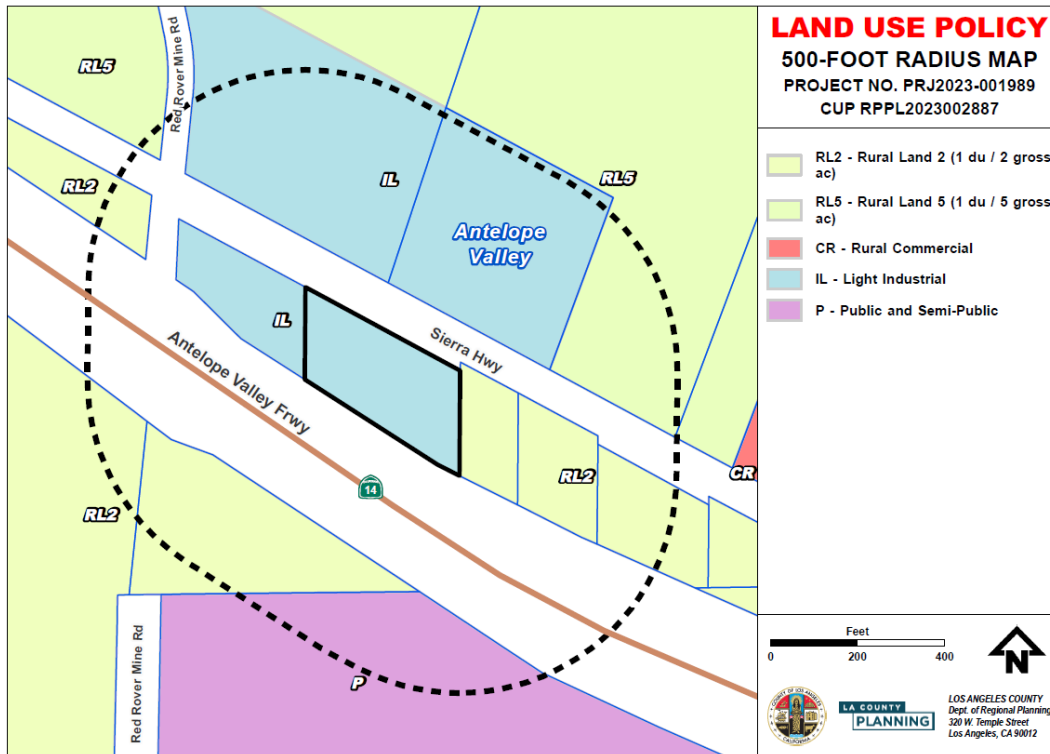
The WCF is currently developed with three (3) omnidirectional antennas, three (3) panel antennas, and three (3) RRU screened with horizontal shrouds at 100 feet measured from the ground to the center of the monopole. The highest point of the omnidirectional antennas is measured 115.4 feet to the top. During a site visit conducted on December 12, 2023, a bird nest was observed behind the horizontal shrouds. The applicant verified with American Tower’s Bird Watch inspector that it is a crow or raven’s nest with a nesting season between February and August. The nest is currently inactive and may be removed outside of the active nesting season.

The WCF was established in 1991 through CUP No. 91108, which was reauthorized through CUP No. 98055 in 1998 and CUP No. 200900089 in 2012. CUP No. 200900089 expired on October 22, 2023.

SUBJECT PROPERTY AND SURROUNDINGS

The following chart provides property data within a 500-foot radius:

LOCATION	ANTELOPE VALLEY AREA PLAN LAND USE POLICY	ZONING	EXISTING USE(S)
SUBJECT PROPERTY	IL	M-1	Equipment rental yard
NORTH	IL, RL5 (Rural Land 5)	M-1, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area)	Outdoor storage, equipment rental, Single-family residences (“SFRs”)
EAST	RL2 (Rural Land 2)	A-2-2	SFRs
SOUTH	RL2, P (Public)	A-1-2 (Light Agricultural – One Acre Minimum Required Lot Area)	School
WEST	IL, RL2	M-1, A-2-2	Outdoor storage, vacant



PROPERTY HISTORY

A. Zoning History

ORDINANCE NO.	ZONING	DATE OF ADOPTION
7091	M-3	January 22, 1957
7401	A-1-1	September 30, 1958
7921	M-1	December 27, 1960

B. Previous Cases

CASE NO.	REQUEST	DATE OF ACTION
CUP No. 91105	To establish a new WCF	September 5, 1991
CUP No. 98055	To continue operation of the existing 114'-4" high WCF	October 22, 1998
CUP No. 200900089	To continue operation of the existing WCF	October 22, 2012
REA201400025	Minor modification to the existing WCF	March 11, 2014
PP46767	To construct a new storage building for an outdoor storage yard.	June 13, 2000
RPPL2023000835	Minor modification to the existing WCF	February 21, 2023
RPPL2023002080	Minor modification to the existing WCF	April 20, 2023

C. Violations

CASE NO.	VIOLATION	CLOSED/OPEN
RPZPE2023005705	Expired CUP for an existing WCF	Closed
RPZE2023006020	Inconsistent with the approved site plan	Open

ANALYSIS

A. Land Use Compatibility

The existing WCF on the subject property is compatible with most of the surrounding land uses, which consist of mostly outdoor storage for trucks and equipment to the north and east, and large vacant land within 500 feet from the Project Site boundary. The Project Site is currently developed with outdoor storage for contractors' equipment rental facility and abuts Sierra Highway to the north and State Route 14 ("SR14") to the south. There is an outdoor storage/rental facility immediately to the west, approximately 60 feet from the monopole, located in the M-1 Zone. SFRs are located across SR14, 600 feet to the east, and 1,000 feet to the northeast, measured from the monopole. Vasquez High School,

separated by SR 14, is located approximately 630 feet measured from the monopole to the nearest school parcel boundary.

B. Neighborhood Impact (Need/Convenience Assessment)

The existing WCF has been operating at the Project Site since 1998 without any known problems. The propagation maps demonstrate the necessity of maintaining the existing WCF at the present location to maintain the service level for the current telecommunications infrastructure in the area. Based on the propagation maps, the WCF provides important coverage along Sierra Highway as well as surrounding areas to the north and south where mountains and steep slopes exist. Without the existing WCF, there will be a significant coverage gap, particularly for residents, visitors, and motorists.

A waiver has been requested to modify the maximum allowed height of 75 feet in the Industrial Zone to allow the current height of 115.4 feet for the monopole to maintain the current telecommunication services and continue to close coverage gaps in the carrier's networks. Elimination or height reduction of the WCF will result in a significantly reduced network capacity, data network throughput and potential services for the residents and drivers in the area. Based on the propagation maps that were provided by the applicant comparing the current height of 100 feet, measured to the center of the antennas, to 80 feet and 60 feet, the monopole at the current height is essential in maintaining the wireless service in the surrounding areas, particularly in the residential areas on slopes to the north and south as well as along SR14. Additionally, the Project Site is surrounded by mountains to the north and south with steep slopes up to 700 feet elevation difference compared to the Project Site.

C. Design Compatibility

The existing WCF was first authorized through CUP No. 91008 in 1991 and reauthorized through CUP No. 08-055 in 1998 and CUP No. 200900089 in 2012. The tall and slim monopole is currently painted with non-reflective light gray to match the ambience color and no cables are visible. The antennas are attached to a platform mount, which is attached to the pole with a 2.5-foot-long side arm. The appurtenant equipment mounted on the monopole of the WCF is screened with three (3) horizontal shrouds, which are also painted with the same color as the pole, affixed at approximately 100 feet measured from the ground. The 1,250-square-foot lease area is enclosed by a seven (7)-foot-high chain link fence with slats, which is located inside the Project Site perimeter fencing. The existing screening fence is proposed to be repaired or replaced with new slats where any slats are missing or damaged, which will match the color of the existing slats.

The Wireless Ordinance (County Code Sections 22.140.750.D.4, H and I) requires that wireless facilities subject to a CUP shall meet the findings on how the design and placement of the facility are the least visually intrusive that are technically feasible and appropriate for the location. To help substantiate the findings, staff requested the

applicant to provide alternative design options that incorporate camouflaging techniques such as mono tree or faux water tank for staff evaluation. The request has been made via comment letters dated July 11, October 5, and December 27, 2023. Staff also had phone calls with the applicant representatives (Ms. Emily Murray and Ms. Bonnie Belaire) on September 25, 2023, and January 4 and January 11, 2024. While the applicant representatives were willing to provide propagation maps and photo simulations of upgraded tower paint color and the fence screening, they did not agree that the Wireless Ordinance requires review of design alternatives for existing wireless towers and requested that the Project proceed with the public hearing without this information. Staff explained to the applicant that these discussions will be addressed in the staff report and the Hearing Officer may request the same information prior to making a final decision on the Project. The applicants acknowledged it and requested to proceed to a public hearing without the requested information.

Based on observations made during the site visit and examination of the aerial and street images of the surrounding area, the current slender design of the monopole seems to be compatible with the surrounding areas as there are similar structures in the immediate vicinity, such as wooden light poles on both sides of Sierra Highway and a tall flagpole, all of which are visible from the Project Site, Sierra Highway, and SR14. The pole design also provides better visibility of the surroundings and the mountain ranges in the backdrop. There are no other tall trees, rock outcrops, or tall structures in the surroundings that have a comparable height to the existing monopole. Therefore maintaining the existing monopole design would not be in conflict with the characteristics of the project location and the surrounding properties.

GENERAL PLAN/COMMUNITY PLAN CONSISTENCY

The Project is consistent with applicable goals and policies of the General Plan and Antelope Valley Area Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

ZONING ORDINANCE CONSISTENCY

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by Sections 22.158.050.B (Conditional Use Permit, Findings and Decision) and 22.140.760.I (Wireless Facilities, Findings) of the County Code. The Burden of Proof with applicant's responses is attached (Exhibit E – Applicant's Burden of Proof). Staff is of the opinion that the applicant has substantiated the burden of proof.

ENVIRONMENTAL ANALYSIS

Staff recommends that this project qualifies for a Categorical Exemption (Class 1, Existing Facilities Exemption) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Project involves the continued operation and maintenance of an existing WCF with fence repair and re-painting of the monopole with a similar color.

No exceptions to the Categorical Exemption are found to apply to the Project per Section 15300.2 of the California Code of Regulations. The Project Site is not located within or near sensitive environmental resources, a hazardous waste site, and historical resources. The bird nest found at the tower was determined as inactive and not used for birds with a special status. The Project Site is located adjacent to a designated Scenic Drive, SR14. However, there is no significant modifications proposed to the existing WCF. The proposed minor changes, which are fencing repair and re-painting of the monopole, will enhance aesthetics of the WCF from both Sierra Highway and SR14. There is no significant effect due to unusual circumstances and no cumulative impacts are anticipated. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the project.

COMMENTS RECEIVED

A. Public Comments

The Acton Town Council (“Town Council”), in a series of emails between October 25, 2023 to April 15, 2024, requested information about the existing outdoor storage facility, and the application materials including the waiver request and propagation maps. The requested materials were provided to the Town Council on April 15, 2024. The applicant presented the Project to the Town Council during their meetings on April 15, 2024 and May 6, 2024, and the Town Council supported the Project. The Town Council raised other concerns about the general use of the subject property, which were referred to LA County Planning Land Use Regulation Division and addressed.


Report

Reviewed By:


Samuel Dea, Supervising Regional Planner

Report

Approved By:


Susan Tae, AICP, Assistant Administrator

LIST OF ATTACHED EXHIBITS

EXHIBIT A	Plans
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EXHIBIT B	Project Summary Sheet
EXHIBIT C	Findings
EXHIBIT D	Conditions of Approval
EXHIBIT E	Applicant's Burden of Proof
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photos and Photosimulation
EXHIBIT I	Coverage Map
EXHIBIT J	Public Correspondence

EXHIBIT A SITE PLAN



VICINITY MAP



AMERICAN TOWER®

SITE NAME: ACTON
SITE NUMBER: 300678
SITE ADDRESS: 4718 1/2 SIERRA HIGHWAY
ACTON, CA 93510



LOCATION MAP



AMERICAN TOWER®
ATC TOWER SERVICES, LLC
 1 FENTON MAIN STREET
 SUITE 300
 CARY, NC 27511
 PHONE: (919) 468-0112

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REV.	DESCRIPTION	BY	DATE
2	REV FENCE MATERIAL	EB	11/15/23
3	REV FENCE NOTES	EB	02/01/24
4	ADD ANTENNA LAYOUT	EB	02/06/24
5	ADD SCALE BAR	EB	05/09/24
6	ADDED POLE TO MOUNTDIM.	EB	05/10/24

CONDITIONAL USE PERMIT RENEWAL

COMPLIANCE CODE	PROJECT SUMMARY	PROJECT DESCRIPTION	SHEET INDEX				
ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. 1. 2020 COUNTY OF LOS ANGELES BUILDING CODE (TITLE 26) 2. 2020 COUNTY OF LOS ANGELES ELECTRICAL CODE (TITLE 27) 3. 2020 COUNTY OF LOS ANGELES PLUMBING CODE (TITLE 28) 4. 2020 COUNTY OF LOS ANGELES MECHANICAL CODE (TITLE 29) 5. 2020 COUNTY OF LOS ANGELES RESIDENTIAL CODE (TITLE 30) 6. 2020 COUNTY OF LOS ANGELES GREEN BUILDING STANDARDS CODE (TITLE 31) 7. 2020 COUNTY OF LOS ANGELES EXISTING BUILDING CODE (TITLE 33)	<u>SITE ADDRESS:</u> 4718 1/2 SIERRA HIGHWAY ACTON, CA 93510 COUNTY: LOS ANGELES <u>GEOGRAPHIC COORDINATES:</u> LATITUDE: 34.49706388 LONGITUDE: -118.21762222 GROUND ELEVATION: 3013' AMSL <u>ZONING INFORMATION:</u> JURISDICTION: LOS ANGELES COUNTY PARCEL NUMBER: 3217018030 ZONING: M-1	THIS SUBMITTAL IS FOR RE-PERMITTING WITH LOS ANGELES COUNTY. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS. NO CHANGES TO EXISTING ARE PROPOSED EXCEPT FOR THE INSTALLATION OR REPLACEMENT OF PRIVACY SLATS ON THE EXISTING CHAIN-LINK FENCE <u>PROJECT NOTES</u> 1. THE FACILITY IS UNMANNED. 2. A TECHNICIAN WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR ROUTINE INSPECTION AND MAINTENANCE. 3. EXISTING FACILITY MEETS OR EXCEEDS ALL FAA AND FCC REGULATORY REQUIREMENTS. 4. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT LAND DISTURBANCE OR EFFECT OF STORM WATER DRAINAGE. 5. NO SANITARY SEWER, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED. 6. HANDICAP ACCESS IS NOT REQUIRED.	SHEET NO. G-001 V-101 V-102 C-101 C-102 C-201 C-202 C-401 C-502	DESCRIPTION: TITLE SHEET SURVEY SURVEY OVERALL SITE PLAN DETAILED SITE PLAN TOWER ELEVATION TOWER ELEVATION EXISTING ANTENNA LAYOUT & SCHEDULE SIGNAGE	REV. 6 6 5 5 5 6 2	DATE: 05/10/24 05/09/24 05/09/24 05/09/24 05/10/24 11/15/23	BY: EB EB EB EB EB EB
	<u>TOWER OWNER:</u> CALIFORNIA TOWER, INC. 10 PRESIDENTIAL WAY WOBURN, MA 01801 <u>PROPERTY OWNER:</u> PN LL NO VENDOR 4718 1/2 SIERRA HIGHWAY ACTON, CA 93510 <u>ENGINEER:</u> ATC TOWER SERVICES 3500 REGENCY PARKWAY SUITE 100 CARY, NC 27518 <u>AGENT:</u> BONNIE BELAIR ATTORNEY, AMERICAN TOWER 10 PRESIDENTIAL WAY WOBURN, MA 01801	<u>PROJECT TEAM</u>	<u>PROJECT LOCATION DIRECTIONS</u> FROM PALMDALE, TAKE HWY. 14 SOUTH AND EXIT AT RED ROVER MINE RD. TURN RIGHT / NORTH THEN IMMEDIATE RIGHT/EAST ON SIERRA HWY TO SITE ON RIGHT.				
<u>UTILITY COMPANIES</u> POWER COMPANY: SOUTHERN CALIFORNIA EDISON PHONE: (800) 655-4555 TELEPHONE COMPANY: AT&T PHONE: (800) 750-2355							

ATC SITE NUMBER:
300678
 ATC SITE NAME:
ACTON

 SITE ADDRESS:
 4718 1/2 SIERRA HIGHWAY
 ACTON, CA 93510



Scott Fletcher
Digitaly signed by Scott Fletcher
 Date: 2024/05/10 12:47:09 -0600

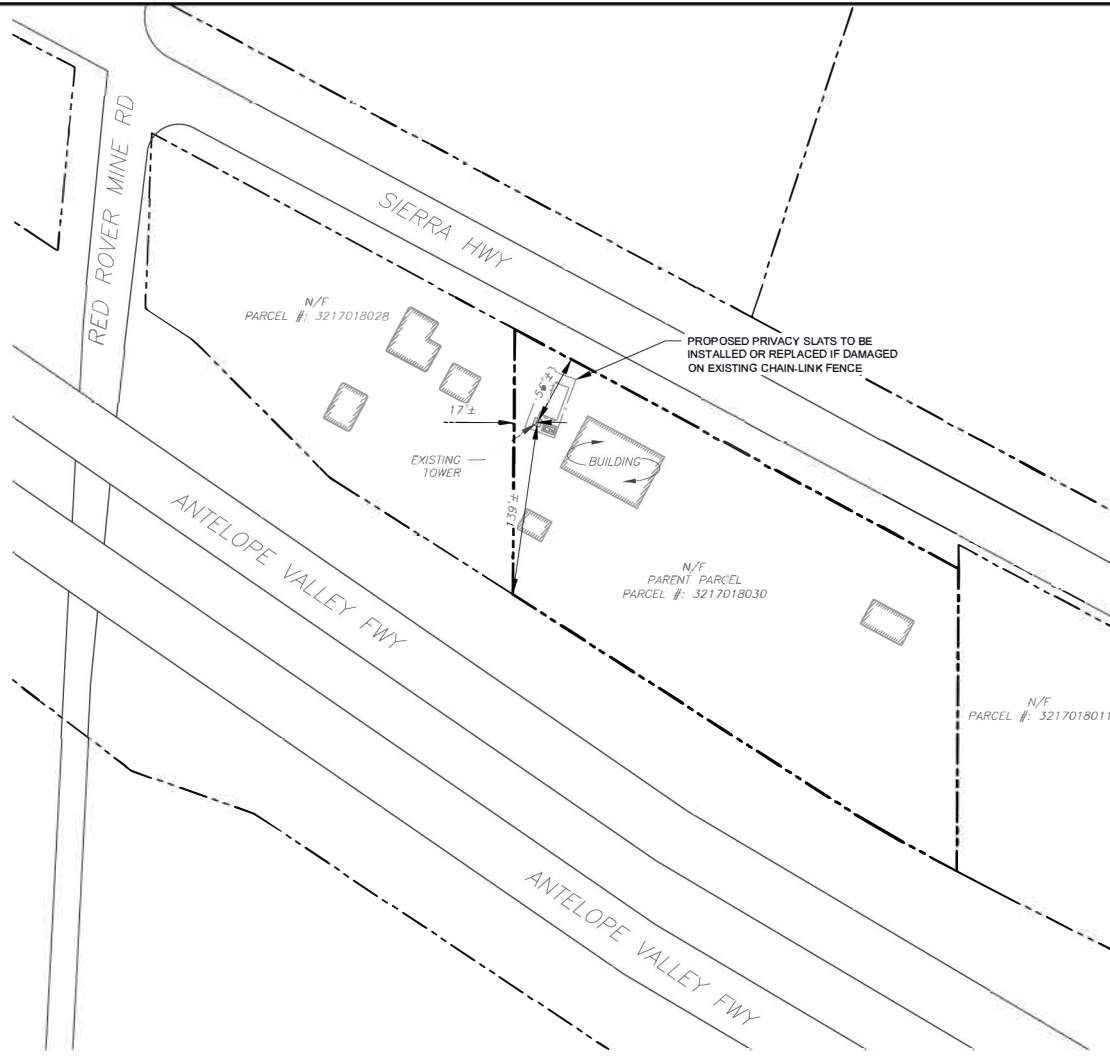
DATE DRAWN:	04/24/23
ATC JOB NO:	14482785_E1
TITLE SHEET	
SHEET NUMBER:	REVISION:
G-001	6



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NOTES:

1. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS ONLY. THE PROJECT WILL NOT RESULT IN ANY PROPOSED WORK.
2. BOUNDARY INFORMATION OBTAINED FROM: PUBLIC GIS VIEWER



PROPOSED PRIVACY SLATS TO BE INSTALLED OR REPLACED IF DAMAGED ON EXISTING CHAIN-LINK FENCE

EXISTING TOWER

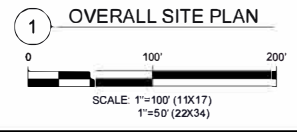
BUILDING

N/F PARENT PARCEL
PARCEL #: 3217018030

N/F PARCEL #:
3217018011

SURVEY LEGEND

	EXISTING PROPERTY
	EXISTING ADJ. PROPERTY
	EXISTING EASEMENT
	EXISTING CONTOUR (MAJOR)
	EXISTING CONTOUR (MINOR)
	EXISTING TREELINE
	EXISTING CHAINLINK FENCE
	EXISTING BUILDING
	EXISTING STORM DRAIN
	EXISTING ROAD (DIRT)
	EXISTING ROAD (STONE)
	EXISTING ROAD (PAVED)
	EXISTING CONCRETE
	EXISTING LEASE AREA



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REV.	DESCRIPTION	BY	DATE
0	FOR CONSTRUCTION	EB	04/24/23
2	REV FENCE MATERIAL	EB	11/15/23
3	REV FENCE NOTES	EB	02/01/24
5	ADD SCALE BAR	EB	05/09/24

ATC SITE NUMBER:
300678

ATC SITE NAME:
ACTON

SITE ADDRESS:
4718 1/2 SIERRA HIGHWAY
ACTON, CA 93510

SEAL:

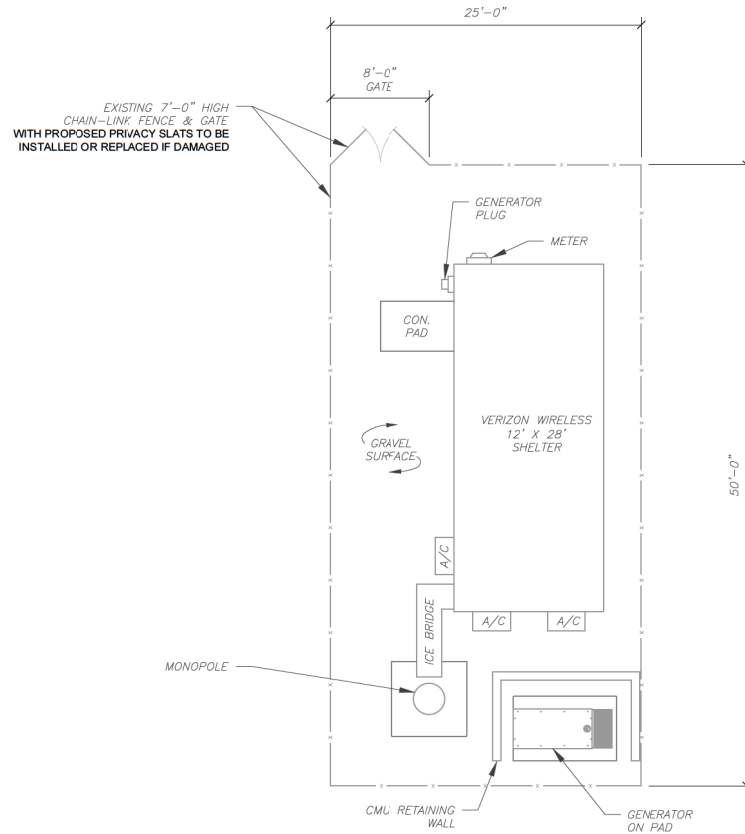
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DATE DRAWN:	04/24/23
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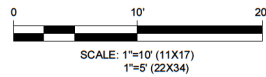
OVERALL SITE PLAN	
SHEET NUMBER: C-101	REVISION: 5

NOTES:

1. PROPOSED PRIVACY SLATS TO BE INSTALLED OR REPLACED IF DAMAGED ON EXISTING CHAIN-LINK FENCE.



1 DETAILED SITE PLAN



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REV.	DESCRIPTION	BY	DATE
0.	FOR CONSTRUCTION	EB	04/24/23
1.	UPDT TWR ELEV & SITE PLAN	AP	10/24/23
2.	REV FENCE MATERIAL	EB	11/15/23
3.	REV FENCE NOTES	EB	02/01/24
5.	ADD SCALE BAR	EB	05/09/24

ATC SITE NUMBER:

300678

ATC SITE NAME:

ACTON

SITE ADDRESS:
4718 1/2 SIERRA HIGHWAY
ACTON, CA 93510

SEAL:



Digitally Signed: 2024-05-10

DATE DRAWN: 04/24/23

ATC JOB NO: 14482785_E1

DETAILED SITE PLAN

SHEET NUMBER:

C-102

REVISION:

5

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REV.	DESCRIPTION	BY	DATE
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3	REV FENCE NOTES	EB	02/01/24
4	ADD ANTENNA LAYOUT	EB	02/06/24
5	ADD SCALE BAR	EB	05/09/24

ATC SITE NUMBER:

300678

ATC SITE NAME:

ACTON

SITE ADDRESS:
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 ACTON, CA 93510

SEAL:



Digitally Signed: 2024-05-10

DATE DRAWN: 04/24/23

ATC JOB NO: 14482785_E1

TOWER ELEVATION

SHEET NUMBER:

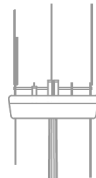
C-201

REVISION:

5

TOP OF EXISTING
 HIGHEST APPURTENANCE
 ELEV. 115.4' AGL

TOP OF EXISTING TOWER
 ELEV. 100' AGL



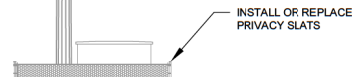
EXISTING
 CARRIER OMNI ANTENNAS
 RAD CENTER 107' A.G.L.

EXISTING
 CARRIER PANEL ANTENNAS
 RAD CENTER 100' A.G.L.

EXISTING
 CARRIER OMNI ANTENNAS
 RAD CENTER 95' A.G.L.

TOP OF EXISTING FENCE
 ELEV. 7' AGL

GRADE LEVEL
 ELEV. 0' AGL



INSTALL OR REPLACE
 PRIVACY SLATS

1 TOWER ELEVATION - LOOKING NORTH



SCALE: 1"=20' (11X17)
 1"=10' (22X34)

TOP OF EXISTING
 HIGHEST APPURTENANCE
 ELEV. 115.4' AGL

TOP OF EXISTING TOWER
 ELEV. 100' AGL



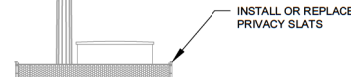
EXISTING
 CARRIER OMNI ANTENNAS
 RAD CENTER 107' A.G.L.

EXISTING
 CARRIER PANEL ANTENNAS
 RAD CENTER 100' A.G.L.

EXISTING
 CARRIER OMNI ANTENNAS
 RAD CENTER 95' A.G.L.

TOP OF EXISTING FENCE
 ELEV. 7' AGL

GRADE LEVEL
 ELEV. 0' AGL



INSTALL OR REPLACE
 PRIVACY SLATS

2 TOWER ELEVATION - LOOKING EAST



SCALE: 1"=20' (11X17)
 1"=10' (22X34)

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NOT THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTOR(S) MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES ANY PRIOR TO ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.

REV.	DESCRIPTION	BY	DATE
1	UPDT TWR ELEV & SITE PLAN	AP	10/24/23
2	REV FENCE MATERIAL	EB	11/15/23
3	REV FENCE NOTES	EB	02/10/24
4	ADD ANTENNA LAYOUT	EB	02/06/24
5	ADD SCALE BAR	EB	05/09/24

ATC SITE NUMBER:

300678

ATC SITE NAME:

ACTON

SITE ADDRESS:
 4718 1/2 SIERRA HIGHWAY
 ACTON, CA 93510

SEAL:



Digitally Signed: 2024-05-10

DATE DRAWN: 04/24/23

ATC JOB NO: 14482785_E1

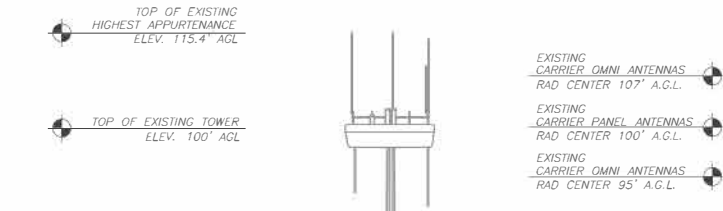
TOWER ELEVATION

SHEET NUMBER:

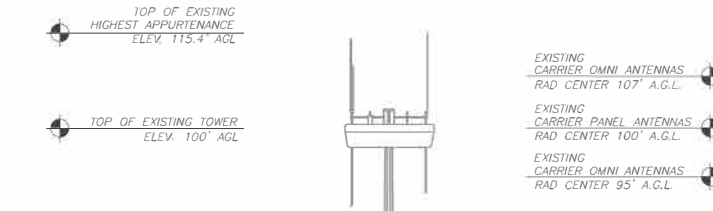
C-202

REVISION:

5



1 TOWER ELEVATION - LOOKING SOUTH
 SCALE: 1"=20' (11X17)
 1"=10' (22X34)



2 TOWER ELEVATION - LOOKING WEST
 SCALE: 1"=20' (11X17)
 1"=10' (22X34)

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REV.	DESCRIPTION	BY	DATE
2.	REV FENCE MATERIAL	EB	11/15/23
3.	REV FENCE NOTES	EB	02/01/24
4.	ADD ANTENNA LAYOUT	EB	02/06/24
5.	ADD SCALE BAR	EB	05/09/24
6.	ADDED POLE TO MOUNT DIM.	EB	05/10/24

ATC SITE NUMBER:

300678

ATC SITE NAME:

ACTON

SITE ADDRESS:

4718 1/2 SIERRA HIGHWAY
 ACTON, CA 93510

SEAL:



Digitally Signed: 2024-05-10

DATE DRAWN: 04/24/23

ATC JOB NO: 14482785_E1

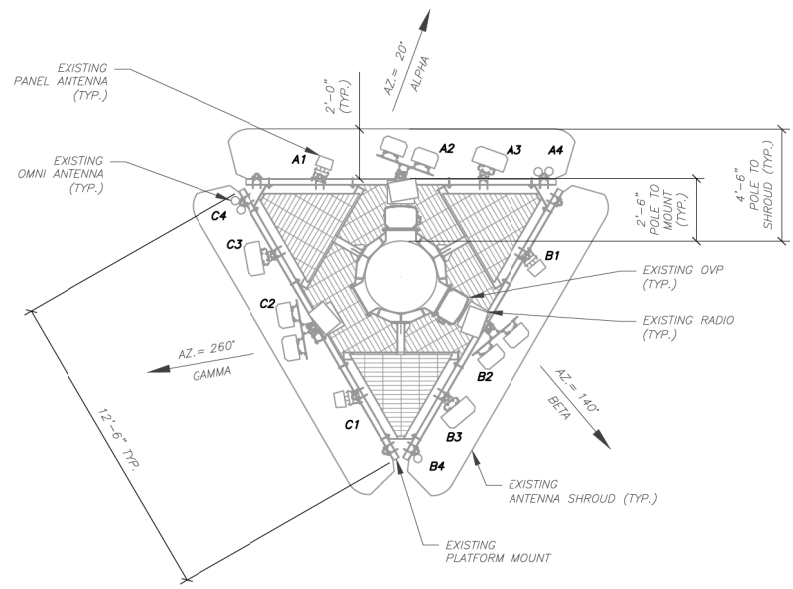
**EXISTING ANTENNA
 LAYOUT & SCHEDULE**

SHEET NUMBER:

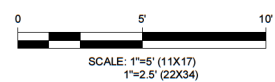
C-401

REVISION:

6



1 ANTENNA LAYOUT



EXISTING ANTENNA SCHEDULE					
LOCATION		ANTENNA SUMMARY		NON ANTENNA SUMMARY	
SECTOR	RAD	AZ	POS	ANTENNA	ADDITIONAL TOWER MOUNTED EQUIPMENT
ALPHA	100°	20°	A1	(1) KRE1052B1 / 1	(1) RCMDC-3315-PF-48
			A2	(2) NHH-65-B-R4B	(1) RRU 4449 (1) RRU 8843
			A3	(1) AIR6449 B77D/C-BAND	-
			A4	(2) DBB10E-PS (OMNI)	-
BETA	100°	140°	B1	(1) KRE1052B1 / 1	(1) RCMDC-3315-PF-48
			B2	(2) NHH-65-B-R4B 15' OMNI ANTENNA	(1) RRU 4449 (1) RRU 8843
			B3	(1) AIR6449 B77D/C-BAND	-
			B4	(2) DBB09M-Y (OMNI)	-
GAMMA	100°	260°	C1	(1) KRE1052B1 / 1	-
			C2	(2) NHH-65-B-R4B	(1) RRU 4449 (1) RRU 8843
			C3	(1) AIR6449 B77D/C-BAND	-
			C4	DBB10E-PS (OMNI)	-

2 ANTENNA SCHEDULE

SCALE: NOT TO SCALE

CAUTION



Beyond this point:
Radio frequency fields at this site may exceed FCC rules for human exposure.

For your safety, obey all posted signs and site guidelines for working in radio frequency environments.

In accordance with Federal Communications Commission rules on radio frequency emissions 47 CFR 1.1307(b)

NO TRESPASSING

ATC CAUTION AND NO TRESPASSING SIGN

WARNING



Beyond this point:
Radio frequency fields at this site may exceed FCC rules for human exposure.

For your safety, obey all posted signs and site guidelines for working in radio frequency environments.

In accordance with Federal Communications Commission rules on radio frequency emissions 47 CFR 1.1307(b)

ATC RF WARNING AND FCC NUMBER SIGN

FCC TOWER REGISTRATION #

NOT REQUIRED

Posting of sign required by law

ATC STAND-ALONE FCC TOWER REGISTRATION SIGN



EXISTING SIGNAGE PHOTO

NOTICE
GUIDELINES FOR WORKING IN RADIOFREQUENCY ENVIRONMENTS

- All personnel should have electromagnetic energy (EME) awareness training.
- All personnel entering this site must be authorized.
- Obey all posted signs.
- Assume all antennas are active.
- Before working on antennas, notify owners and disable appropriate transmitters.
- Maintain minimum 3 feet clearance from all antennas.
- Do not stop in front of antennas.
- Use personal RF monitors while working near antennas.
- Never operate transmitters without shields during normal operation.
- Do not operate base station antennas in equipment room.

ATC RF PROGRAM NOTICE SIGN

AMERICAN TOWER
ATC TOWER SERVICES, LLC
1 FENTON MAIN STREET
SUITE 300
CARY, NC 27511
PHONE: (919) 468-0112

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REV.	DESCRIPTION	BY	DATE
01	FOR CONSTRUCTION	EB	04/24/23
02	REV FENCE MATERIAL	EB	11/15/23

ATC SITE NUMBER:

300678

ATC SITE NAME:

ACTON

SITE ADDRESS:

4718 1/2 SIERRA HIGHWAY
ACTON, CA 95110

SEAL:



Digitally Signed: 2024-05-10

DATE DRAWN: 04/24/23

ATC JOB NO: 14482785_E1

SIGNAGE

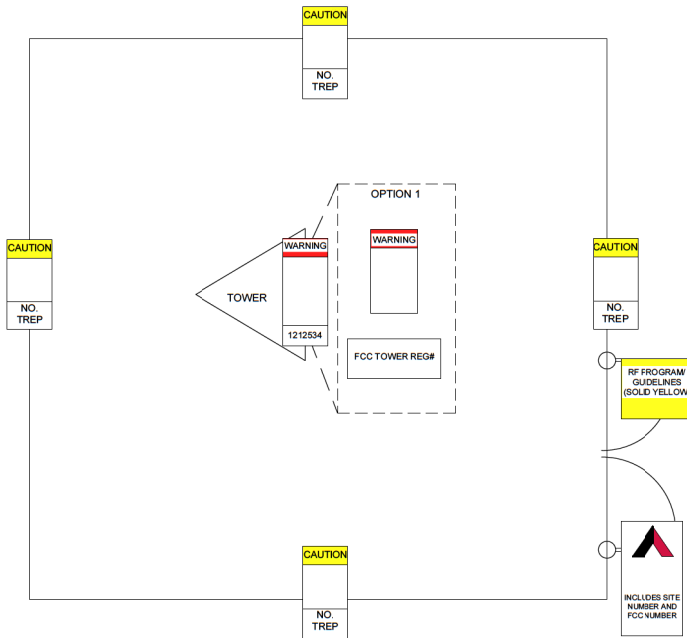
SHEET NUMBER:

C-502

REVISION:

2

A "NO TRESPASSING" SIGN MUST BE POSTED A MINIMUM OF EVERY 50'.



THERE MUST BE AN ATC SIGN WITH SITE INFORMATION AND FCC REGISTRATION NUMBER AT BOTH THE ACCESS ROAD GATE (GATE OFF OF MAIN ROAD, IF APPLICABLE) AND COMPOUND FENCE (IF NO COMPOUND FENCE, THEN IN A CONSPICUOUS PLACE UPON DRIVE UP). IN ADDITION, PLEASE LOOK AT DIAGRAM FOR ALL ADDITIONAL SIGNS REQUIRED.

OPTION 1 MAY BE USED TO POST TOWER REGISTRATION NUMBERS AT THE BASE OF THE TOWER IF A WARNING SIGN DOES NOT HAVE SPACE FOR THE TOWER REGISTRATION NUMBER.

IMPORTANT: FOR ANY ATC SIGN THAT DOES NOT MEET THE ATC SPECIFICATION FOR SIGNAGE (I.E., SHARPIE/PAINT PEN, WORN LABELS, ETC.), BRING IT INTO COMPLIANCE (RE-WRITE IF WORN) AND FLAG FOR REPLACEMENT ASAP WITH THE APPROPRIATE PERMANENT SIGN (YOU CAN ORDER THESE THROUGH THE WAREHOUSE).

ONLY LABELS PRINTED BY A ZEBRA LABEL PRINTER WILL BE ACCEPTED.

AMERICAN TOWER

SITE NAME : ACTON
SITE NUMBER : CA-300678
FCC REGISTRATION # : NOT REQUIRED

FOR LEASING INFORMATION: 877-282-7483
877-ATC-SITE

FOR EMERGENCIES CALL: 877-518-6937
877-51-TOWER

NO TRESPASSING

www.americantower.com

POSTING OF THIS SIGNAGE REQUIRED BY LAW

ATC SITE SIGN

REPLACEMENT OF SIGNAGE:

AS SIGNAGE BECOMES STOLEN, DAMAGED, BRITTLE OR FADED, IT SHOULD BE REPLACED WITH SIGNAGE PER THIS SPECIFICATION. ANY ACQUIRED SITE SHOULD HAVE NEW SIGNS POSTED WITHIN 60 DAYS UNLESS OTHERWISE SPECIFIED. ANY SITE SOLD SHOULD HAVE THE ATC SIGNS REMOVED WITHIN 30 DAYS UNLESS OTHERWISE SPECIFIED. ALL FCC OR REGULATORY SIGNAGE MUST BE INSTALLED OR REPLACED AS REQUIRED TO MEET OUR STANDARD. SIGNS SHOULD BE REPLACED ON NORMAL, QUARTERLY MAINTENANCE VISITS BY CONTRACTORS OR SITE MANAGERS, UNLESS OTHERWISE REQUIRED ON A CASE-BY-CASE BASIS.

NOTE:

EXTERIOR SIGNS ARE NOT PROPOSED EXCEPT AS REQUIRED BY THE FCC. ALL EXISTING SIGNAGE AND ANY FUTURE SIGNAGE WILL BE COMPLIANT WITH STATUTE 164-43.4 NO HIGH-VOLTAGE SIGNAGE IS NECESSARY. NO HIGH-VOLTAGE EQUIPMENT PRESENT.



PROJECT NUMBER **HEARING DATE**
 PRJ2023-001989-(5) July 16, 2024
REQUESTED ENTITLEMENT(S)
 Conditional Use Permit No. RPPL2023002887

PROJECT SUMMARY

OWNER / APPLICANT David V. Erlendsson Trust / American Tower Corporation (“ATC”)	MAP/EXHIBIT DATE May 10, 2024
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PROJECT OVERVIEW

The applicant, ATC, requests a Conditional Use Permit (“CUP”) for continued operation and maintenance of an existing macro wireless communications facility (“WCF”) consisting of an existing 115-foot-high monopole to accommodate antennas and other auxiliary equipment, and a 1,250-square-foot equipment lease area currently enclosed with a seven (7)-foot-high wooden fence. The existing fence is proposed to be repaired or replaced where needed, and the monopole will be repainted with a similar color. The WCF is located within an existing equipment rental yard. The WCF was previously established through CUP No. 91105 approved in 1991 and reauthorized by CUP No. 98055 in 1998 and CUP No. 200900089 in 2012.

LOCATION 4718 Sierra Highway, Acton	ACCESS Sierra Highway
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ASSESSORS PARCEL NUMBER(S) 3217-018-030	SITE AREA 1.87 Acres
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GENERAL PLAN / LOCAL PLAN Antelope Valley Area Plan	ZONED DISTRICT Soledad	PLANNING AREA Antelope Valley
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LAND USE DESIGNATION IL (Light Industrial)	ZONE M-1 (Light Manufacturing)
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PROPOSED UNITS N/A	MAX DENSITY/UNITS N/A	COMMUNITY STANDARDS DISTRICT Acton
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ENVIRONMENTAL DETERMINATION (CEQA)
 Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the General Plan and Area Plan
- Satisfaction of the following portions of Title 22 of the Los Angeles County Code:
 - Section 22.158.050 (Conditional Use Permit Findings and Decision Requirements)
 - Chapter 22.22 (Industrial Zones)
 - Section 22.140.760 (Wireless Facilities)
 - Chapter 22.302 (Acton CSD)

CASE PLANNER: Soyeon Choi	PHONE NUMBER: (213) 893-7021	E-MAIL ADDRESS: schoi@planning.lacounty.gov
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LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2023-001989-(5)
CONDITIONAL USE PERMIT NO. RPPL2023002887

RECITALS

1. **HEARING DATE(S).** The Los Angeles County (“County”) Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit (“CUP”) No. **RPPL2023002887** on July 16, 2024.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT(S) REQUESTED.** The permittee, American Tower Corporation (“permittee”), requests the CUP to authorize the continued operation and maintenance of an existing 115.4-foot-high monopole wireless communications facility (“WCF”), repair of the existing seven (7)-foot-tall chain link fence with slats, and repainting of the monopole (“Project”) on a property located at 4718 Sierra Highway in the unincorporated community of Acton (“Project Site”) in the M-1 (Light Manufacturing) zone pursuant to Los Angeles County Code (“County Code”) Sections 22.22.030 (Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5) and 22.140.760 (Wireless Facilities).
4. **ENTITLEMENT(S) REQUIRED.** The CUP is a request to authorize the continued operation and maintenance of an existing monopole WCF that requires a waiver from the design standards pursuant to County Code Sections 22.22.030 (Land Use Regulations for Zone M-1) and 22.140.760 (Wireless Facilities). The existing monopole is approximately 115.4 feet in height, which exceeds the height standards of maximum 75 feet in the Industrial Zone. Pursuant to Section 22.140.760.L (Wireless Facilities, Waiver), the WCF requires a waiver to the height standards of 75 feet for a WCF located in the Industrial Zone.
5. **PREVIOUS ENTITLEMENT(S).** CUP No. 91105 authorized the construction of a new WCF with a monopole and appurtenant facilities at the subject property on September 5, 1991. The existing WCF was reauthorized through CUP No. 98055 on October 22, 1998 and CUP No. 200900089 on October 22, 2012. Minor modifications to the existing WCF were authorized through REA201400025 in 2014, RPPL2023000835 in 2023, and RPPL2023002080 in 2023. For the existing use of the subject property, a Site Plan Review No. PP46767 authorized the construction of a new storage building for an outdoor storage yard in 2000.
6. **LAND USE DESIGNATION.** The Project Site is located within the IL (Light Industrial) land use category of the Antelope Valley Area Plan (“Area Plan”) Land Use Policy Map, a component of the General Plan.

7. **ZONING.** The Project Site is located in the Soledad Zoned District and is currently zoned M-1 within Acton Community Standards District (“CSD”) The maximum height pursuant Section 22.140.760.E.1.c.i. (Wireless Facilities, Development Standards) for a non-building-mounted WCF in the Industrial Zone is 75 feet. The existing 115.4-foot-high WCF requires a CUP with a waiver from the height standards, pursuant to County Code Sections 22.22.030 (Land Use Regulations for Zone M-1) and 22.140.760 (Wireless Facilities).

8. SURROUNDING LAND USES AND ZONING

LOCATION	AREA PLAN POLICY	ZONING	EXISTING USES
NORTH	IL, RL5 (Rural Land 5)	M-1, A-2-2 (Heavy Agricultural – Two Acre Minimum Required Lot Area)	Outdoor storage, Single-family residences (“SFRs”)
EAST	RL2 (Rural Land 2)	A-2-2	SFRs
SOUTH	RL2, P (Public)	A-1-2 (Light Agricultural – One Acre Minimum Required Lot Area)	School, a SFR
WEST	IL, RL2	M-1, A-2-2	Outdoor storage, vacant

9. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 1.87 net acres in size and consists of one legal lot. The Project Site is rectangular in shape with gentle-sloping topography and is developed with an equipment rental yard and a WCF. A Site Plan Review PP46767 authorized an outdoor storage facility with screening in 2000.

During a site visit conducted on December 12, 2023, a bird nest was observed behind the horizontal shrouds. The permittee verified with American Tower’s Bird Watch inspector that it is a crow or raven’s nest with a nesting season between February and August. It was also confirmed that the nest is currently inactive and may be removed outside of the active nesting season.

B. Site Access

The Project Site is accessible via Sierra Highway to the north. Primary and the only access to the Project Site will be via an entrance/exit on Sierra Highway, an 80-foot to 100-foot-wide designated Major Highway on the County Master Plan of Highways.

C. Site Plan

The site plan depicts the existing WCF located at the northwestern corner of the Project Site, adjacent to Sierra Highway to the north and an existing storage building. The WCF consists of a 115.4-foot-high monopole within the 1,250-

square-foot lease area. The lease area is currently enclosed with a seven (7)-foot-high chain link fence with slats and is proposed to be repaired or replaced with new slats where needed. The monopole is located inside the enclosed lease area, which also contains an existing equipment shelter and a generator.

The WCF is currently developed with three (3) omnidirectional antennas, three (3) panel antennas, and three (3) RRU screened with horizontal shrouds at 100 feet measured from the ground to the center of the monopole. The highest point of the omnidirectional antennas is measured 115.4 feet to the top.

10. CEQA DETERMINATION.

Prior to the 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 and maintenance of an existing WCF with fence repair and replacement as well as re-painting of the monopole with a similar color.

No exceptions to the Categorical Exemption are found to apply to the Project per Section 15300.2 of the California Code of Regulations. The Project Site is not located within or near sensitive environmental resources, a hazardous waste site, or historical resources. The bird nest found at the tower was determined inactive and not for birds with a special status. The Project Site is located adjacent to a designated Scenic Drive, State Route 14 (“SR14”). However, there are no significant modifications proposed to the existing WCF. Minor changes proposed, which are fence replacement and re-painting of the monopole, will enhance aesthetics of the WCF from both Sierra Highway and SR14. There is no significant effect due to unusual circumstances and no cumulative impacts are anticipated. Therefore, staff recommend that the Hearing Officer determine that the project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the project.

11. PUBLIC COMMENTS. The Acton Town Council (“Town Council”), in a series of emails between October 25, 2023 to April 15, 2024, requested information about the existing equipment rental business at the subject property, and the application materials including the waiver request and propagation maps. The requested materials were provided to the Town Council on April 15, 2024. The permittee presented the Project to the Town Council during their meetings on April 15, 2024 and May 6, 2024, and the Town Council supported the Project. The Town Council raised other concerns about the general use of the subject property, which were referred to LA County Planning Land Use Regulation Division and addressed.

12. AGENCY RECOMMENDATIONS. Review by County Departments is not necessary for the Project.

13. **LEGAL NOTIFICATION.** Pursuant to Section 22.222.120 (Public Hearing Procedure) of the County Code, the community was properly notified of the public hearing by mail, and newspaper [The Signal], and property posting. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On June 4, 2024, a total of 19 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 27 notices to those on the courtesy mailing list for the Soledad Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

14. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the Area Plan because the IL is intended for light industrial uses such as light manufacturing, warehousing and distribution. Specific allowable uses and development standards shall be determined by the underlying zoning designation. Pursuant to County Code Sections 22.22.030 (Land Use Regulations for Zone M-1) and 22.140.760.D.2 (Wireless Facilities, Application Requirements), a WCF in the M-1 zone that requires a waiver from one or more of the design standards is subject to a CUP. The Hearing Officer therefore finds that the use is consistent with the IL land use category of the Area Plan.

15. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan are applicable to the Project.

- *General Plan Public Services and Facilities Policy PS/F 6.2: "Improve existing wired and wireless telecommunications infrastructure."*
- *General Plan Public Services and Facilities Policy PS/F 6.3: "Expand access to wireless technology networks, while minimizing impacts through co-location and design."*
- *General Plan Public Services and Facilities Policy PS/F 6.4: "Protect and enhance utility facilities to maintain the safety, reliability, integrity and security of utility services."*
- *General Plan Safety Policy S 4.1: "Ensure that residents are protected from the public health consequences of natural or man-made disasters through increased readiness and response capabilities, risk communication, and the dissemination of public information."*
- *Area Plan Public Safety, Services and Facilities Element, Goal PS7: Emergency services that respond in a timely manner.*

The Project WCF fills a coverage gap for wireless services in the neighboring residential area and motorists along both SR14 and the nearby roadways. The Project maintains and enhances (through future equipment upgrades) the communication infrastructure of the surrounding area while minimizing visual impacts through the

slender design feature in the form of a monopole painted in light grey color. Future upgrades will be installed as communications technology changes. The residents in the surrounding area and motorists in vehicles increasingly rely on cellular phone service for emergencies and for routine communication. Maintaining the existing wireless coverage will be essential for the public to continue their daily lives as well as in case of emergencies. The Project also enhances the readiness and response capabilities of first responders during potential disasters which may affect the area and local residents' access to information online using mobile devices.

ZONING CODE CONSISTENCY FINDINGS

16. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the M-1 zoning classification as a WCF that requires a waiver from design standards is permitted in such zone with a CUP pursuant to County Code Section 22.140.760.D.2 (Wireless Facilities, Application Requirements).
17. **LOCATION.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.140.760.E.1.b (Wireless Facilities, Development Standards). The facility does not encroach into any required setbacks for structures as there is no required setback for structures in Industrial Zones. The facility is not located within a Significant Ecological Area, and there are no additional setback requirements for Industrial Zones in the CSD.
18. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.140.760.E.1.c.i (Wireless Facilities, Development Standards) if a waiver is granted pursuant to County Code Section 22.140.760.L (Wireless Facilities, Waivers). The current height of 115.4 feet exceeds the maximum height standards of 75 feet for WCFs located in the Industrial Zone. Therefore a waiver has been requested pursuant to County Code Section 22.140.760.L (Wireless Facilities, Waivers) to allow the WCF maintain the current height. Based on the propagation maps provided by the permittee that compare the wireless service at the height of 100 feet, 80 feet, and 60 feet, the monopole at the current height is essential in maintaining the existing wireless service in the surrounding areas particularly for the residential areas to the north and south as well as properties along SR14. Additionally, the Project Site is surrounded by mountains to the north and south with steep slopes up to 700 feet elevation difference compared to the Project Site. Since the Project Site is located in a high fire hazard area and along SR14, maintaining wireless service is vital for the local residents and motorists as well as first responders in emergency situations.
19. **DESIGN STANDARDS.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.140.760.E (Wireless Facilities, Development Standards). The WCF's cables located on the monopole are covered by shrouds to minimize visual intrusion. The pole and all pole-mounted equipment are currently painted with non-reflective light grey to match the ambience color. It is proposed to be repainted with non-reflective light blue to augment blending with

surrounding development. The associated ground-mounted equipment is located inside cabinets located within an area enclosed by an existing fence. The existing chain-link fence covered with slats will be repaired or replaced with new slats where needed. The antennas are currently mounted on arms that are 2.5 feet in length, which is less than the maximum eight (8) feet allowed for a monopole subject to a CUP pursuant to County Code Section 22.140.760.H.2.a.ii (Wireless Facilities, Standards for Wireless Facilities Subject to Conditional Use Permit).

20. **COMMUNITY STANDARDS DISTRICT.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Chapter 22.302 (Acton Community Standards District). There is no vegetation removal proposed for the Project. The CSD requires that only split rail, open wood, wire, or wrought iron style or similar open-type perimeter fences shall be permitted, and that at least 70 percent of the entire fence area shall be non-view-obscuring. Since the Project does not involve modifications to or installation of the perimeter fence but only the fence screening for the lease area that is behind the perimeter fencing, this requirement does not apply.
21. **RURAL OUTDOOR LIGHTING DISTRICT.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Chapter 22.80 (Rural Outdoor Lighting District). The subject property is located within the Rural Outdoor Lighting District. However, the WCF lawfully existed on the effective date of the Rural Outdoor Lighting District Ordinance. No additions, upgrades, or replacements are proposed to any existing outdoor light. Any lighting established at this location in the future would be required to comply with the standards.

CONDITIONAL USE PERMIT FINDINGS

22. **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 existing WCF is sufficiently buffered from most of the surrounding residences, which are at least 630 feet from the WCF. The adjacent parcel to the west is developed with an outdoor storage and equipment rental facility and will not be adversely affected by the Project facility. The existing fence enclosure will be repaired or replaced with new slats where needed for improved aesthetics and screening. The WCF will operate in accordance with Federal Communications Commission requirements to provide safe communication services to the area. The WCF will provide means for emergency and normal communications within the vicinity, and its continued operation will contribute to greater public safety and the general welfare.
23. **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 1.87-acre Project Site has sufficient area to accommodate the 1,250-square-foot area for the WCF that includes screening enclosure and other development features associated with the WCF. The subject property is currently developed with an equipment rental yard, consisting of multiple office and storage structures and outdoor area for equipment storage. The WCF is located at the northwest corner adjacent to a storage building along Sierra Highway, and is only accessible through an existing entrance from Sierra Highway. The WCF is sufficiently buffered from residences in the vicinity with the existing outdoor storage facility and existing streets/highway including SR14.

24. **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 will continue to remain unmanned, requiring only occasional maintenance. The WCF is accessible from an access driveway/entrance off Sierra Highway, a designated Major Highway on the County Master Plan of Highways, that connects to SR14. The Project does not significantly increase the level of traffic in the area, and such roads have the capacity to accommodate the Project's maintenance and construction traffic.
25. 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.

WIRELESS FACILITIES FINDINGS

26. **The Hearing Officer finds that the facility complies with all applicable standards in County Code Section 22.140.760 (Wireless Facilities) unless a waiver has been requested, pursuant to Subsection L.** The WCF complies with all design requirements except for the 75-foot height requirement in the M-1 zone. The 115-foot-high monopole was approved in 1991, prior to the height requirement being established pursuant to the recently adopted Wireless Facilities Ordinance. The CUP request included a waiver for a modification in development standards to grant a height of 115.4 feet for the WCF. The request for a waiver for height modification meets the findings in County Code Section 22.140.760.L.1 (Wireless Facilities, Waivers). This subsection states that denial of the waiver request prohibits or effectively prohibit the provision of personal wireless services, pursuant to Title 47 of the United States Code, section 332(c)(7)(B)(i)(II), or any successor provision. The United States Code states that the local zoning authority shall not prohibit or have the effect of prohibiting the provision of personal wireless services. According to the propagation maps provided by the permittee, the existing WCF at the present location is essential in maintaining the service level for the current telecommunications infrastructure in the area. Based on the propagation maps, the WCF provides important coverage along Sierra Highway as well as surrounding areas to the north and south where mountains and steep slopes exist. Without the existing WCF, there will be a significant coverage gap, particularly for residents, visitors and motorists.

27. **The Hearing officer finds that the design and placement of the facility are the least visually intrusive that are technically feasible and appropriate for the location.** The WCF proposes design improvements including fence repair and slat replacement and repainting the monopole so that the WCF is the least visually intrusive possible without other significant physical changes. The existing monopole design is appropriate for the location as there are similar pole structures in the immediate vicinity, such as wooden light poles on both sides of Sierra Highway and a tall flagpole, all of which are visible from and within a proximity to the Project Site, Sierra Highway, and SR14. There are no other tall trees, rock outcrops, or tall structures in the surroundings that are comparable to the existing monopole. The slender monopole design suits the circumstance by not blocking the views of the mountain ranges in the backdrop. Conversely, incorporating other stealth features for the tower, such as a water tank or windmill, at similar height would be significantly obtrusive and create visual impacts.

ENVIRONMENTAL FINDINGS

28. 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 involves the continued operation and maintenance of an existing WCF with fence repair and replacement and re-painting of the monopole with a similar color, which will enhance the aesthetics and screening of the WCF. No exceptions to the Categorical Exemption are found to apply to the Project per Section 15300.2 of the California Code of Regulations. The Project Site is not located within or near sensitive environmental resources, a hazardous waste site, and historical resources. The bird nest found at the tower was determined as inactive and not used for birds with a special status. The Project Site is located adjacent to a designated Scenic Drive, SR14. However, there are no significant modifications proposed to the existing WCF. The proposed fence repair and re-painting of the monopole will enhance the aesthetics of the WCF from both Sierra Highway and SR14. There is no significant effect due to unusual circumstances and no cumulative impacts are anticipated.

ADMINISTRATIVE FINDINGS

29. **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 North County 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.
- E. The Hearing Officer finds that the facility complies with all applicable standards in County Code Section 22.140.760 (Wireless Facilities) unless a waiver has been requested, pursuant to Subsection L. This grant includes a modification to the maximum height of 75 feet in the M-1 zone, allowing the existing 115.4-foot monopole.
- F. The Hearing Officer finds that the design and placement of the facility are the least visually intrusive that are technically feasible and appropriate for the location.

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. RPPL2023002887**, subject to the attached conditions.

ACTION DATE: July 16, 2024

SD:SC

July 3, 2024

c: Hearing Officer, Zoning Enforcement, Building and Safety

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

DRAFT CONDITIONS OF APPROVAL
PROJECT NO. PJR2023-001989-(5)
CONDITIONAL USE PERMIT NO. RPPL2023002887

PROJECT DESCRIPTION

The project is to authorize continued operation and maintenance of an existing wireless facility (“WCF”) for Verizon Wireless consisting of a 115.4-foot-high monopole and appurtenant facilities within a 1,250-square-foot lease area 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 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 July 16, 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 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 **\$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 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 \$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 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, **one (1) digital copy of a modified Exhibit "A"** shall be submitted to LA County Planning by **September 16, 2024**.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **one (1) 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 (WCF)

18. The facility shall be operated in accordance with regulations of the California State Public Utilities Commission.
19. 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. No facility or combination of facilities shall produce at any time exposure levels in any general population area that exceed the applicable Federal Communication Commission ("FCC") standards for RF emissions in accordance with LA 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 by the FCC in Section 6409(a) of the Spectrum Act, shall require the submittal of a Revised Exhibit "A" or 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. Any proposed WCF that subsequently co-locates 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 Section of LA County Planning ("Zoning Enforcement").
23. 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 or adjoining properties and public rights-of-way. 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.

24. If the subject property is 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.
25. 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".
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 maximum height of the facility shall not exceed 115.4 feet above finished grade of the existing concrete pad. Notwithstanding the preceding sentence, in accordance with Condition No. 21, as described by the FCC in Section 6409(a) of the Spectrum Act, shall require the submittal of a Revised Exhibit "A" or Site Plan Review pursuant to Section 22.140.760.G (Modifications to Existing Macro Facilities). The height increase shall only be approved if it is within the limits established by the FCC.
28. The Permittee shall provide proof of liability insurance for the facility upon request to Zoning Enforcement.
29. The Permittee shall maintain current contact information with Zoning Enforcement.
30. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.
31. 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.
32. Upon request, the Permittee shall submit annual reports to Zoning Enforcement to show compliance with the maintenance and removal conditions.
33. 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.

34. 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, wrought iron, or other materials that provide solid screening of the equipment as shown on the approved Exhibit "A". The fence repair or replacement shall be completed by January 16, 2025.
35. If a wireless facility has ceased 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). 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 pursuant to subsection M, 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/operator or by calling any bond or other financial assurance to pay for removal.
36. New equipment added to the facility shall not compromise the design of the facility.
37. Appurtenant equipment boxes shall be screened or camouflaged as shown on the approved Exhibit "A".

PROJECT SITE-SPECIFIC CONDITIONS

38. A bird nest that currently exists on top of the mounted arms shall be removed only outside the nesting season, which between September 1, 2024 and January 31, 2025.
39. Repainting of the monopole must be completed by January 16, 2025.

CONDITIONAL USE PERMIT STATEMENT OF FINDINGS

Pursuant to County Code Section [22.158.050](#) (Findings and Decision), the applicant shall substantiate the following:

(Please see [Guidelines for Writing Your Conditional Use Permit Findings Statement](#). Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

B.1 The proposed use will be consistent with the adopted General Plan for the area.

LOS ANGELES COUNTY ORIGINAL APPROVAL OF DRP PERMIT 98-055 FINDINGS SECTION A FINDS "THE REQUESTED USE IS CONSISTENT WITH THE ADOPTED GENERAL PLAN".
THERE HAVE BEEN NO CHANGES TO USE SUBSEQUENT TO THIS ORIGINAL APPROVAL.

B.2 The requested use at the location proposed will not:

- a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;
- b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and
- c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

LOS ANGELES COUNTY ORIGINAL DRP PERMIT 98-055 SECTION B FINDS "THE REQUESTED USE WILL NOT ADVERSELY AFFECT THE HEALTH, PEACE, COMFORT OR WELFARE OF PERSONS"... AND IS "NOT MATERIALLY DETRIMENTAL TO THE USE, ENJOYMENT OR VALUATION OF OF PROPETY OR OTHER PERSONS"... "AND WILL NOT JEOPARDIZE, ENDANGER OR OR OTHERWISE CONSTITUTE A MENACE TO THE PUBLIC HEALTH, SAFETY OR GENERAL WELFARE".
THERE HAS BEEN NO CHANGE TO THE ORIGINALLY APPROVED USE SUBSEQUENT TO THESE FINDINGS.

B.3 The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

LOS ANGELES COUNTY DRP PERMIT 98-055 SECTION C FINDS "THAT THE PROPOSED SITE IS ADEQUATE IN SIZE AND SHAPE TO ACCOMMODATE THE YARDS, WALLS, FENCES PARKING, LANDSCAPING AND OTHER DEVELOPMENT FEATURES".

B.4 The proposed site is adequately served:

- a. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate; and
- b. By other public or private service facilities as are required.

LOS ANGELES COUNTY PERMIT 98-055 SECTION D FINDS "THAT THE PROPOSED SITE IS ADEQUATELY SERVED BY HIGHWAYS OF SUFFICIENT WIDTH TO CARRY THE KIND OF TRAFFIC SUCH USE WOULD GENERATE AND BY OTHER PUBLIC OR PRIVATE FACILITIES AS ARE REQUIRED", THERE HAVE NO CHANGES TO THE SITE'S USE OR TRAFFIC REQUIREMENTS SINCE THIS ORIGINAL PERMIT FINDINGS.

EXHIBIT A

FINDINGS

A Conditional Use Permit (“CUP”) is required for the monopole wireless facility (the “Existing Facility”) located at 4718 Sierra Highway in Acton because the height exceeds the applicable design standard and therefore a waiver is necessary. (See LACC § 22.140.760(D)(2), requiring a CUP for “installation and operation of any wireless facility, of any type, that requires a waiver from one or more of the design standards specified in Subsection E, below”, and LACC § 22.140.760(E)(1)(c)(iii), providing for a maximum height of 65 feet in the M-1 zone.) Accordingly, the findings set forth in LACC § 22.140.760(I) for a CUP and the findings set forth in LACC § 22.140.760(L) for a waiver are provided below.

LACC § 22.140.760(I) CUP Findings:

1. The facility complies with all applicable standards in this Section, unless a waiver has been requested;

A CUP is required for the Existing Facility because the height exceeds the applicable design standard and therefore a waiver is necessary. A waiver is necessary only with regard to height, and the Existing Facility otherwise compliance with all applicable standards and design guidelines.

Specifically, the Existing Facility complies with all applicable State and federal requirements, standards, and law. (LACC § 22.140.760(E)(1)(a).) The facility does not encroach into any required setbacks for structures and is located in the least aesthetically intrusive location. The site is on a lightly traveled State highway adjacent to State Route 14 in a low-density rural area. The immediate area surrounding the Existing Facility includes outdoor truck and equipment storage, single family residences, and open space. The portions of the facility that will be accessed by American Tower’s maintenance staff match the low-density, single-story character of the surrounding uses, and will be screened from public view using a theft and graffiti resistant mesh fence. In order to best blend in with the surroundings, the monopole portion of the Existing Facility is painted blue to match the background color of the sky. (LACC § 22.140.760(E)(1)(b), (c).) This design is the least visually intrusive option for the Existing Facility while providing the most connectivity for the nearby travelers, businesses, and residents. The Existing Facility also meets all applicable safety standards. (LACC § 22.140.760(E)(1)(e).)

The Existing Facility is a monopole facility, and as such there is no camouflage required. The Wireless Facilities Ordinance and the Design Standards both require that monopoles “utilize existing natural or man-made features including topography, vegetation, buildings, or other structures in the immediate surroundings to provide the greatest amount of visual screening.” (LACC § 22.140.760(H)(2); Design Guidelines, p. 17.) The Existing Facility is located in an area with no notable topography or vegetation adjacent to the site, but instead uses the surrounding industrial buildings to provide screening for the ground level equipment. The Existing Facility has

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also been painted blue, rather than white, to blend in with the sky, as referenced in the Design Guidelines. (Design Guidelines, p. 18.) As the existing Facility is also surrounded by open space, this design was chosen to preserve the views of surrounding mountains while still providing a necessary service to the community. The blue color of the Existing Facility allows it to blend in with the sky rather than disrupting the views of the Angeles National Forest that can be seen from the highway and surrounding homes. For further screening, American Tower plans to replace the existing enclosure fence with a new, secure fence and durable, semi-opaque mesh, which will provide additional screening of equipment from passersby while also preventing theft of equipment, trespassing, and graffiti.

2. The design and placement of the facility are the least visually intrusive that are technically feasible and appropriate for the location;

The Wireless Ordinance and the Design Guidelines provide preferred color and designs for monopole facilities, suggesting the visual screening of facilities that is most appropriate for the proposed location. (LACC § 22.140.760(H)(2); Design Guidelines, p. 17-18.) Here, the surrounding land uses are mainly single-story industrial buildings, outdoor storage, or single-family residences. The Existing Facility has been designed such that the equipment accessible from the street is screened by the surrounding buildings. Additionally, given the large amounts of open space in the area it has been painted blue in order to blend in with the sky and not disrupt the views of the surrounding mountain ranges, as recommended in the Design Guidelines. (Design Guidelines, p. 18.) While the height of the Existing Facility exceeds the applicable standards, the design is necessary in order to close coverage gaps in the carrier's networks and allows more residents and drivers to remain connected while in the area. The blue color allows the Existing Facility to blend in with its surroundings such that the height is not visually intrusive while providing the best connectivity for the customers, balancing the need for reliable coverage with County's design preferences.

The Design Guidelines also include a preference for a "streamlined design" of antennas, including short cross-arms where possible. (Design Guidelines, p. 17.) The Existing Facility was designed with one row of compact antennas and the arms are as short as possible while still providing adequate coverage to the area. At the time of the Existing Facility's original construction, it is our understanding that the County indicated a preference for a lateral bar to cover the antennas on the Existing Facility. This bar provides additional screening to the antennas and helps the entire facility better blend in with the sky. As an alternative design, American Tower can remove the lateral bar if this is preferred by Los Angeles County. A photo simulation showing the Existing Facility Without the lateral bar has been provided.

Finally, American Tower is proposing a new fencing design that will meet the screening and design standards as it will blend into the surrounding area while prioritizing security. The new proposed fence will include a durable, semi-opaque mesh that is resistant to graffiti and can only be removed with special tools. As such, the new screening will help prevent any trespassing by the

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public or theft of equipment. Additionally, this material still provides screening while allowing maintenance staff to see the facility before entering, allowing them to easily assess potential safety concerns. This new screening will meet the design requirements while also providing safety benefits to American Tower's employees and the public.

3. For new wireless facilities, the facility at the proposed location is necessary to close a significant gap in coverage; and

This is an existing monopole facility that was previously permitted by DRP Permit 98-055. As such, this finding is not applicable.

Nonetheless, the Existing Facility's location is necessary to close a gap in coverage. Radio frequency engineers have designed a network of wireless communication facilities for the Los Angeles County area, and each specific site is chosen after lengthy analysis. Selection criteria include limitations imposed by surrounding topography, land availability, the intended service area of the site, and the ability of the Existing Facility to receive signals and messages from users connected to other sites in the network neighboring the existing location. Given the Existing Facility's location and the surrounding mountains, the height and design are necessary in order to maintain coverage for customers in the area. Acton is a remote area within the County, and the location of the Existing Facility is important both to the overall design of the network and to the users in Acton who rely on the Existing Facility for connection to work, family, and emergency services.

4. For new wireless facilities, the location of the facility is the least intrusive feasible and does not create a safety hazard.

This is an existing monopole facility that was previously permitted by DRP Permit 98-055. As such, this finding is not applicable.

Nonetheless, the Existing Facility is located in the least visually intrusive location and does not create a safety hazard. The Existing Facility is located on a lightly traveled State highway adjacent to State Route 14. The location is removed from State Route 14 so it is not distracting to drivers and has been designed such that it blends in with sky to preserve natural vistas. Additionally, by ensuring reliable cellphone service and connection to emergency services is available in this remote part of Los Angeles County, the Existing Facility helps keep drivers and residents safe. The Existing Facility is over 5 miles from the closest airport, does not pose any risk to air travel, and complies with all applicable safety regulations.

LACC § 22.140.760(L) Waiver Findings:

1. For wireless facilities subject to Subsection D.2, above, the Commission or Hearing Officer may grant a waiver to one or more of the development standards in this Section if the Commission or Hearing Officer determines that the applicant has established that

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the denial of an application would: a. Prohibit or effectively prohibit the provision of personal wireless services, pursuant to Title 47 of the United States Code, section 332(c)(7)(B)(i)(II), or any successor provision; b. Otherwise violate applicable laws or regulations; or c. Require a technically infeasible design or installation of a wireless facility.

American Tower requests a waiver from the requirement in LACC § 22.140.760(E)(1)(c)(iii), providing for a maximum height of 65 feet in the M-1 zone. The Existing Facility is over 100 feet tall. As shown in the coverage maps provided by Verizon, there would be significant gaps in coverage without the facility; the Existing Facility provides coverage in all directions and in particular to the community of Acton and along Highway 14. In the absence of the Existing Facility, customers in Acton would be without coverage in their homes, and a significant portion of Highway 14 would be without coverage. In this remote area of the County, reliable coverage is essential for both residents and travelers to connect to emergency services and for users to engage in work or school. Without access to dependable cellular connectivity, Acton's residents and visitors would experience a decrease in both safety and quality of life.

Coverage maps were also provided showing what coverage would be provided if the Existing Facility were 80 feet tall and 65 feet tall. As demonstrated in the coverage maps, coverage would significantly diminish with each of these height reductions. Moreover, as explained in the coverage letter, wireless communication sites throughout Verizon's network are "location dependent" and each communication site is designed for specific purposes within its locale and has a "network relationship" between the site and its group of neighbor sites. Elimination or height reduction of a single cell site will result in reduced network capacity, data network throughput and potential service itself because of a weaker or in some cases no signal at all.

Specifically, to meet the basic level of operational radio signal coverage, Verizon's radio frequency (RF) engineers have designed a network of wireless communication facilities for the Los Angeles County area. Specific sites are chosen after lengthy analysis. Selection criteria include limitations imposed by surrounding topography, land availability, the intended service area of the site, and the ability of the Existing Facility to receive signals and messages from users connected to other sites in the network neighboring the existing location. Verizon Wireless is extremely concerned about connectivity and highway coverage on Sierra Highway, given the terrain and elevation for Acton and Highway 14 westbound. Terrain and clutter can greatly impact the coverage. Because of the topography, actual user experience and the projected capacity and coverage demand from the neighboring existing sites would be necessary to help cover any gaps and possibly overwhelm the network.

Finally, changes in the location of the equipment caused by a reduction in height can lead to a coverage gap or hole. If there is a coverage gap, Verizon will have to end up building a new site in the area as gaps, weak points and potential bottlenecks in the system prohibit Verizon Wireless from providing uninterrupted and reliable service to customers in a defined coverage area.

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

Soyeon Choi
November 20, 2023

Page 9

Furthermore, the elimination or reduction in coverage provides by the Existing Facility would most impact neighboring cellular site locations and their served customers by necessitating significant modifications to the network to compensate for losses in coverage and capacity of the Acton site.

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE:	July 3, 2024
PROJECT NUMBER:	PRJ2023-001989-(5)
PERMIT NUMBER(S):	CUP RPPL2023002887
SUPERVISORIAL DISTRICT:	5
PROJECT LOCATION:	4718 Sierra Highway, Acton
OWNER:	David V. Erlendsson Trust
APPLICANT:	American Tower Corporation
CASE PLANNER:	Soyeon Choi, Senior Regional Planner schoi@planning.lacounty.gov

Los Angeles County (“County”) completed an initial review for the above-mentioned project. Based on examination of the project proposal and the supporting information included in the application, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act (CEQA). The project qualifies as categorical exemption (Class 1, Existing Facilities categorical exemption) under State CEQA Guidelines Section 15301 because the Project involves the continued operation and maintenance of an existing wireless communications facility (“WCF”). Minor modifications are proposed to repair of the existing fence with slats and re-paint the existing monopole with a similar color, which will enhance the aesthetics and screening of the facility.

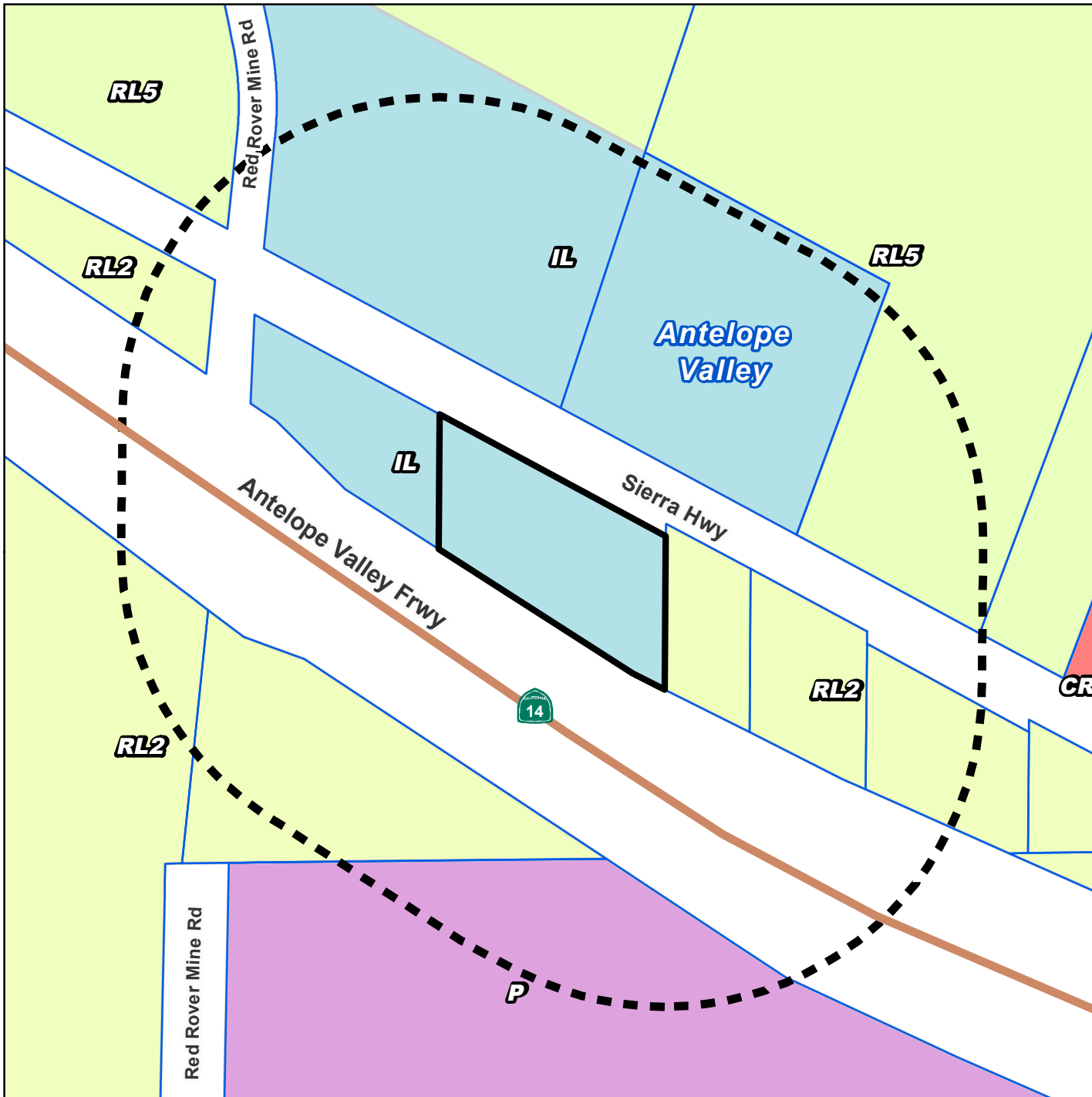
No exceptions to the Categorical Exemption are found to apply to the Project per Section 15300.2 of the California Code of Regulations. The Project Site is not located within or near sensitive environmental resources, a hazardous waste site, and historical resources. The bird nest found at the tower was determined as inactive and not used for birds with a special status. The Project Site is located adjacent to a designated Scenic Drive, State Route 14 (“SR14”). However, there is no significant modifications proposed to the existing WCF. The proposed minor changes, which are fence repair and re-painting of the monopole, will enhance esthetics of the WCF from both Sierra Highway and SR14. There is no significant effect due to unusual circumstances and no cumulative impacts are anticipated. Therefore, staff recommend that the Hearing Officer determine that the project is categorically exempt from CEQA.






LAND USE POLICY

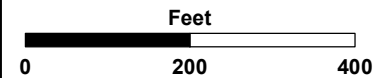
500-FOOT RADIUS MAP

PROJECT NO. PRJ2023-001989

CUP RPPL2023002887



-  RL2 - Rural Land 2 (1 du / 2 gross ac)
-  RL5 - Rural Land 5 (1 du / 5 gross ac)
-  CR - Rural Commercial
-  IL - Light Industrial
-  P - Public and Semi-Public



LA COUNTY
PLANNING

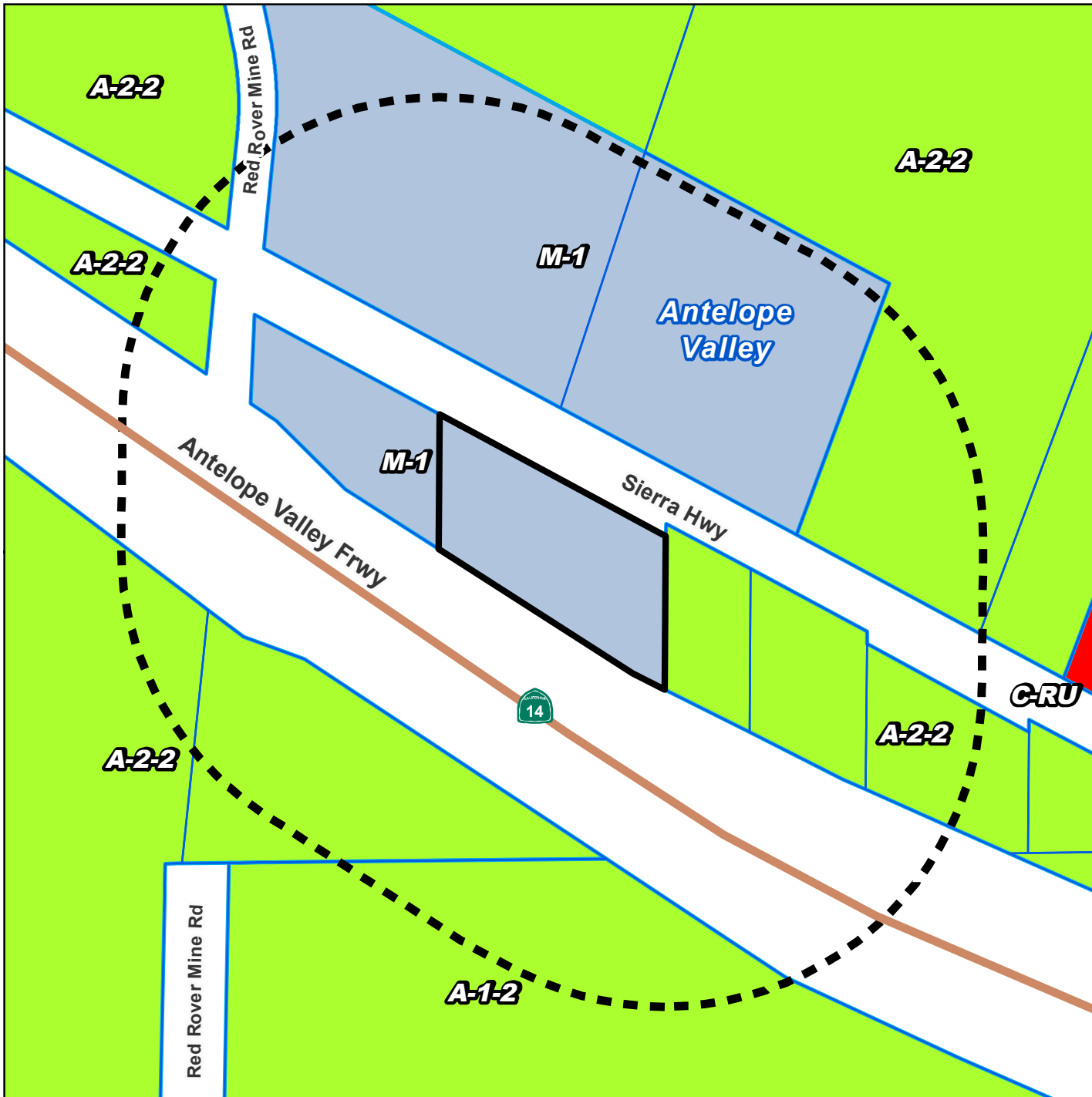
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



ZONING

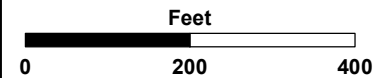
500-FOOT RADIUS MAP

PROJECT NO. PRJ2023-001989

CUP RPPL2023002887



-  A-1 - Light Agricultural
-  A-2 - Heavy Agricultural
-  C-RU - Rural Commercial
-  M-1 - Light Manufacturing



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



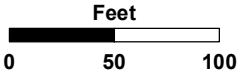
AERIAL IMAGERY

SITE-SPECIFIC MAP

PROJECT NO. PRJ2023-001989

CUP RPPL2023002887

Digital Ortho Aerial Imagery:
Los Angeles Region Imagery
Acquisition Consortium (LARIAC)
2023



LA COUNTY
PLANNING

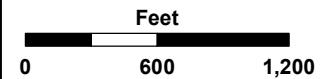
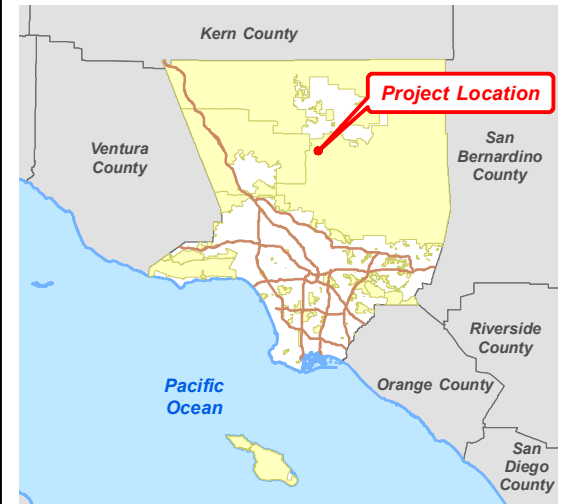
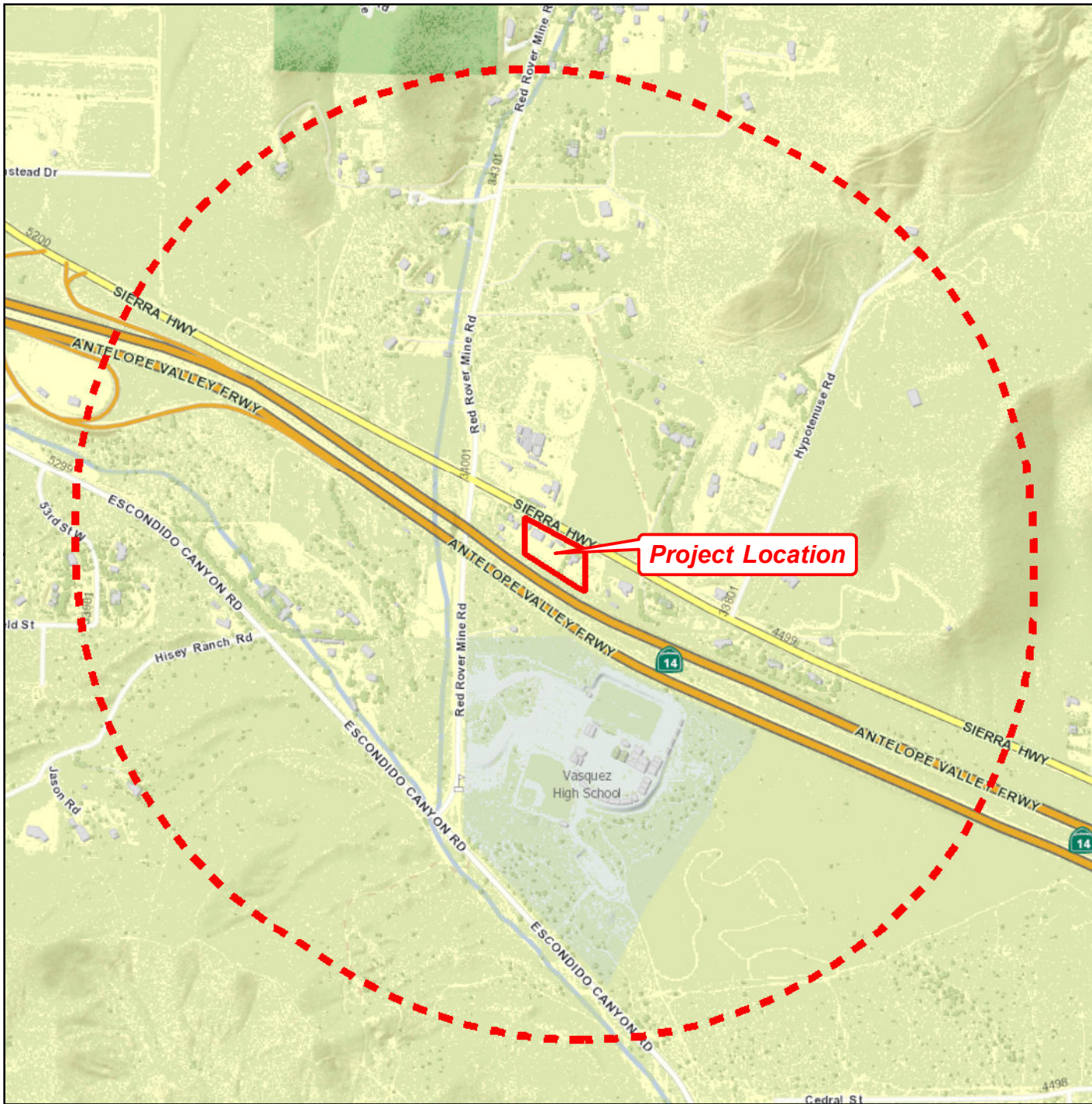
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

HALF-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2023-001989

CUP RPPL2023002887



LA COUNTY
PLANNING

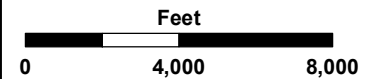
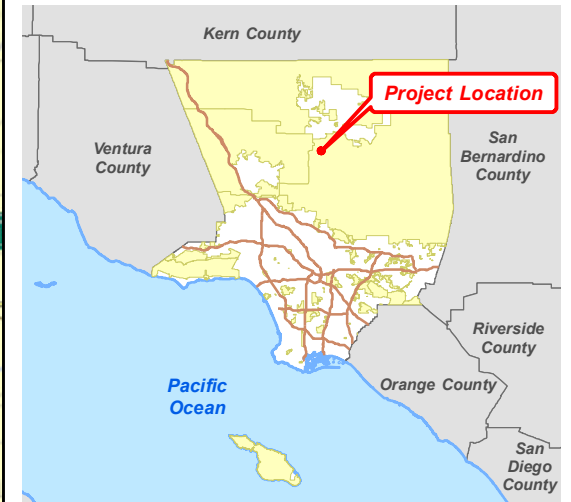
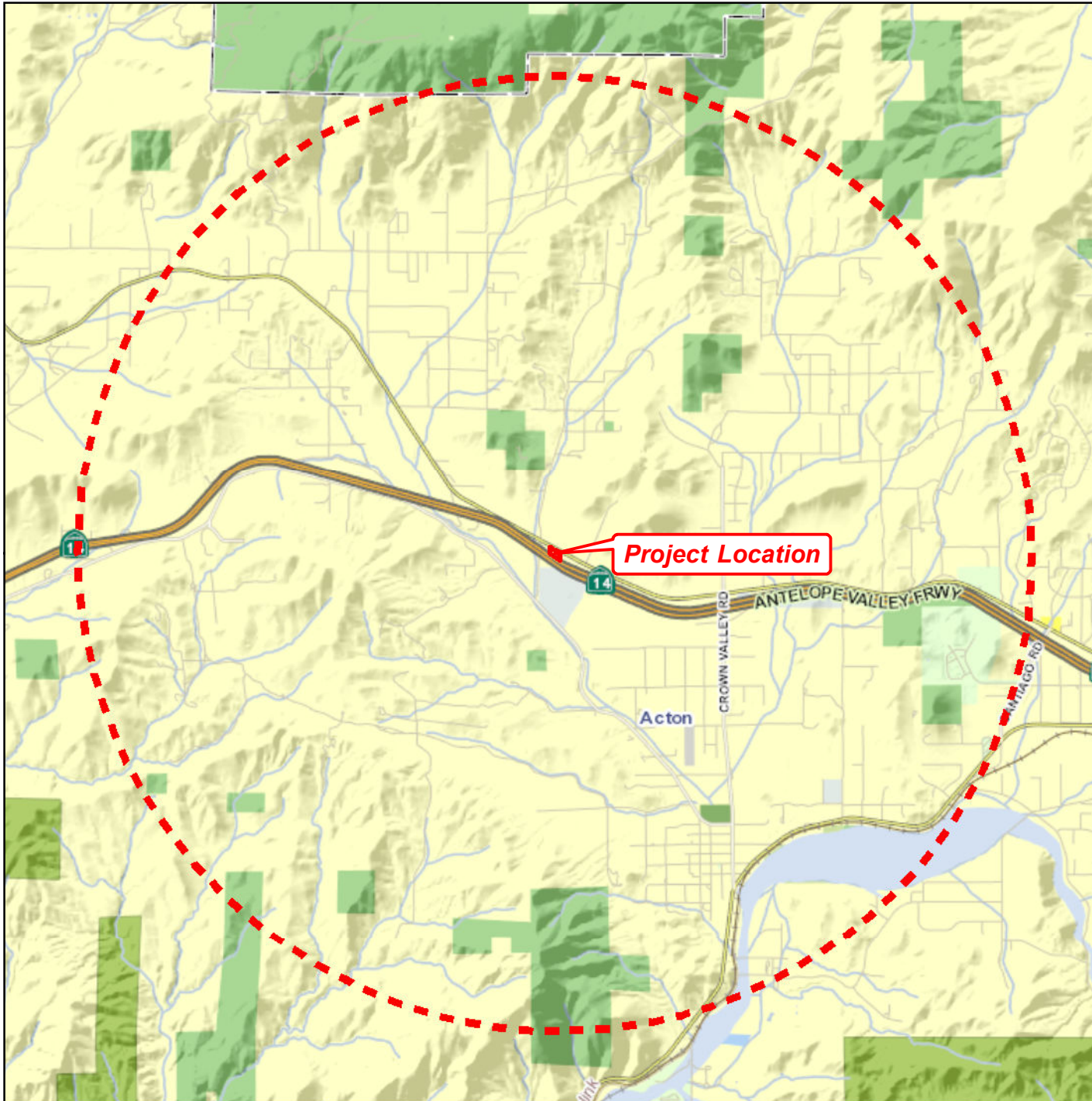
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

3-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2023-001989

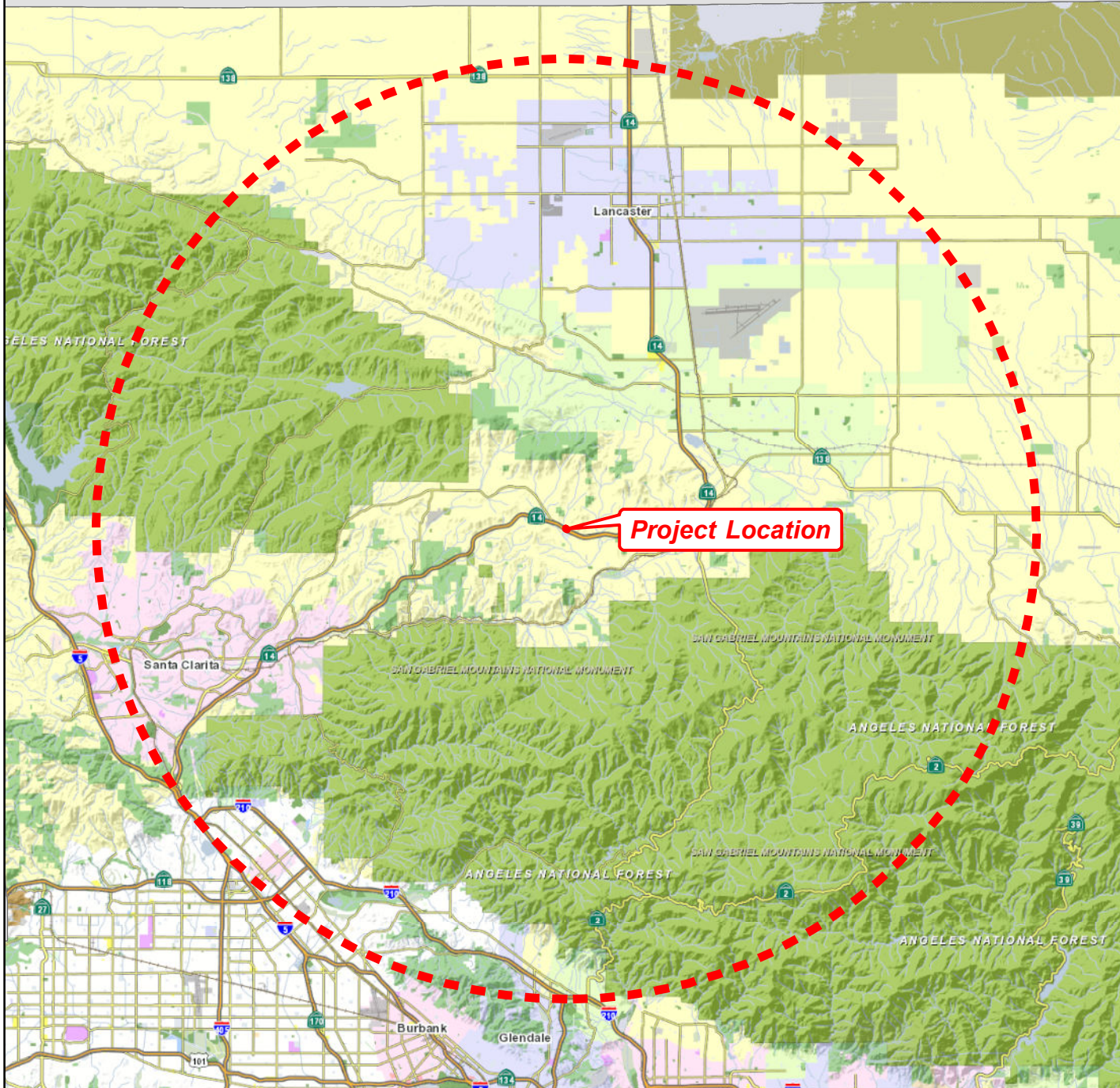
CUP RPPL2023002887



LA COUNTY
PLANNING

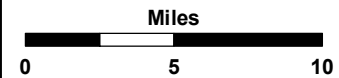
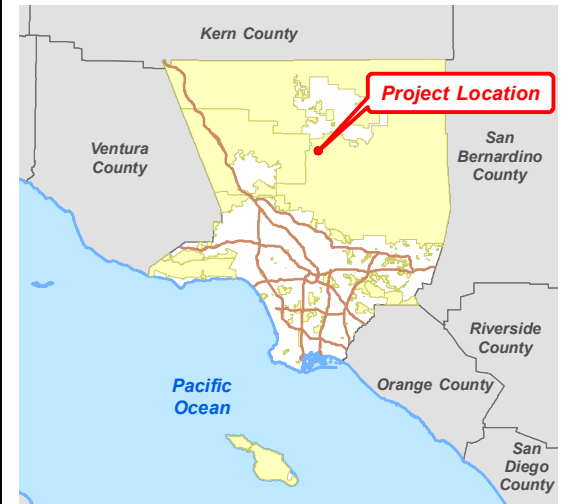
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Kern County



20-MILE RADIUS LOCATOR MAP

PROJECT NO. PRJ2023-001989
CUP RPPL2023002887



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



**ATC SITE 300678 ACTON
PERMIT 98055 RENEWAL**

SITE PHOTOGRAPHS

The following photographs are provided pursuant to item 14 of the *Zoning Permit Instructions & Checklist*.



PHOTO KEY MAP



PHOTO 1 – FROM EAST PROPERTY LINE

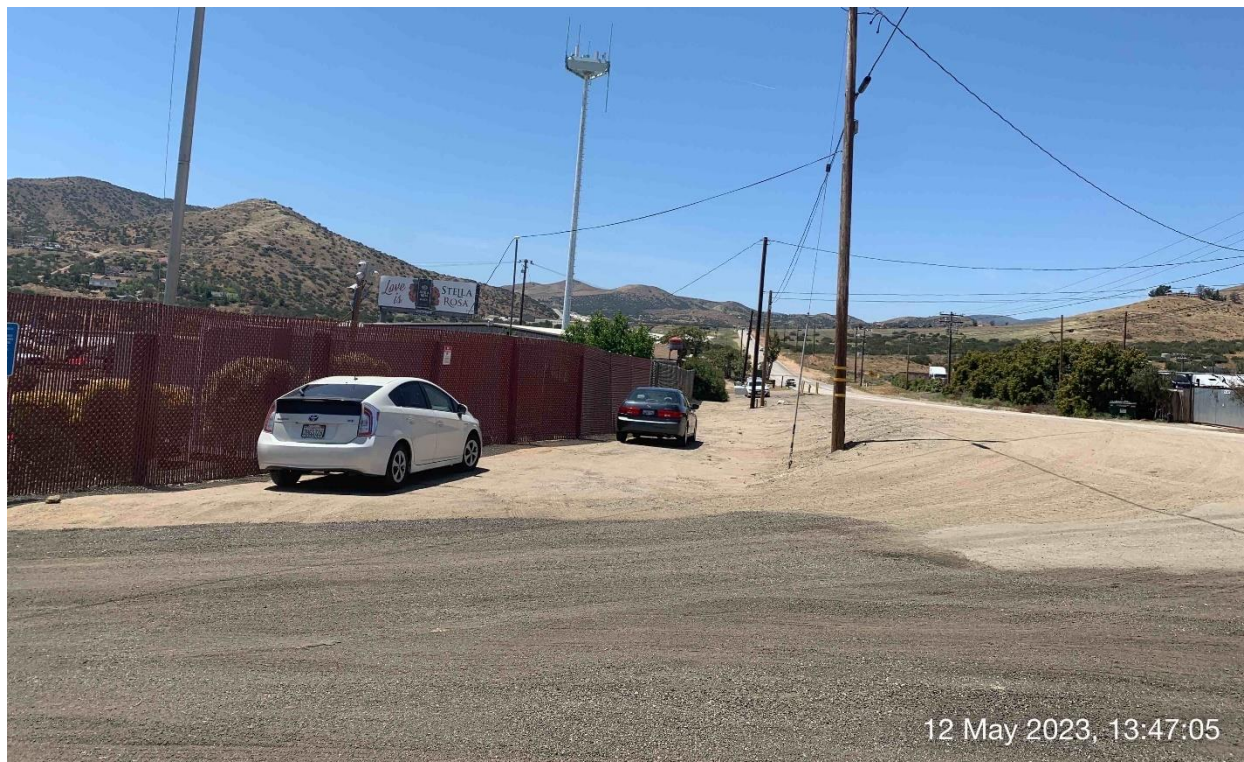


PHOTO 2- FROM EAST PROPERTY LINE



PHOTO 3 – FROM SOUTH PROPERTY LINE



PHOTO 4- FROM SOUTH PROPERTY LINE



PHOTO 5- FROM WEST PROPERTY LINE



PHOTO 6 - FROM WEST PROPERTY LINE



PHOTO 7- FROM NORTH PROPERTY LINE

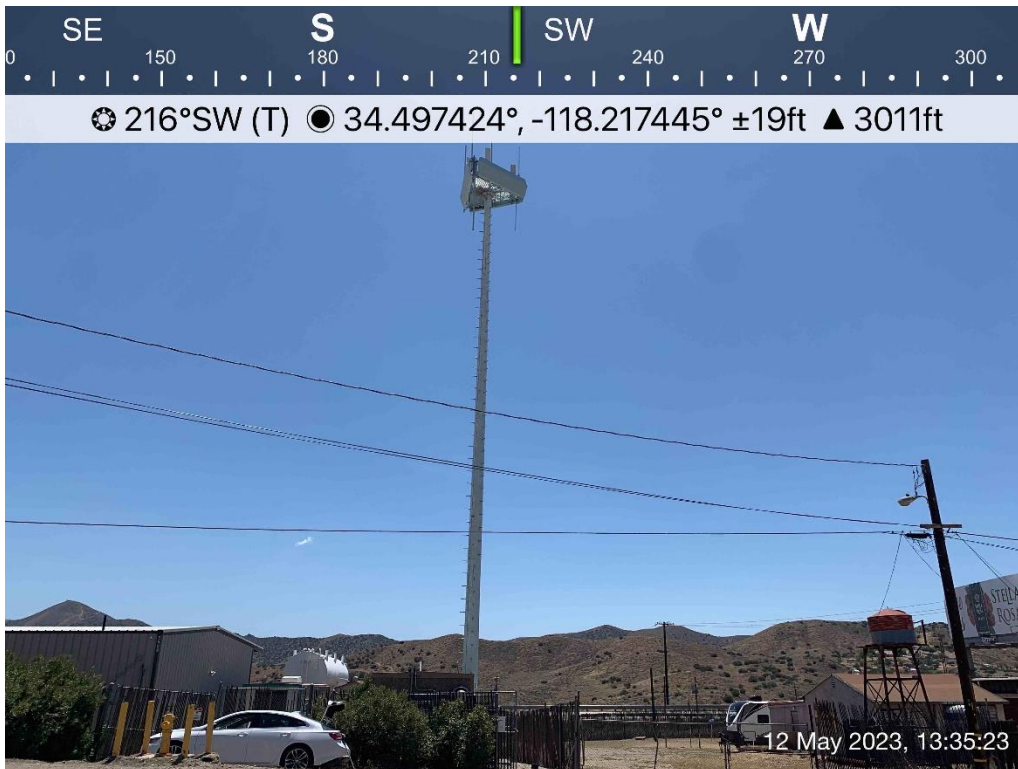


PHOTO 8- FROM NORTH PROPERTY LINE



Tower Painted Darker Blue



Tower Painted Brown



**ATC at Acton, CA (300678)
4718 1/2 Sierra Highway
Acton, CA 93510**

ACTON: Propagation Maps

May 1, 2024

Propagation plots presented were generated using Atoll and estimates Verizon's expectations given the configuration (height, location, antenna type, etc) of the sites in the study. Building materials, thickness of walls, topography and terrain, and varying types and sizes of vegetation can affect the accuracy of the RF model's prediction.



Overview Map

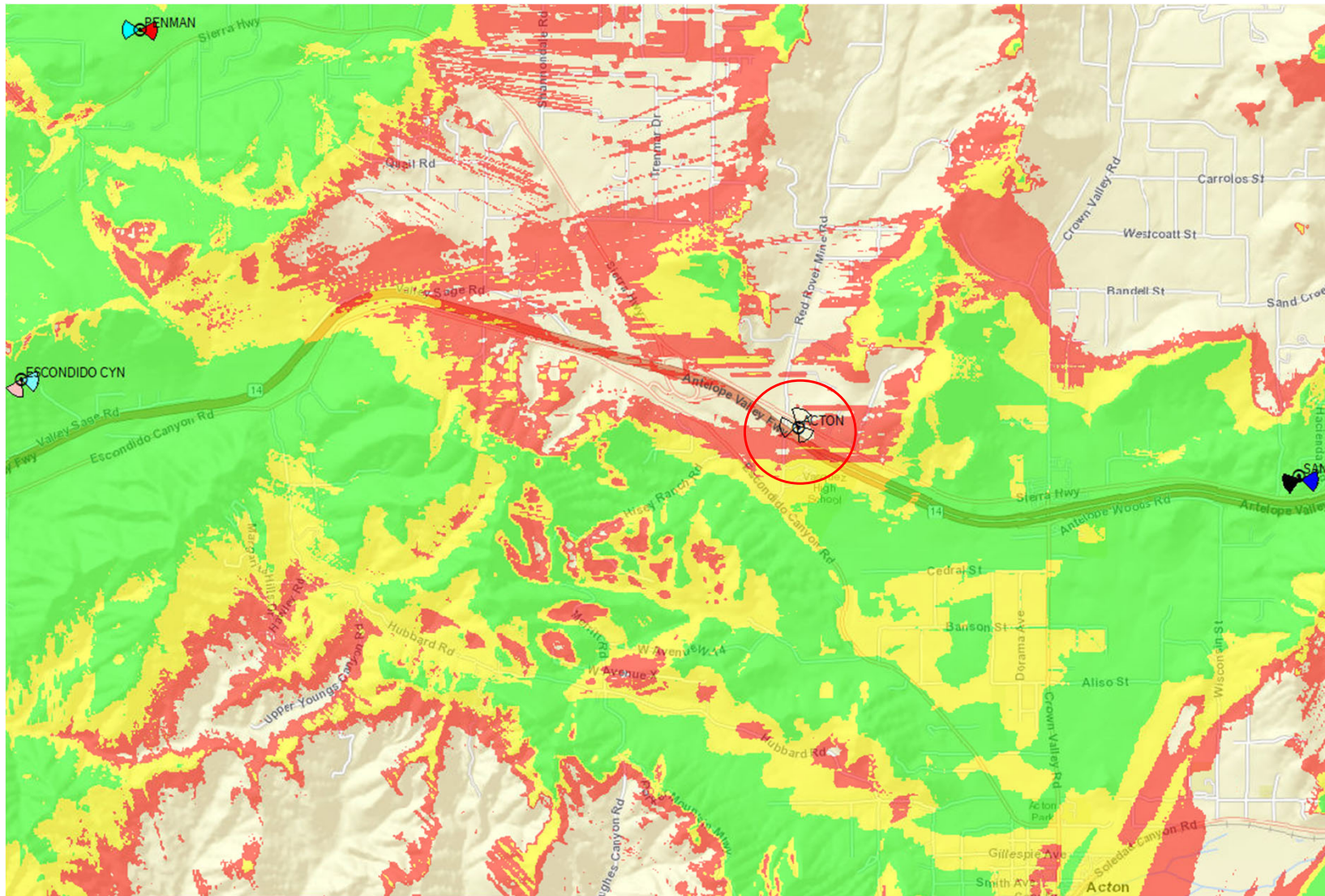


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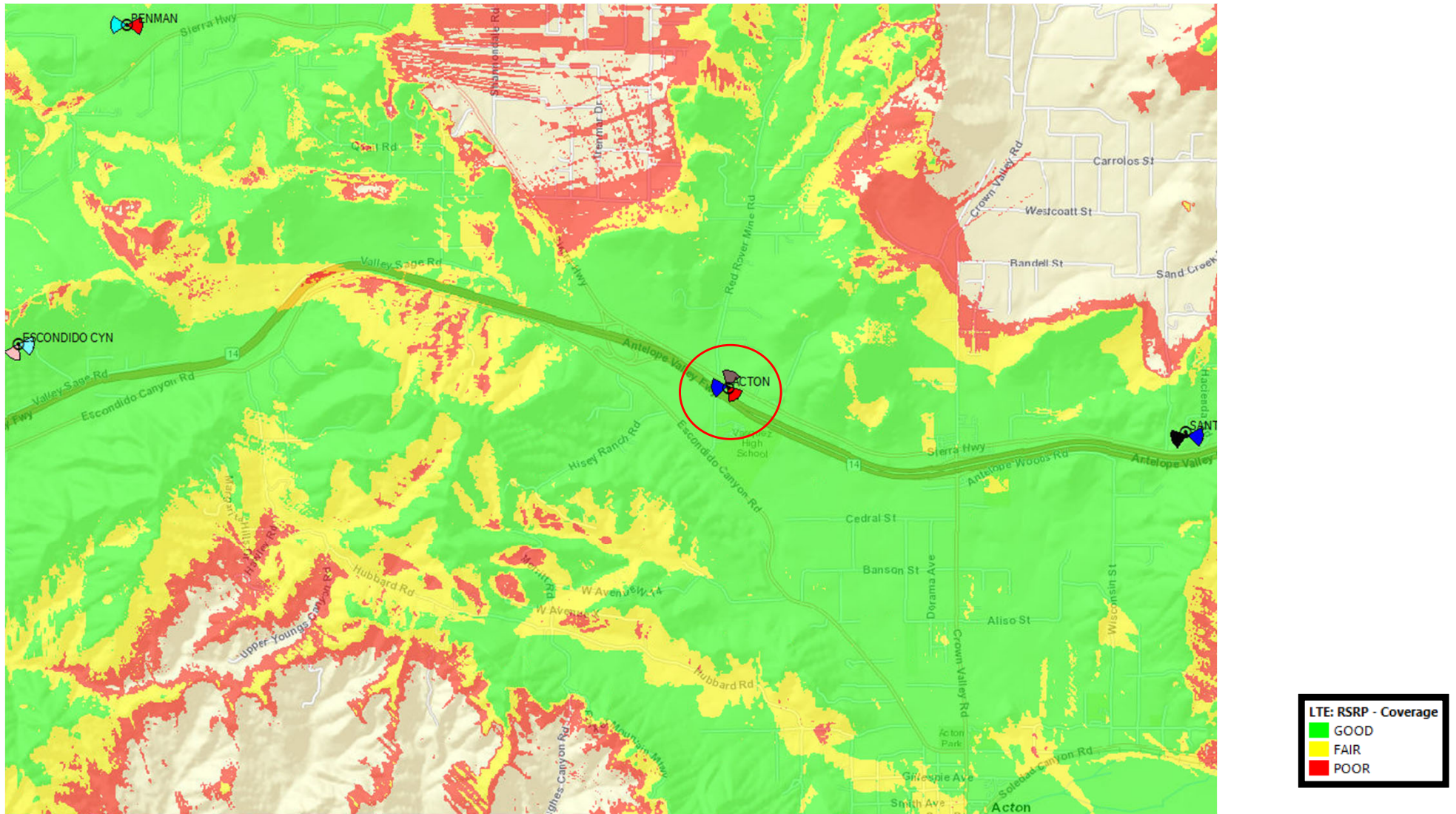
700MHz

Verizon Coverage without ACTON



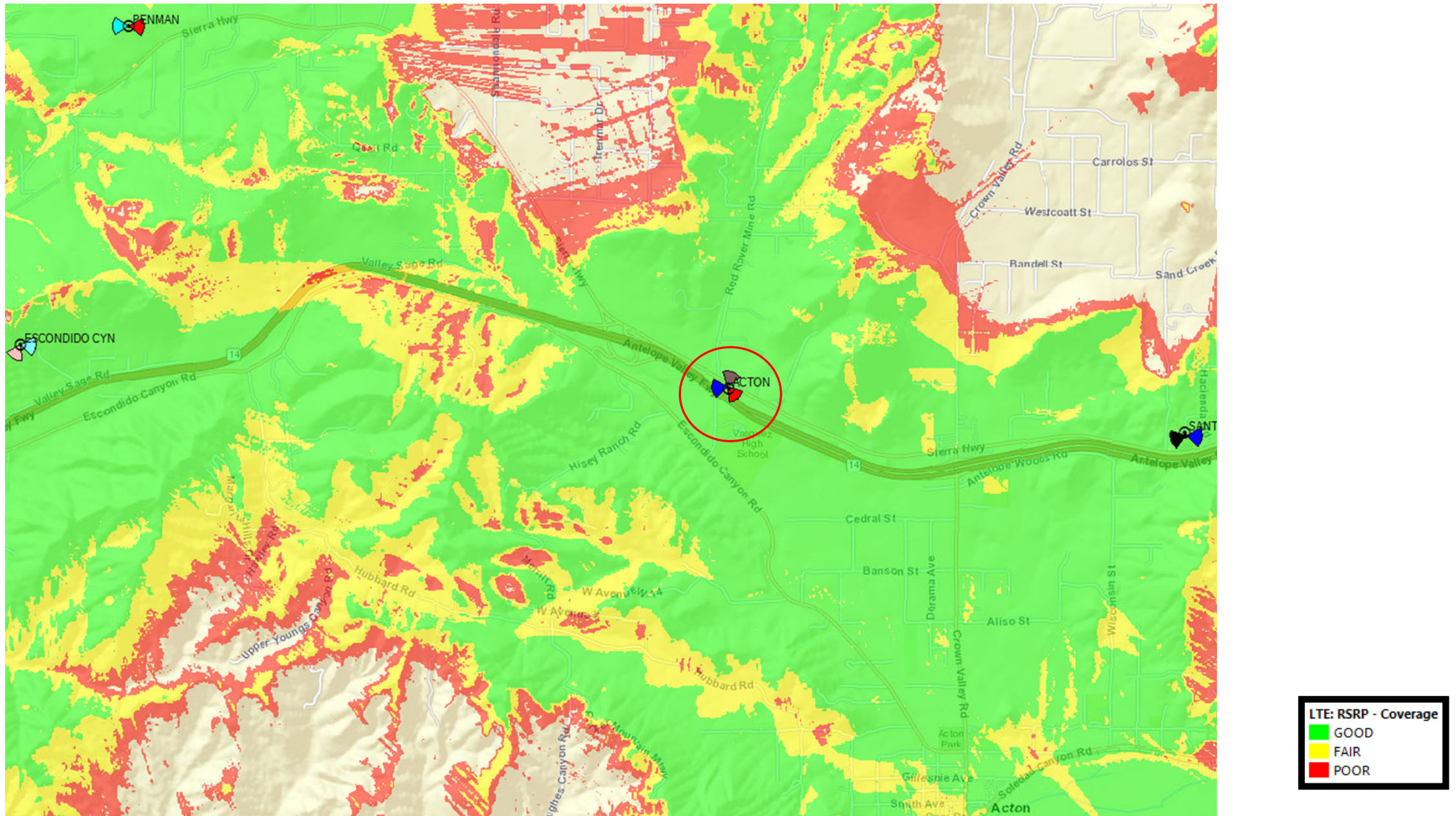
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Verizon Coverage with ACTON @100' RAD(Current)



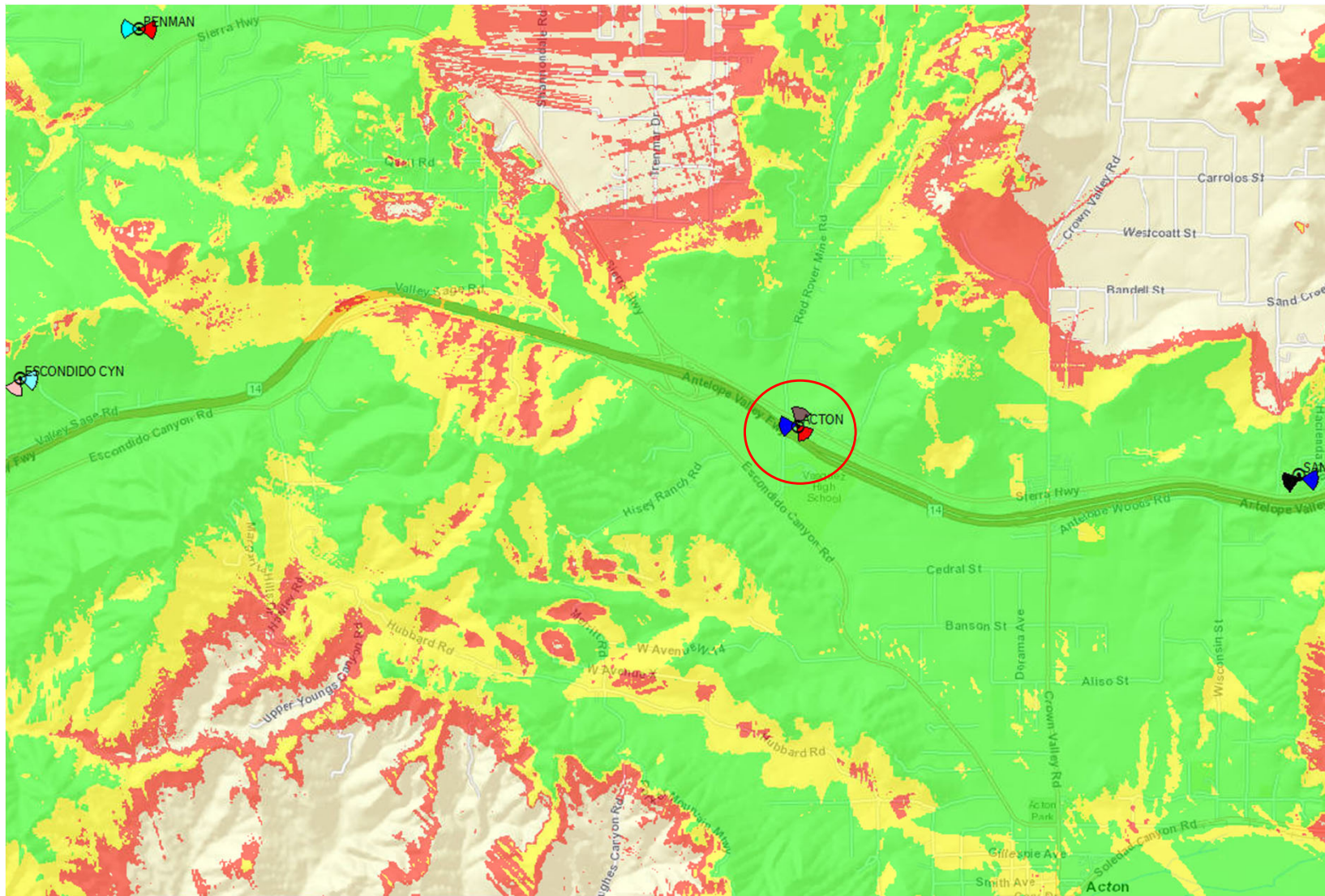
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Verizon Coverage with ACTON @80' RAD



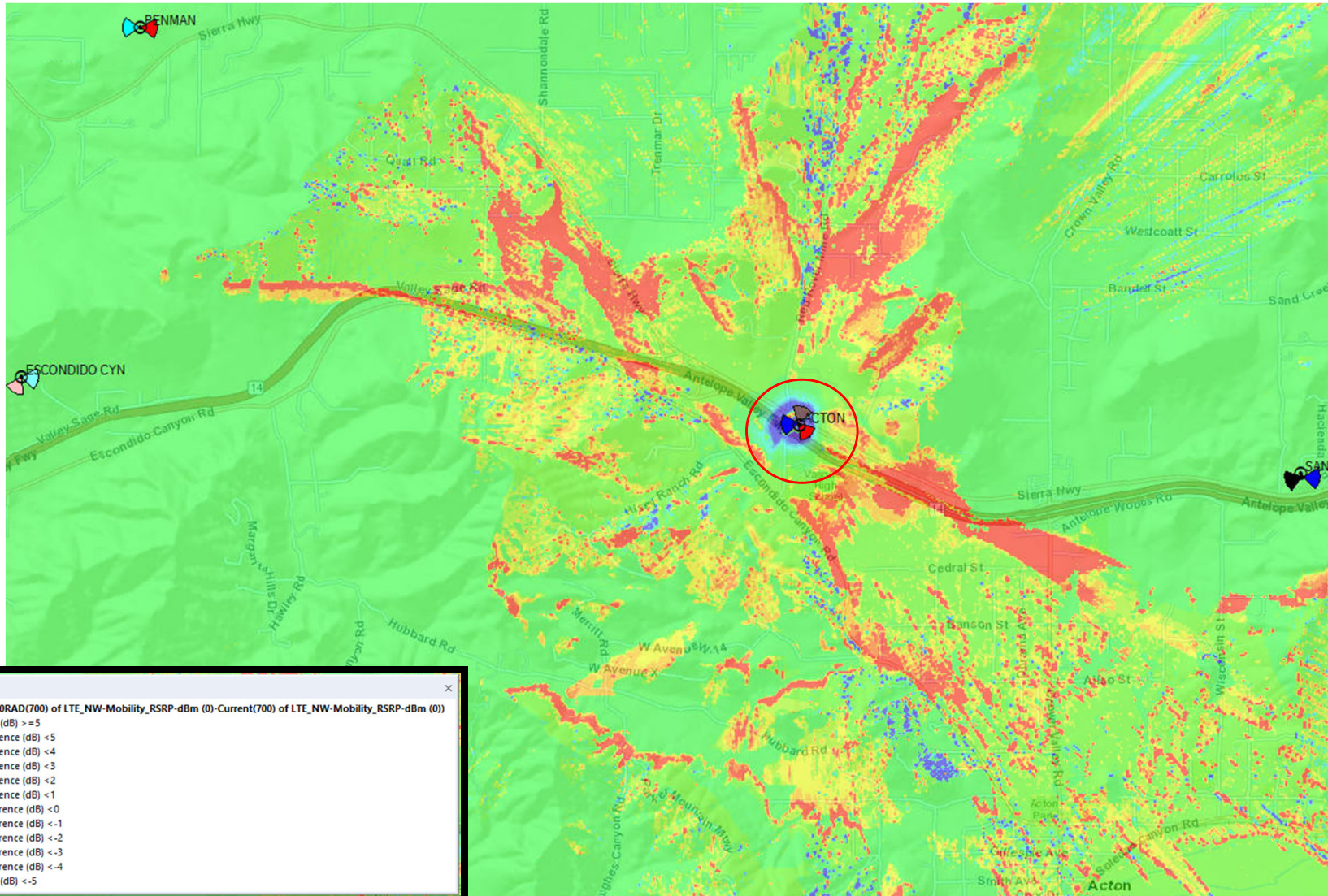
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Verizon Coverage with ACTON @60' RAD



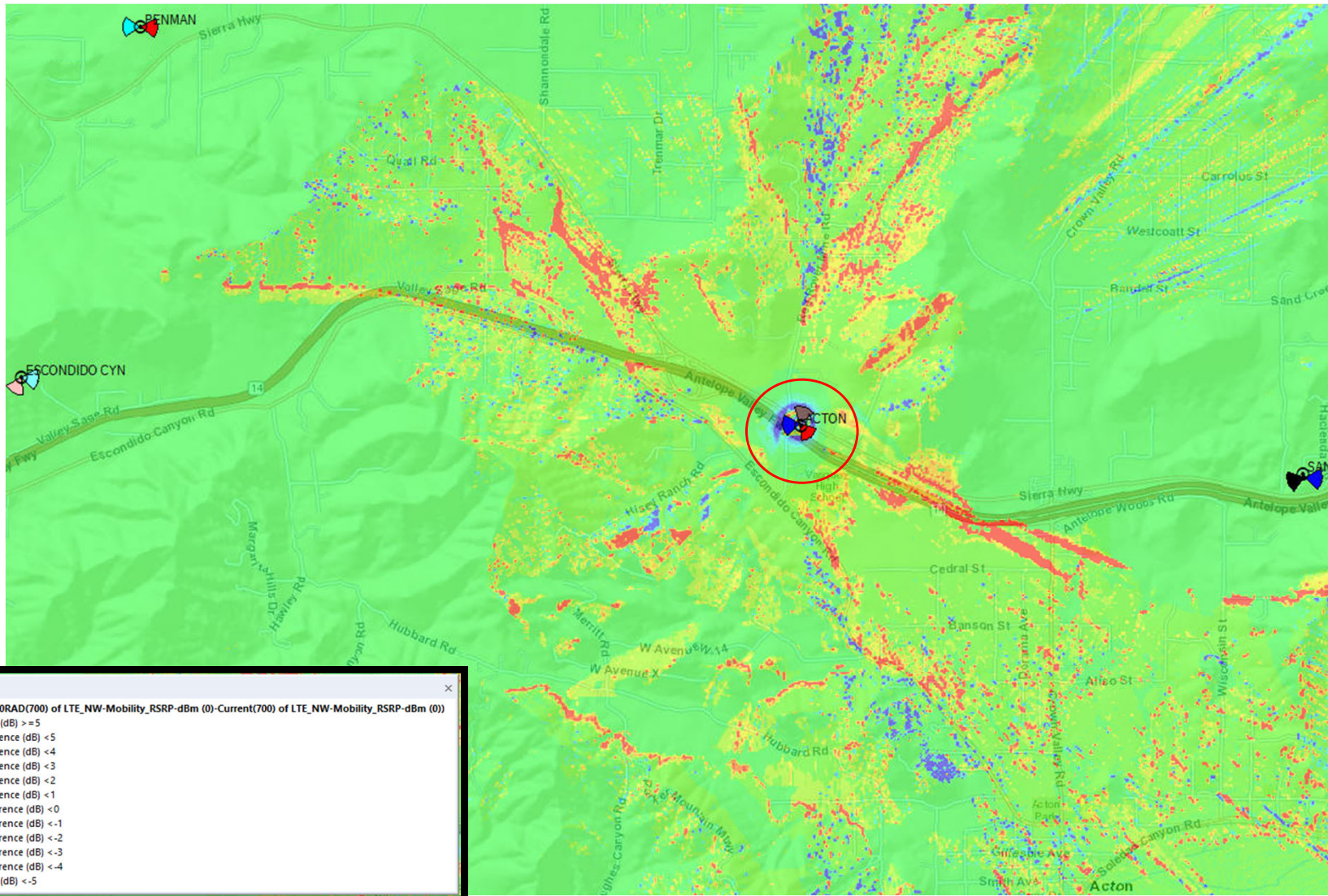
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Verizon Coverage Comparison @100' & 60' RAD



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Verizon Coverage Comparison @100' & 80' RAD

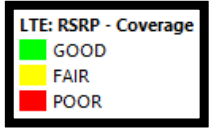
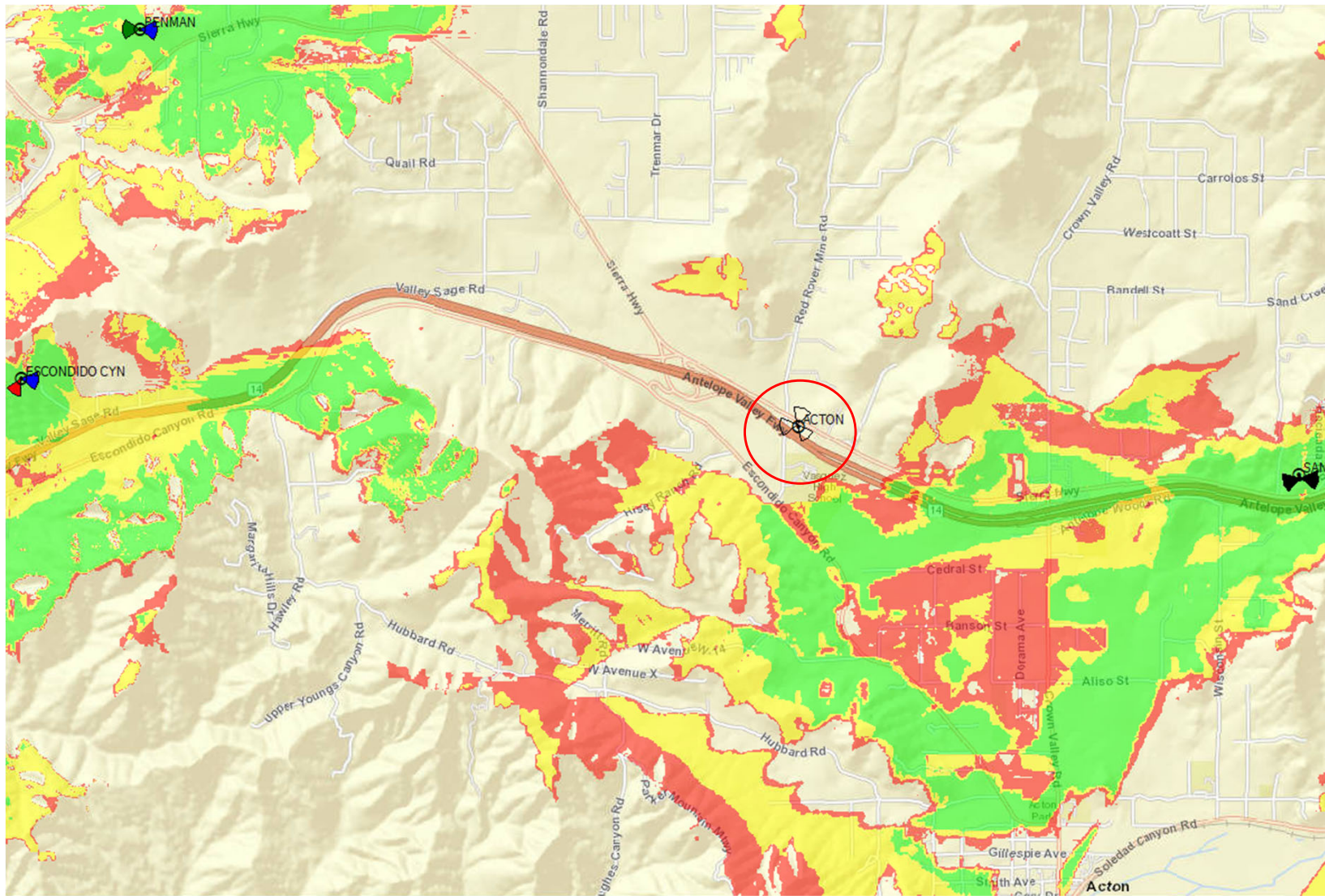


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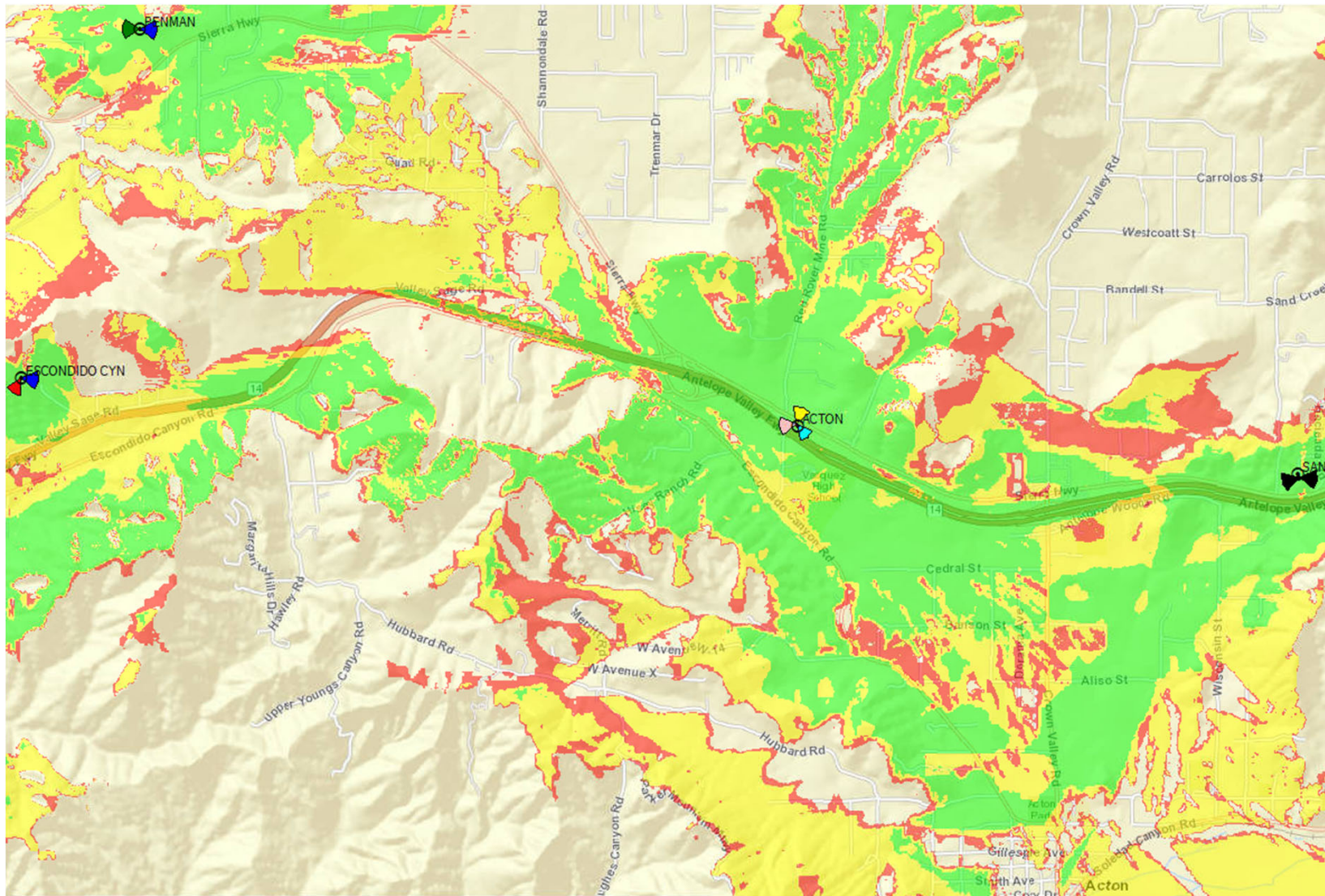
AWS

Verizon Coverage without ACTON



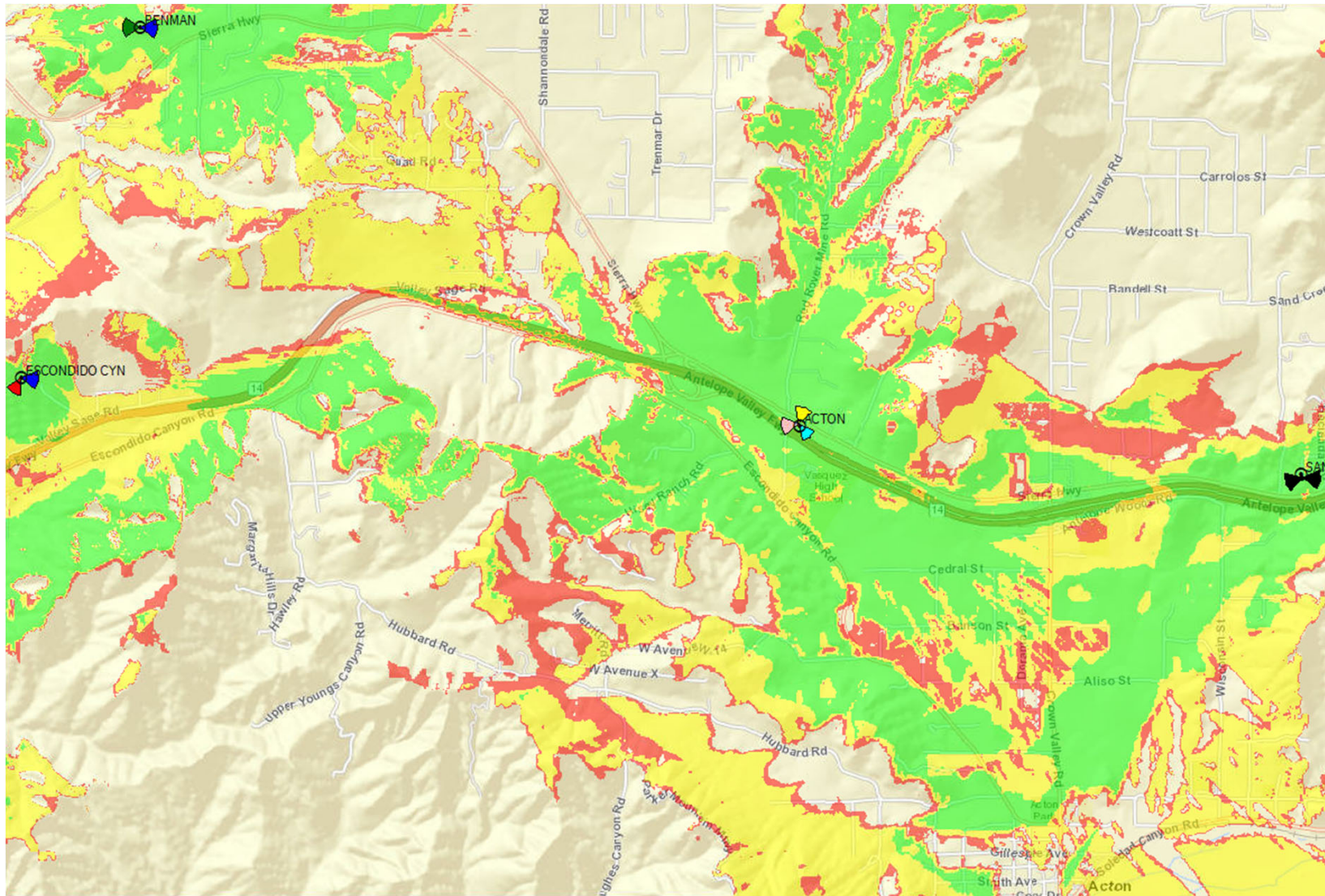
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Verizon Coverage with ACTON @100' RAD(Current)



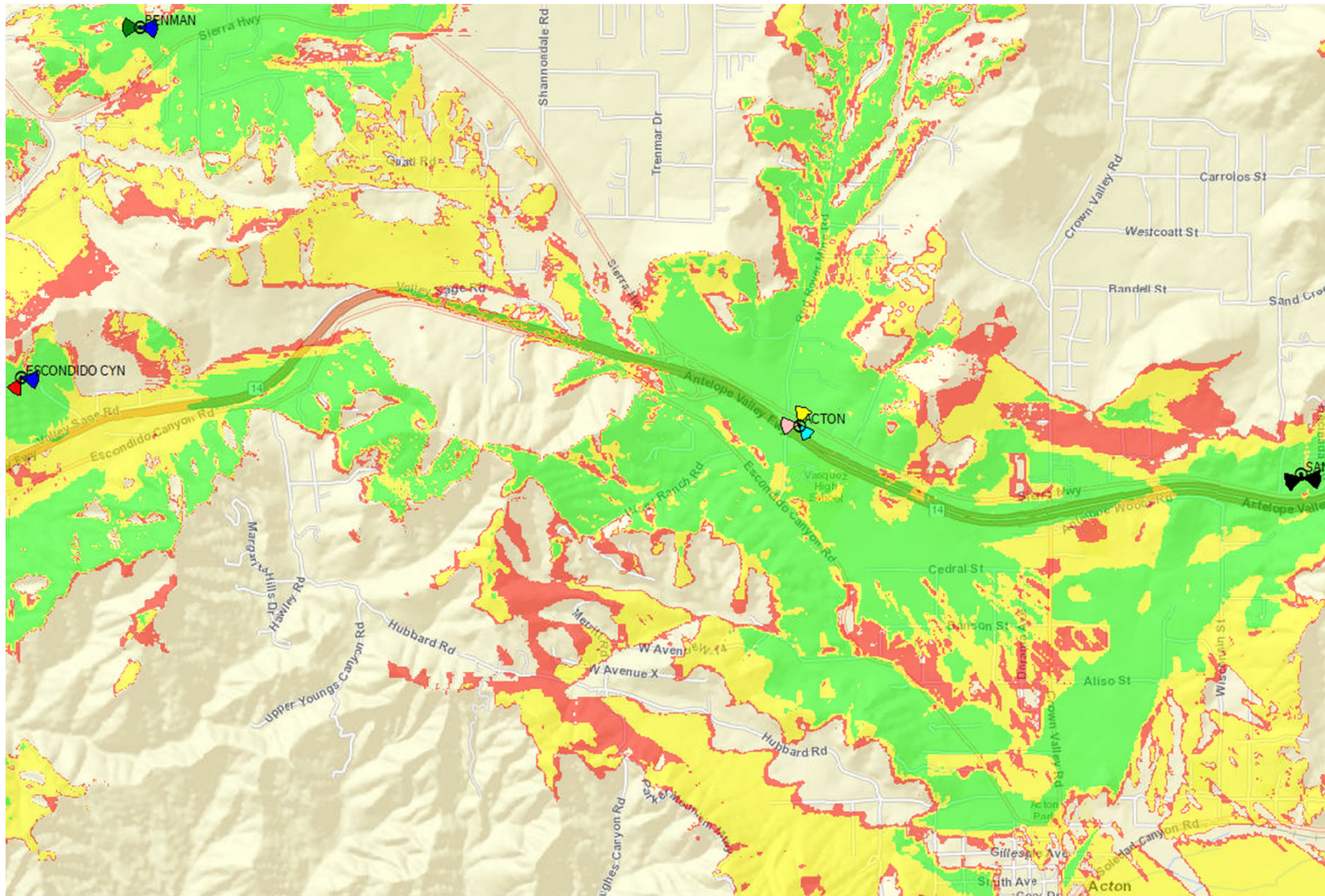
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Verizon Coverage with ACTON @80' RAD



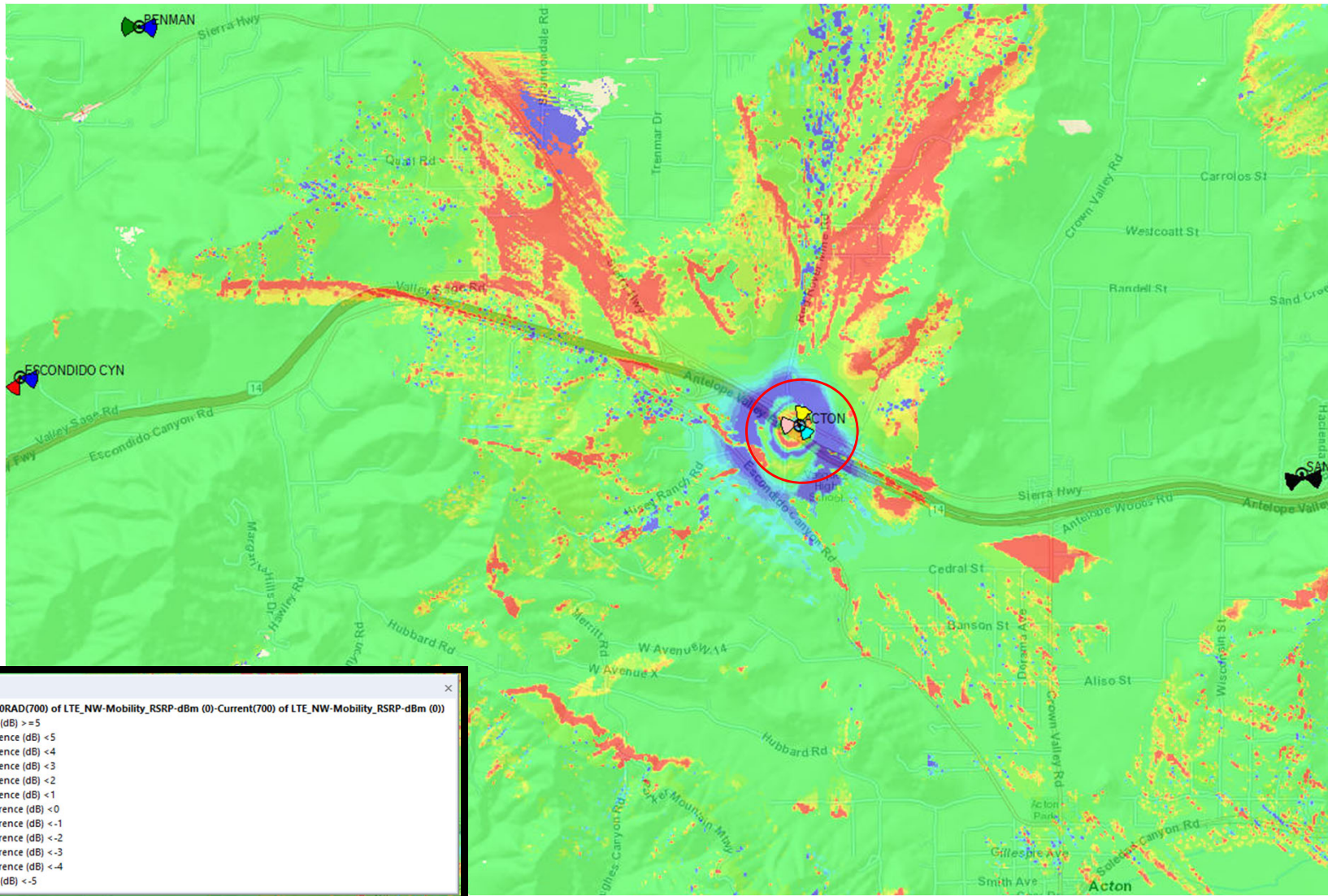
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Verizon Coverage with ACTON @60' RAD



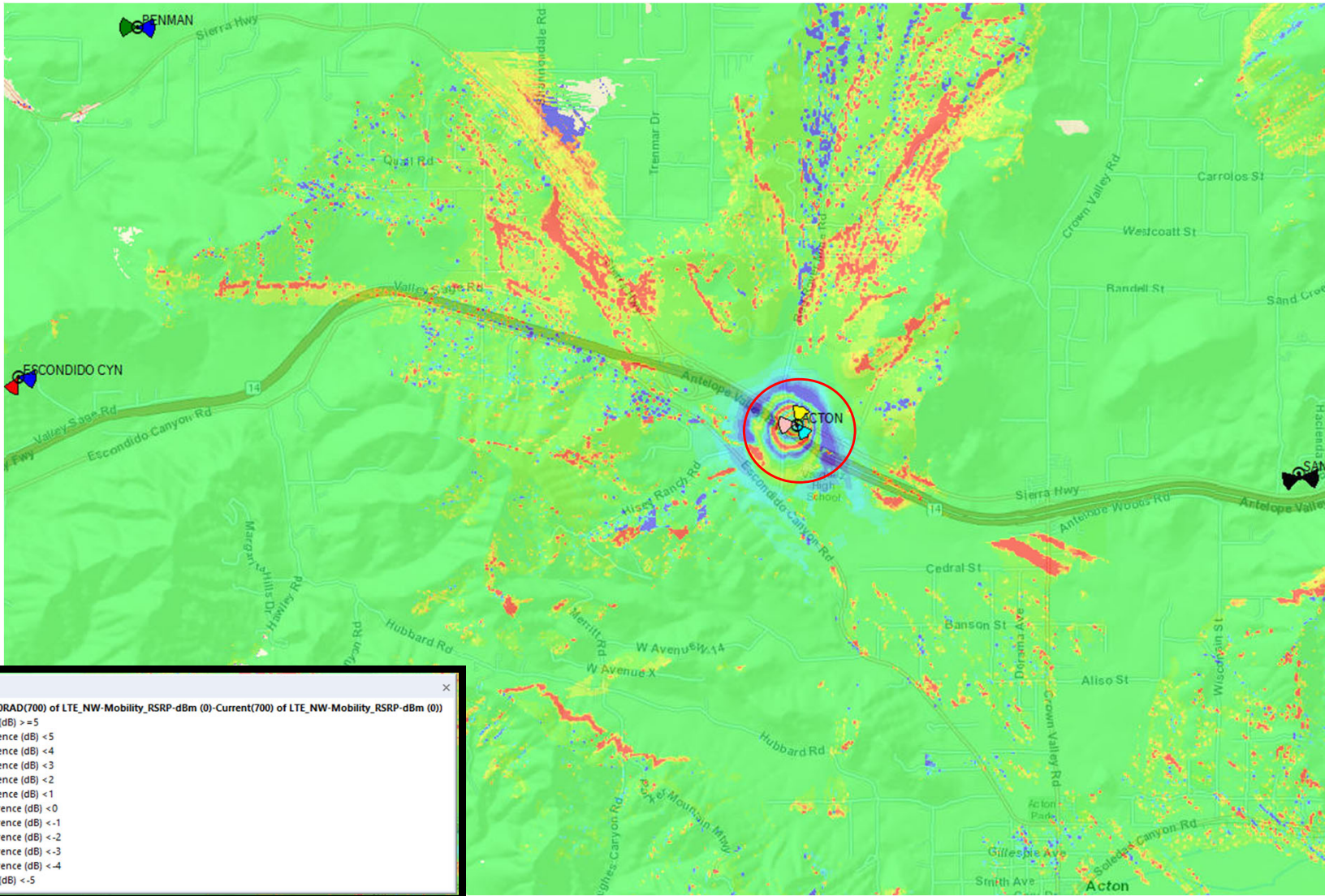
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Verizon Coverage Comparison @100' & 60' RAD



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Verizon Coverage Comparison @100' & 80' RAD



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October 6, 2023

Soyeon Choi
Senior Planner,
North County Development Services
Department of Regional Planning
Electronic mail transmittal of two (2) pages to:
schoi@planning.lacounty.gov

Subject: Initial Concerns with a Proposed Conditional Use Permit for the Continued Operation of Telecommunication Facilities at 4718 Sierra Highway in Acton.

Reference: RPPL2023002887

Dear Ms. Choi;

The Acton Town Council has reviewed the records that we have access to pertaining to the property where the operator of an existing telecommunication facility at 4718 Sierra Highway (APN 3217-018-030) has applied for a new Conditional Use Permit (CUP) and we have received a communication from the applicant stating that he is in discussions with Regional Planning regarding the applicability of the recently adopted Los Angeles County Wireless Facility Ordinance (Ordinance). This has raised a concern that perhaps he does not believe the Ordinance applies to the new CUP. The purpose of this letter is to address this concern as well as provide additional information pertaining to the project site.

The Acton Town Council understands that the application for the referenced telecommunication facility CUP was submitted several months after the Ordinance was adopted, thus it seems clear that Ordinance requirements do in fact apply to the new CUP. Moreover, the existing CUP under which the telecommunication facility current operates was only granted because in 2012, the CUP holder agreed to bring the facility into compliance with regulations that would be in effect as of the October 22, 2023 expiration date; specifically, Condition 7 states "Entitlement to use of the property thereafter shall be subject to the regulations then in effect". Accordingly, when the CUP holder executed the "Affidavit of Acceptance" on September 14, 2012 (recorded as instrument number 2012-1399304), he explicitly agreed that the telecommunication facility would be subject to the Ordinance and other applicable regulations upon expiration of the current CUP.

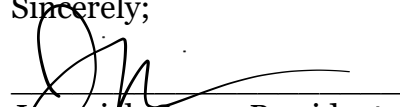
Additionally, the Ordinance states “Applicability: This Chapter applies to all wireless facilities located on private property...” [22.140.760(B)]; it also establishes “General Standards” and asserts “All wireless facilities, except for facilities as part of Eligible Facilities Requests and small cell facilities, shall comply with the following standards....” [22.140.760(E)(1)]. The existing telecommunication facility is not exempt from the standards because it is not a “Small cell facility” (which by definition, is shorter than 50 feet). For all these reasons, the Acton Town Council believes that the existing telecommunication facility must be brought into compliance with the Ordinance before a CUP can be issued; we are also hoping that the telecommunication facility will be camouflaged.

There are also a number of concerns with the property where the communication facility is located which should be resolved before a new CUP can be issued. For instance, the property is being used as an outdoor storage yard but a review of the County’s “EPICLA” system suggests that no site plan has been approved for such a use; additionally, outdoor storage yards must be landscaped to shield the unsightly storage uses from the highway and nearby residences but there is no landscaping. The Acton Town Council has always sought to visually shield such uses by requesting the planting of closely spaced pepper trees; therefore, we respectfully request that this be included as a condition of the CUP.

Another concern is that there is an illuminated billboard (also known as an “outdoor advertising” or “ODA” display) on the property. As you are aware, billboards adjacent to the 14 Freeway are under the joint jurisdiction of the California Department of Transportation (CalTrans) and the County of Los Angeles and, since the 1960’s, CalTrans has required billboard owners to comply with local zoning ordinances (including those requiring site plans) and secure required building permits before applying for a CalTrans ODA Permit. The Acton Town Council has made multiple inquiries with the Department of Regional Planning regarding the billboard at the project site and we were told that no records of any approved site plans for the billboard could be found. We also made similar inquiries with the Department of Public Works and were told that no records of any building or electrical permits for the billboard could be found. The lack of permits reflected in current County records suggests that the billboard may not have been lawfully erected. Accordingly, the Acton Town Council respectfully requests that the County initiate an investigation into whether the billboard which is on the property where the telecommunication facility is located was lawfully erected and that County share the information collected pursuant to such an investigation.

Thank you very much for your time and consideration.

Sincerely;


Jeremiah Owen, President
The Acton Town Council