
PLANNING COMMISSION

CITY OF INDUSTRY

REGULAR MEETING AGENDA
FEBRUARY 7, 2017 11:30 A.M.



CHAIRMAN JIM DIVERS
VICE CHAIRMAN MICHAEL GREUBEL
COMMISSIONER FRANK CONTRERAS
COMMISSIONER DELEGATE BECKY SIMON
COMMISSIONER ANDRIA WELCH

Location: City Council Chamber, 15651 East Stafford Street, City of Industry, California

Addressing the Planning Commission:

- ▶ **Agenda Items:** Members of the public may address the Planning Commission on any matter listed on the Agenda. In order to conduct a timely meeting, there will be a three-minute time limit per person for any item listed on the Agenda. Anyone wishing to speak to the Planning Commission is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed card should be submitted to the Secretary prior to the Agenda item being called by the Secretary prior to the individual being heard by the Planning Commission.
- ▶ **Public Comments (Non-Agenda Items):** Anyone wishing to address the Planning Commission on an item not on the Agenda may do so during the "Public Comments" period. In order to conduct a timely meeting, there will be a three-minute time limit per person for the Public Comments portion of the Agenda. State law prohibits the Planning Commission from taking action on a specific item unless it appears on the posted Agenda. Anyone wishing to speak to the Planning Commission is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed card should be submitted to the Secretary prior to the Agenda item being called by the Secretary and prior to the individual being heard by the Planning Commission.

Americans with Disabilities Act:

- ▶ In compliance with the ADA, if you need special assistance to participate in any City meeting (including assisted listening devices), please contact the City Clerk's Office (626) 333-2211. Notification of at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.

Agendas and other writings:

- ▶ In compliance with SB 343, staff reports and other public records permissible for disclosure related to open session agenda items are available at City Hall, 15625 East Stafford Street, Suite 100, City of Industry, California, at the office of the City Clerk during regular business hours, Monday through Friday 9:00 a.m. to 5:00 p.m. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211.

-
-
1. Call to Order
 2. Flag Salute
 3. Roll Call

4. Public Comments

5. **ACTION ITEMS**

5.1 Consideration of Development Plan No. 17-3, submitted by AT&T Mobility for the construction of a new 361 square foot Wireless Telecommunications Facility, which will house 12 panel antennas, on an existing Edison lattice tower located at 16408 Gale Avenue in the City of Industry.

- a. Consideration of Resolution No. PC 2017-01 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE DEVELOPMENT PLAN NO. 17-3 FOR THE CONSTRUCTION OF A WIRELESS TELECOMMUNICATIONS FACILITY AT 16408 GALE AVENUE, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME AND MAKING FINDINGS IN SUPPORT THEREOF.

RECOMMENDED ACTION: Adopt Resolution No. PC 2017-01.

6. **PUBLIC HEARING**

6.1 Public Hearing for the consideration of Conditional Use Permit (CUP) No. 17-1 submitted by AT&T Mobility for the operation and construction of a new 361 square foot Wireless Telecommunications Facility, which will house 12 panel antennas, on an existing Edison lattice tower located at 16408 Gale Avenue in the City of Industry.

- a. Consideration of Resolution No. PC 2017-02 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF CONDITIONAL USE PERMIT NO. 17-1 TO ALLOW A WIRELESS TELECOMMUNICATIONS FACILITY AT 16408 GALE AVENUE, CITY OF INDUSTRY, CALIFORNIA, AND NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF.

RECOMMENDED ACTION: Adopt Resolution No. PC 2017-02.

7. **ORAL COMMENTS FROM THE PLANNING COMMISSION**

8. **ORAL COMMENTS FROM STAFF**

9. Adjournment. Next regular meeting will be on Tuesday, March 7, 2017 at 11:30 a.m.

PLANNING COMMISSION

Item Nos. 5.1 and 6.1



CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

MEMORANDUM

TO: Honorable Chair and Members of the Planning Commission
FROM: Paul J. Philips, City Manager *Paul J. Philips*
STAFF: Troy Helling, Senior Planner *TH*
DATE: February 7, 2017
SUBJECT: Conditional Use Permit 17-1 and Development Plan 17-3 – AT&T Mobility, 16408 Gale Avenue

Background

Section 17.04.120 of the Municipal Code requires that when separate applications for the same project involve final decisions by the Planning Commission and City Council, all applications first be submitted to the Planning Commission for review and recommendation and then to the City Council for a final decision. This project involves applications for a Development Plan and Conditional Use Permit (“CUP”) submitted by AT&T Mobility.

- Section 17.36.020 of the Municipal Code requires approval of a Development Plan for new construction.
- Section 17.70.040 of the Municipal Code requires approval of a Conditional Use Permit for the establishment and operation of an observable wireless telecommunications facilities in the “I” Industrial Zone.

This application, submitted by AT&T Mobility, is to establish base equipment and antennas for a wireless telecommunications facility to be located on an existing Edison lattice tower at 16408 Gale Avenue (Assessor’s Parcel Number 8242-009-803).

Location and Surroundings

As shown on the location map (Exhibit A), the proposed wireless telecommunications facility would be located on the south side of a self storage facility at 16408 Gale Avenue. The property is bounded by Gale Avenue to the north, Industrial buildings to the east, the 60 freeway to the south and residential properties within unincorporated LA County to the west. The existing tower is 105 feet from the nearest residential property line.

As shown in the site plans, elevations and photo simulations (Exhibits B, C and D), AT&T

Mobility will lease a 361 square foot area from the existing property owner. The lease area will consist of four radio equipment cabinets comprising, 12 antennas on three sectors, 18 RRU's on three sectors and a backup battery. The area is set back 1159 feet from the front property line and would be enclosed by an eight foot tall concrete block wall and a metal gate.

Staff Analysis

The proposed use is consistent with the Zoning ("M" – Manufacturing) and General Plan (Employment) designations of the site. The proposed project is an observable wireless telecommunications facility, which according to Section 17.70.040.A.3 of the Municipal Code, are allowed in the Industrial zone subject to the approval of a Conditional Use Permit and under specific development standards.

Development and Design Standards

The proposed project complies with the following wireless telecommunication facilities standards in Chapter 17.70.060 of the Industry Municipal Code.

- Meets footprint requirement. Section 17.70.060.A.2 of the Municipal Code requires the project to be designed as small as technically possible. The proposed project would be contained within a leased area of 600 square feet, and enclosure structures that are 361 square feet, which is consistent with the size of enclosures of other observable wireless telecommunication facilities.
- Meets parking and landscape standards. Section 17.70.060.A.3 of the Municipal Code requires that there be no net loss of required parking or landscaping. The proposed project is located at the side of the property and will not remove parking and will not remove any of the required 12% landscaping.
- Meets design standards. Specifically, Section 17.70.060.B. of the Municipal Code states that observable wireless telecommunications facilities must be located in the rear of the subject property. As shown on (Exhibit B), the base equipment would be located on the north side of the site, and would be shielded from direct public view by the existing self storage buildings and landscaping.
- Meets co-location requirements. Section 17.70.060.A.1 of the Municipal Code requires that new wireless telecommunications facilities not be built if co-location on existing facilities would provide sufficient coverage, new capacity, and service quality with less environmental or aesthetic impact. Co-location on existing facilities was analyzed and determined not to be feasible in providing adequate coverage and found that the antennas would have to be located further down on the monopole such that it would not offer the necessary height to provide the necessary coverage.
- Meets colors and non-reflective material standards. Section 17.70.060.A.6 and 7 of the Municipal Code states that paint colors must be selected to minimize visual impacts by blending with the surrounding environment and buildings and exterior surfaces must be constructed of non-reflective materials. The proposal would be painted light grey and will be non-reflective to blend in with the Edison tower.

Findings

According to Section 17.70.080 of the Municipal Code, a Conditional Use Permit for a new wireless telecommunications facility may be granted when the following findings are made:

- The proposed wireless telecommunications facility has been designed to achieve compatibility with the surrounding industrial community to the maximum extent reasonably feasible. The facility has been placed at the rear of the property and is screened from public view.
- An alternative configuration will not increase community compatibility or is not reasonably feasible. The applicant studied co-locating on nearby existing cell sites and found that the other existing sites were not able to provide the coverage that the project site does. The applicant also studied co-locating on the adjacent existing wireless facility and found that the antennas would have to be located further down on the monopole such that it would not offer the necessary height to provide the necessary coverage.
- The location of the wireless telecommunications facility on alternative sites will not increase community compatibility or is not reasonably feasible. The applicant studied building the facility on nearby sites but found that these sites were either not available or did not adequately cover the area that needed to be covered by this proposal. The facility would be located in an industrial area where the City would prefer wireless facilities to be located.
- The proposed facility is necessary to close a significant gap in coverage, increase network capacity, or maintain service quality, and is the least intrusive means of doing so. The location and height of this proposed facility is needed to close the gap in coverage and maintain service. The facility is needed to fill in a low reception in the area, and will increase level of service in the area.
- The applicant has submitted a statement of its willingness to allow other wireless service providers to co-locate on the proposed wireless telecommunications facility if technically and economically feasible and where co-location would not harm community compatibility and, agreed to allow a co-location in the future.
- Noise generated by equipment will not be excessive, annoying or detrimental to the public health, safety, and welfare. The project consists of electronic equipment, as well as antennae mounted on a monopole. This type of equipment would not generate significant noise.

Environmental Analysis

The proposed project is exempt from the California Environmental Quality Act (CEQA) per Section 15303(c), (Class 3, new construction or conversion of small structures). The project is

less than 2,500 square feet in floor area, is in an urbanized area and does not involve the use of a significant amount of a hazardous substance, all necessary public services are available, and given that the surrounding area is fully developed, the area is not environmentally sensitive. The Notice of Exemption (Exhibit E) will be posted at the Los Angeles County Clerk's Office after approval by the City Council.

Fiscal Public Hearing

The Notice of Public Hearing (Exhibit F) was posted at Fire Station 118, City Hall and Council Chambers, and published in the San Gabriel Valley Tribune on January 27, 2017.

Fiscal Impact

The approval of the wireless telecommunications facility will not result in a financial impact to the City of Industry.

Recommendation

Staff recommends that the Planning Commission:

- (1) Adopt Resolution No. PC 2017-01 recommending that the City Council approve Development Plan No. 17-3, to allow a wireless communications facility at 16408 Gale Avenue, and notice of exemption regarding same, and findings in support thereof, and Conditions of Approval contained in the Resolution (Exhibit G).
- (2) Adopt Resolution No. PC 2017-02, recommending that the City Council approve Conditional Use Permit No. 17-1, to allow a wireless communications facility at 16408 Gale Avenue, and notice of exemption regarding same, and findings in support thereof, and Conditions of Approval contained in the Resolution (Exhibit H).

Exhibits

- A. Location Map
- B. Site Plan
- C. Elevations
- D. Photo Simulations
- E. Notice of Exemption
- F. Public Hearing Notice
- G. Resolution No. PC 2017-01 recommending City Council approval of Development Plan No. 17-3 with findings of approval and Standard Requirements and Conditions of Approval.

H. Resolution No. PC 2017-02 recommending City Council approval of Conditional Use Permit No. 17-1 with findings of approval and Standard Requirements and Conditions of Approval.

PJP/AG/TH:mh

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EXHIBIT A
Location Map
[Attached]

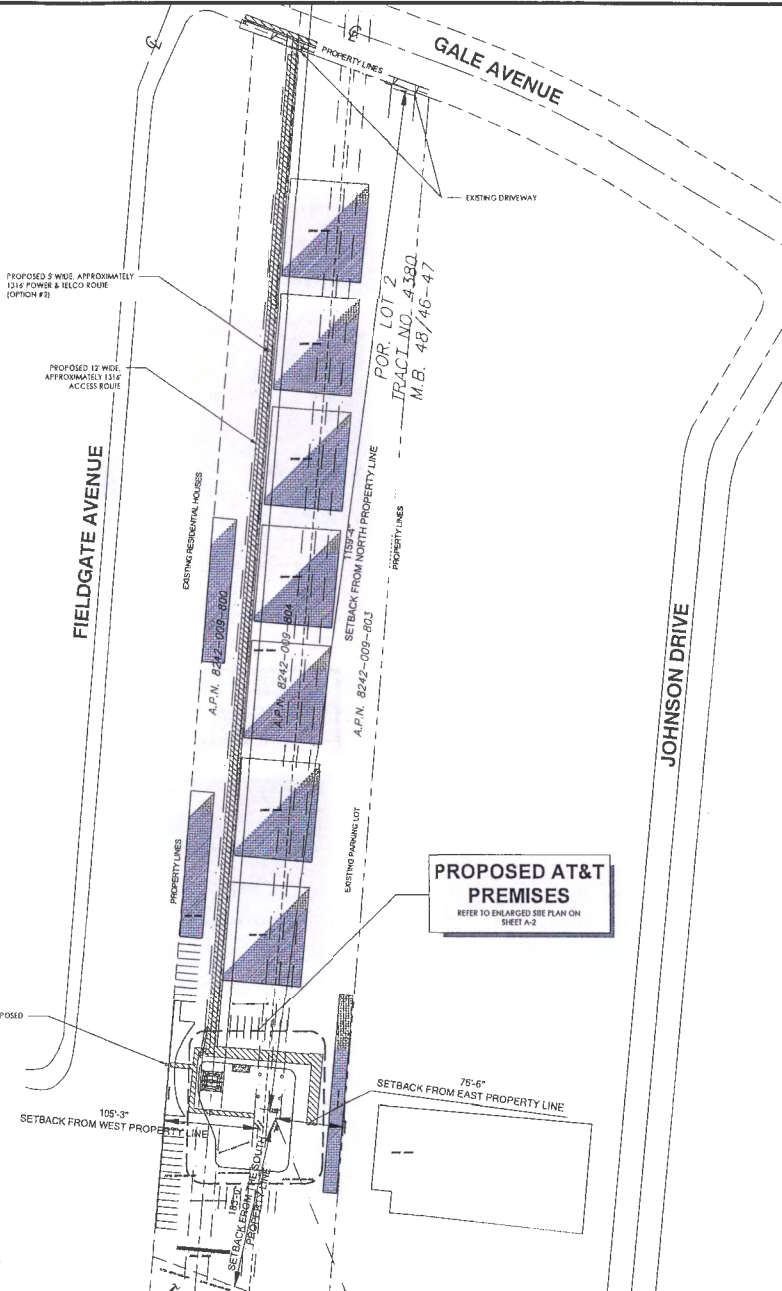
Location Map

CUP 17-1 and DP 17-3



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EXHIBIT B
Site Plans
[Attached]



1 OVERALL SITE PLAN
SCALE: 1/84" = 1'-0"

24"x36" SCALE: 1/64" = 1'-0"
11"x17" SCALE: 1/128" = 1'-0" 64' 16" 4" 0" 64'

PREPARED FOR

AT&T
Mobility
5001 Executive Parkway, #W5001
San Ramon, California 94583

Vendor:

AT&T Site ID:

CLV1686

AT&T SITE NO: CLV1686
PAC# NO: MRLOS032303
DRAWN BY: JB
CHECKED BY: JF

REV	DATE	DESCRIPTION
I	11/10/16	TD 1006
O	10/11/16	TD 1006
A	09/15/16	TD 906

License:

IT IS A VIOLATION OF LAW FOR ANY PERSON UNLESS THEY ARE ACTING UNDER THE SUPERVISION OF A LICENSED PROFESSIONAL ENGINEER TO ALTER THIS DOCUMENT.

Issued For:

SITE NUMBER: CLV1686
SCE TOWER CITY OF INDUSTRY

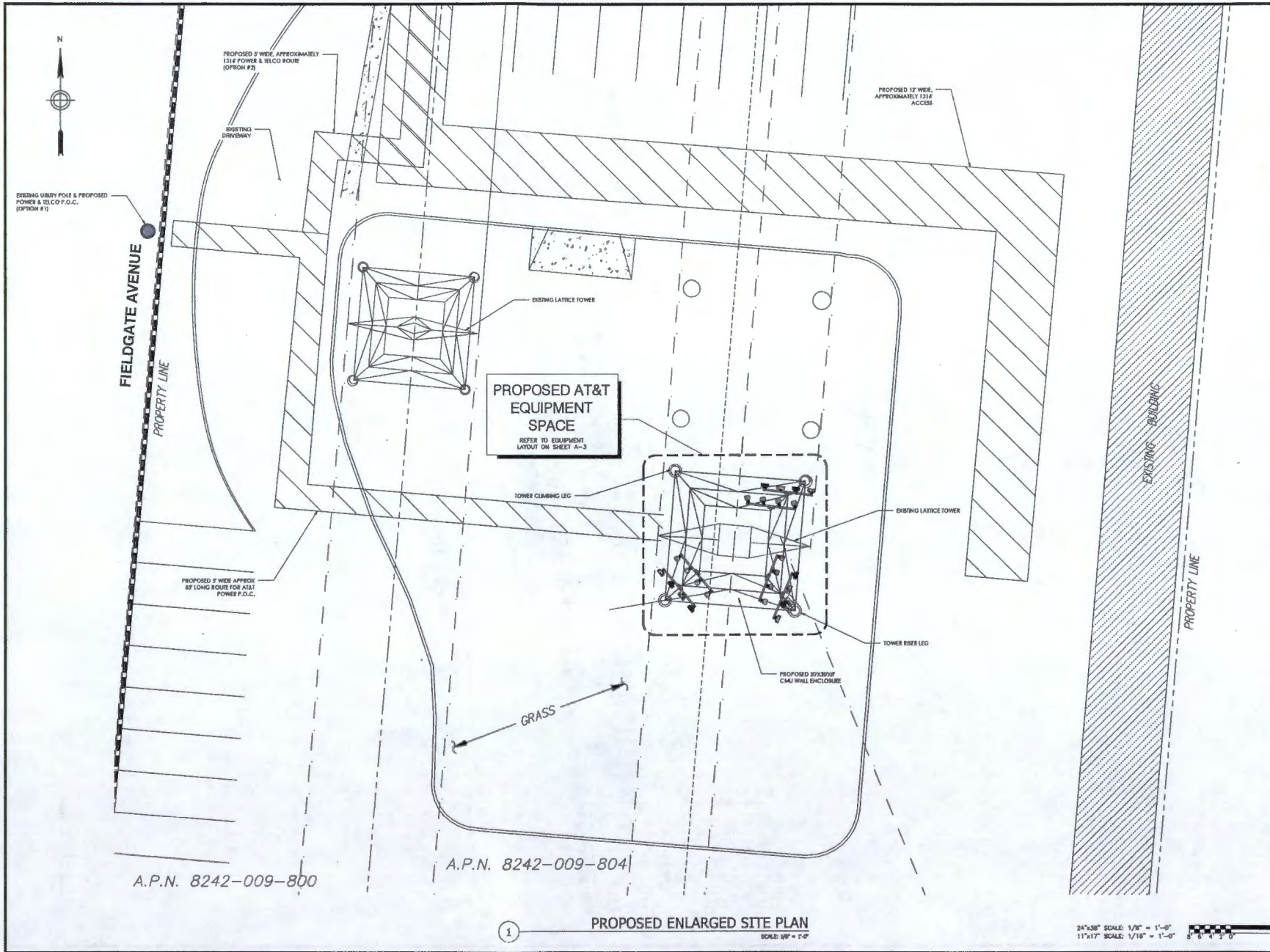
16408 GALE AVE.,
CITY OF INDUSTRY, CA
91745

SHEET TITLE:

OVERALL SITE PLAN

SHEET NUMBER:

A-1



PREPARED FOR
 AT&T
 Mobility
 5001 Executive Parkway, #W5001
 San Ramon, California 94583

Vendor:
 Cortel

AT&T Site ID:
CLV1686

AT&T SITE NO: CLV1686
 PAGE NO: MRL05032303
 DRAWN BY: JB
 CHECKED BY: JF

REV	DATE	DESCRIPTION
1	11/01/14	2D 3008
0	10/11/14	2D 3008
A	09/18/14	2D 308

Licensee:
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 PERSON UNLESS THEY ARE ACTING
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 PROFESSIONAL ENGINEER TO ALTER THIS
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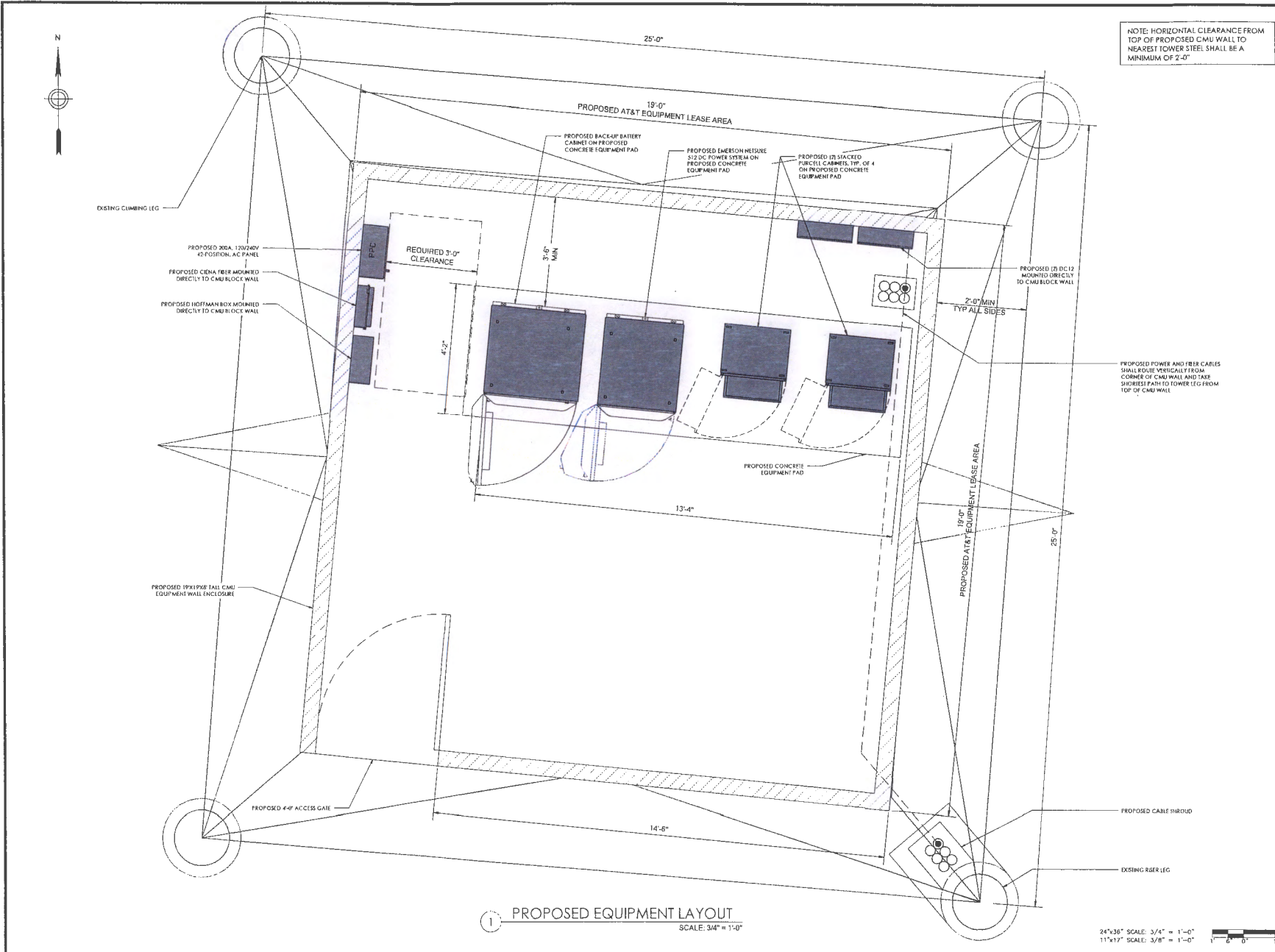
Issued For:
 SITE NUMBER: CLV1686
 SCE TOWER CITY OF INDUSTRY
 16408 GALE AVE.,
 CITY OF INDUSTRY, CA
 91745

SHEET TITLE:
 PROPOSED ENLARGED SITE
 PLAN

SHEET NUMBER:
A-2.1

1 PROPOSED ENLARGED SITE PLAN
 SCALE: 1/8" = 1'-0"


24"x36" SCALE: 1/8" = 1'-0"
 11"x17" SCALE: 1/16" = 1'-0"
 8 6 4 2 0




NOTE: HORIZONTAL CLEARANCE FROM TOP OF PROPOSED CMU WALL TO NEAREST TOWER STEEL SHALL BE A MINIMUM OF 2'-0"

1 PROPOSED EQUIPMENT LAYOUT
SCALE: 3/4" = 1'-0"

24"x36" SCALE: 3/4" = 1'-0"
11"x17" SCALE: 3/8" = 1'-0"
1" 0' 0' 1"

PREPARED FOR

 5001 Executive Parkway, #W5501
 San Ramon, California 94583

Vendor:


AT&T Site ID:
CLV1686

AT&T SITE NO: CLV1686
 PACE NO: MRL03032303
 DRAWN BY: JB
 CHECKED BY: JF

REV	DATE	DESCRIPTION
1	11/20/16	2D 1076
0	10/11/16	2D 1076
A	09/15/16	2D 908

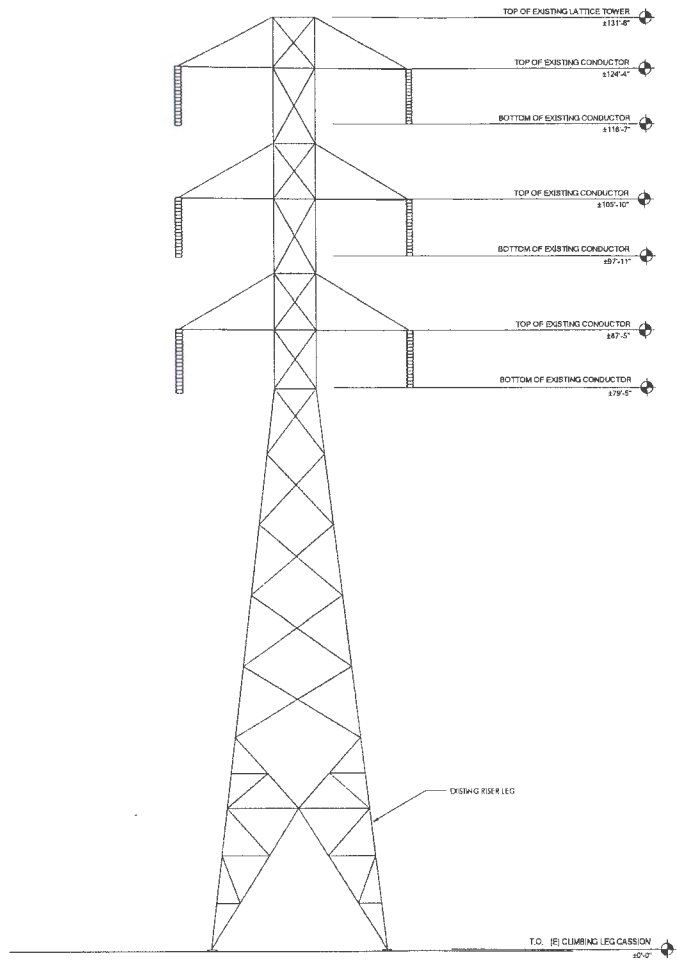
License:
 I AM A LICENSED PROFESSIONAL ENGINEER OR ARCHITECT UNLESS OTHERWISE NOTED. I AM NOT PROVIDING PROFESSIONAL SERVICES TO ANY OTHER PROJECTS UNLESS OTHERWISE NOTED.
 Issued For:
 SITE NUMBER: CLV1686
 SCE TOWER CITY OF INDUSTRY
 16408 GALE AVE.,
 CITY OF INDUSTRY, CA
 91745

SHEET TITLE:
 PROPOSED EQUIPMENT LAYOUT

SHEET NUMBER:
A-3

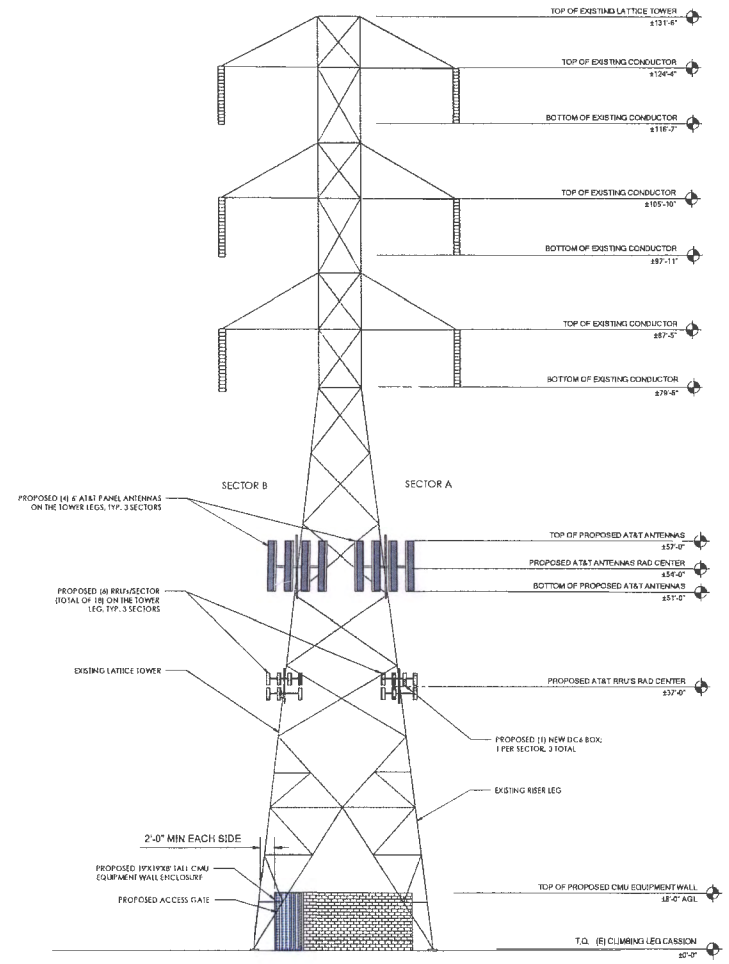
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Exhibit C
Elevations
[Attached]



1 EXISTING SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"
0' 1' 2' 3' 4' 5' 6'



2 PROPOSED SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"
0' 1' 2' 3' 4' 5' 6'

- NOTES:
1. ALL PROPOSED TOWER MOUNTS SHALL BE PROVIDED & INSTALLED BY SCE
 2. THE BACK OF ANY PROPOSED MOUNTS SHALL BE A MINIMUM OF 12" FROM TOWER STEEL
 3. PROPOSED CMU WALL TO CLEAR AT LEAST 2' VERTICALLY FROM THE TOP OF THE WALL TO THE TOWER STEEL.

PREPARED FOR

5001 Executive Parkway, #W5501
San Ramon, California 94583

Vendor:

AT&T Site ID:

CLV1686

AT&T SITE NO: CLV1686
 PACE NO: MRL05032303
 DRAWN BY: JB
 CHECKED BY: JF

REV	DATE	DESCRIPTION

Licensee:

IF A VIOLATION OF LAW FOR ANY PERSON UNLESS THEY ARE ACTING UNDER THE SUPERVISION OF A LICENSED PROFESSIONAL ENGINEER TO ALTER THIS DOCUMENT.

Issued For:

SITE NUMBER: CLV1686
SCE TOWER CITY OF INDUSTRY

16408 GALE AVE.,
CITY OF INDUSTRY, CA
91745

SHEET TITLE:
EXISTING AND PROPOSED
SOUTH ELEVATION

SHEET NUMBER:
A-6

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EXHIBIT D
Photo Simulations
[Attached]

CLV1686

PROPOSED AT&T TELECOMMUNICATIONS SITE MODIFICATION TO AN EXISTING SCE TRANSMISSION TOWER

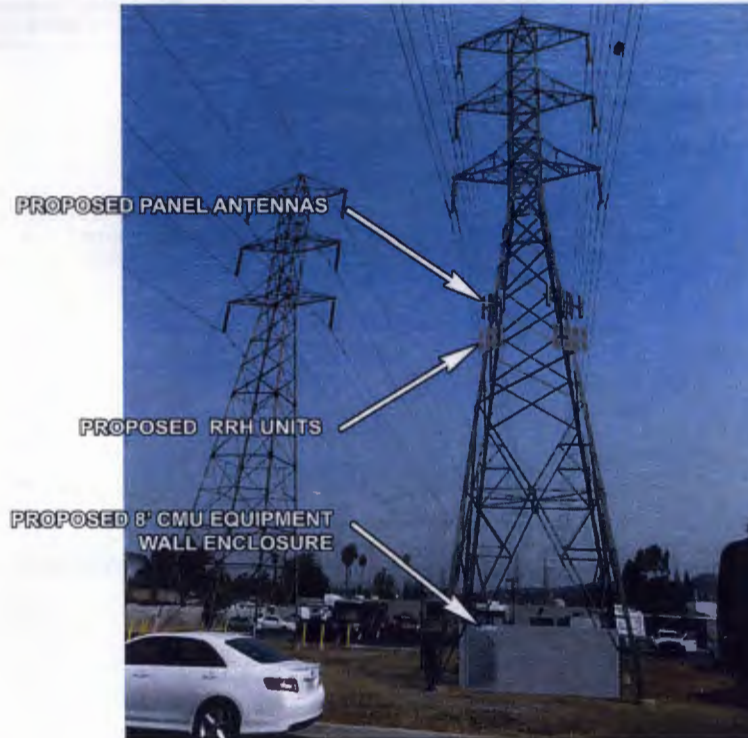
LOCATION



EXISTING



PROPOSED



SOUTH ELEVATION (LOOKING NORTH)

Disclaimer: These photographic simulations have been provided to aid in visualizing how the proposed wireless telecommunications facility shown herein would appear if constructed. While these renderings are not an exact science, they have been prepared diligently to accurately reflect dimensions, scale, depth, coloring, texture, and other important elements in the proposed design insofar as the digital medium allows. Taken together with the engineering drawings and other materials submitted with the application, they are fair and reasonable visual depictions of how the proposed site would appear.



AT&T MOBILITY
5001 Executive Parkway,
San Ramon, CA 94583



Towercom Technologies, LLC
767 N Star Road
Star, ID 83669

SITE ADDRESS:
16408 GALE AVE.
CITY OF INDUSTRY, CA 91745
34° 0' 10.89" N
117° 56' 54.45" W

Sheet No.

1

CLV1686

PROPOSED AT&T TELECOMMUNICATIONS SITE MODIFICATION TO AN EXISTING SCE TRANSMISSION TOWER

LOCATION



PROPOSED



PROPOSED PANEL ANTENNAS

PROPOSED RRH UNITS

PROPOSED 8' CMU EQUIPMENT
WALL ENCLOSURE

EXISTING



EAST ELEVATION (LOOKING WEST)

Disclaimer: These photographic simulations have been provided to aid in visualizing how the proposed wireless telecommunications facility shown herein would appear if constructed. While these renderings are not an exact science, they have been prepared diligently to accurately reflect dimensions, scale, depth, coloring, texture, and other important elements in the proposed design insofar as the digital medium allows. Taken together with the engineering drawings and other materials submitted with the application, they are fair and reasonable visual depictions of how the proposed site would appear.



AT&T MOBILITY
5001 Executive Parkway,
San Ramon, CA 94583



Towercom Technologies, LLC
767 N Star Road
Star, ID 83669

SITE ADDRESS:
16408 GALE AVE.
CITY OF INDUSTRY, CA 91745
34° 0' 10.89" N
117° 56' 54.45" W

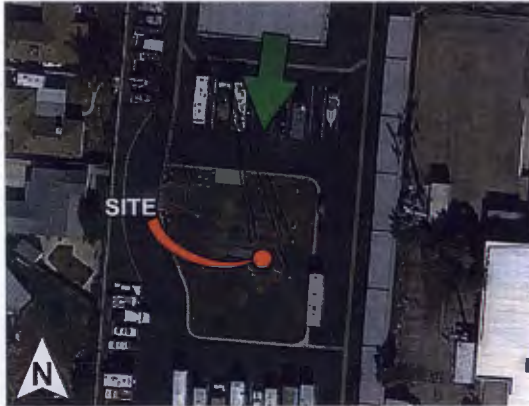
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2

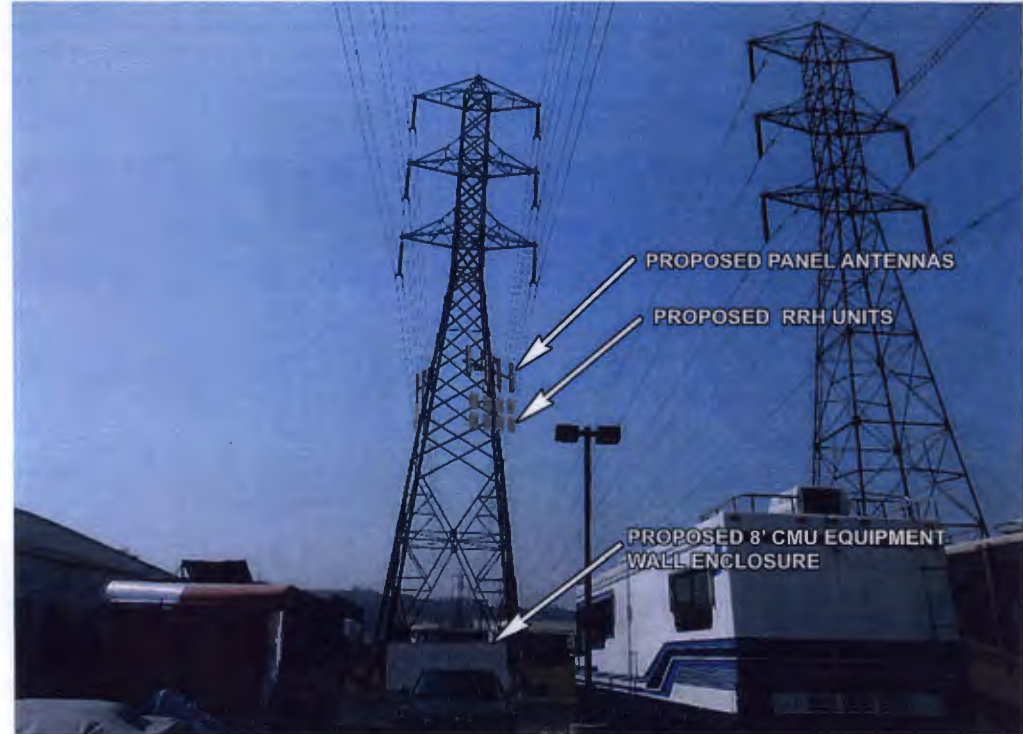
CLV1686

PROPOSED AT&T TELECOMMUNICATIONS SITE MODIFICATION TO AN EXISTING SCE TRANSMISSION TOWER

LOCATION



PROPOSED



EXISTING



NORTH ELEVATION (LOOKING SOUTH)

Disclaimer: These photographic simulations have been provided to aid in visualizing how the proposed wireless telecommunications facility shown herein would appear if constructed. While these renderings are not an exact science, they have been prepared diligently to accurately reflect dimensions, scale, depth, coloring, texture, and other important elements in the proposed design insofar as the digital medium allows. Taken together with the engineering drawings and other materials submitted with the application, they are fair and reasonable visual depictions of how the proposed site would appear.



AT&T MOBILITY
5001 Executive Parkway,
San Ramon, CA 94583



Towercom Technologies, LLC
767 N Star Road
Star, ID 83669

SITE ADDRESS:
16408 GALE AVE.
CITY OF INDUSTRY, CA 91745
34° 0' 10.89" N
117° 56' 54.45" W

Sheet No.

3

CLV1686

PROPOSED AT&T TELECOMMUNICATIONS SITE MODIFICATION TO AN EXISTING SCE TRANSMISSION TOWER

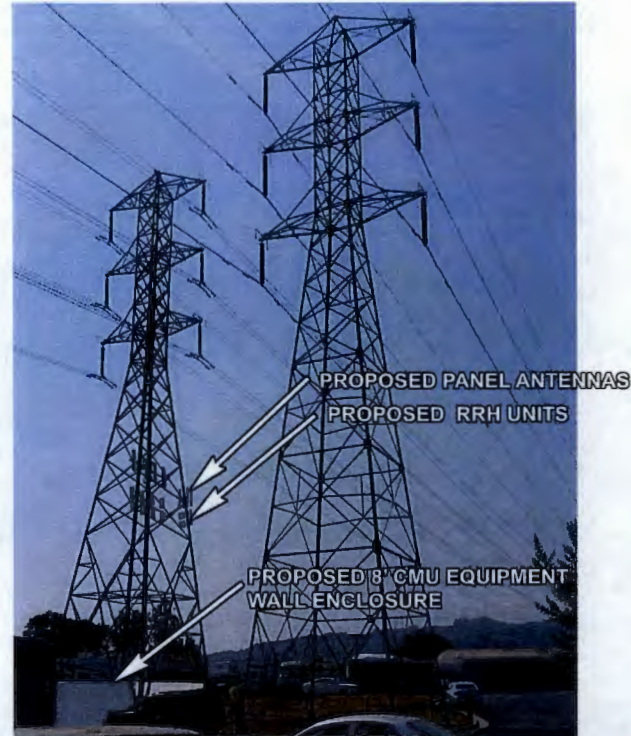
LOCATION



EXISTING



PROPOSED



NORTHWEST ELEVATION (LOOKING SOUTHEAST)

Disclaimer: These photographic simulations have been provided to aid in visualizing how the proposed wireless telecommunications facility shown herein would appear if constructed. While these renderings are not an exact science, they have been prepared diligently to accurately reflect dimensions, scale, depth, coloring, texture, and other important elements in the proposed design insofar as the digital medium allows. Taken together with the engineering drawings and other materials submitted with the application, they are fair and reasonable visual depictions of how the proposed site would appear.



AT&T MOBILITY
5001 Executive Parkway,
San Ramon, CA 94583



Towercom Technologies, LLC
767 N Star Road
Star, ID 83669

SITE ADDRESS:

16408 GALE AVE.
CITY OF INDUSTRY, CA 91745

34° 0' 10.89" N
117° 56' 54.45" W

Sheet No.

4

EXHIBIT E
Notice of Exemption
[Attached]

NOTICE OF EXEMPTION

To: County Clerk
County of Los Angeles
Environmental Filings
12400 East Imperial Highway #2001
Norwalk, CA 90650

From: City of Industry
15625 E. Stafford Street, Suite 100
City of Industry, CA 91744

Project Title: CUP 17-1 and Development Plan 17-3

Project Location - Specific: 16408 Gale Avenue

Project Location-City: City of Industry **Project Location-County:** Los Angeles

Description of Project: Conditional Use Permit 17-1 and Development Plan 17-3 are applications to establish a Wireless Telecommunications Facility on an existing Edison lattice tower on an existing parcel.

Name of Public Agency Approving Project: City Council, City of Industry

Name of Person or Agency Carrying Out Project: AT&T Mobility

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. *State type and section number:* 15303 Class 3
- Statutory Exemptions. *State code number:*

Reasons why project is exempt: Section 15303 Class 3, exempts the construction of small facilities and structures. The proposed project would occur within a 361 square foot area. The project site is fully developed with self storage buildings and parking lot and has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The site is adequately served by all required utilities and public services. A CUP and Development Plan are required for the Wireless Telecommunications Facility since the facility will be observable.

Lead Agency

Contact Person: Troy Helling

Telephone: (626)333-2211

Signature: _____

Date: 2-7-2017

Title: Senior Planner

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EXHIBIT F
Public Hearing Notice
[Attached]



CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

NOTICE OF PUBLIC HEARING

Conditional Use Permit No. 17-1, Development Plan 17-3

On January 27, 2017, notice has been given that the Planning Commission of the City of Industry will hold a public hearing to consider an application from AT&T Mobility for Conditional Use Permit 17-1 and Development Plan 17-3 located at 16408 Gale Avenue, in the City of Industry. Conditional Use Permit 17-1 and Development Plan 17-3 is to establish a wireless telecommunications facility on an existing Edison lattice tower at the rear of an industrial lot.

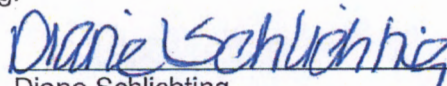
A copy of all relevant material, including the Conditional Use Permit application, Development Plan application, and Notice of Exemption are on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744. Please contact Troy Helling, Senior Planner Associate, at the City of Industry at 626-333-2211 or by email at thelling@cityofindustry.org if you have questions.

The time, date, and place of the hearing will be as follows:

Time: 11:30 a.m.
Date: February 7, 2017
Place: City Council Chamber
15651 East Stafford Street
City of Industry, CA 91744

Any person wishing to be heard regarding this matter may appear at the above time, date, and place. Written comments may be sent via US Mail or by hand delivery to the City of Industry at the address listed above or via email to the email address listed above. All comments must be received at, or prior to, the date and time of the hearing listed above.

If you challenge the Conditional Use Permit in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission of the City of Industry at, or prior to, the public hearing.


Diane Schlichting
Chief Deputy City Clerk of the City of Industry

JN 9285

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EXHIBIT G

Resolution No. PC 2017-01

[Attached]

RESOLUTION NO. PC 2017-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE DEVELOPMENT PLAN NO. 17-3 FOR THE CONSTRUCTION OF A WIRELESS TELECOMMUNICATIONS FACILITY AT 16408 GALE AVENUE, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECITALS

WHEREAS, on January 5, 2017, AT&T Mobility, ("Applicant") filed a complete application requesting the approval of Development Plan ("DP") No. 17-3 described herein ("Application"); and

WHEREAS, the Application applies to a 3.18 acre property at 16408 Gale Avenue, City of Industry, California, Assessor's Parcel Numbers 8242-009-803 ("Property"); and

WHEREAS, the Applicant desires to construct and operate a Wireless Telecommunications Facility, which will house 12 panel antennas, on an existing Edison lattice tower in the "I" Industrial zone and, in accordance with Sections 17.36.020 and 17.70.050 of the City's Municipal Code ("Code"), a Development Plan is required for this type of activity, and under Section 17.70.040.A.3, a Conditional Use Permit ("CUP") is also required; and

WHEREAS, the Land Use Element of the General Plan designates the Property as Employment. The proposed use is consistent with the General Plan as it would support an ancillary use that is necessary to support basic industrial activities, and does not conflict with the established goals and objectives of the Land Use Element. Observable Wireless Telecommunications Facilities are permitted in the "I" Industrial zone, subject to the approval of a Development Plan and CUP pursuant to Sections 17.36.020 and 17.70.040.A.3 of City's Code; and

WHEREAS, the development is consistent with the provisions of the City's General Plan because the Property is designated as Industrial, which allows the development of Wireless Telecommunications Facilities; and

WHEREAS, pursuant to Section 17.04.120 of the City's Code, when there are multiple applications for land use entitlements that require final decisions by both the Planning Commission and City Council, the application must first be considered by the Planning Commission, and then submitted to the City Council for final approval. Because the Applicant has submitted entitlement applications for both a Development Plan and CUP for the same property, and Council approval is required for Development Plans, the

Planning Commission is required to make a recommendation on the Development Plan and the CUP to the City Council; and

WHEREAS, an Environmental Assessment was conducted by staff pursuant to the City's requirements. Based upon the information received and Staff's review and assessment, the project was determined not to have a significant impact on the environment and is categorically exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15303(c) (Class 3 New Construction or Conversion of Small Structures) of the CEQA Guidelines because the project is less than 2,500 square feet in floor area, is in an urbanized area and does not involve the use of a significant amount of hazardous substances. The lease area for the facility is only 361 square feet, is adequately served by all necessary public services and facilities, and given that the Property is already improved, and is located in an urbanized area, it is not surrounded by sensitive uses; and

WHEREAS, on January 27, 2017, the Planning Commission of the City of Industry conducted a duly noticed public hearing on the Application, and considered all testimony written and oral; and

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Resolution.

SECTION 1: The Planning Commission finds that all of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

SECTION 2: All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Industry.

SECTION 3: Upon independent review and consideration of the information contained in the Staff Report and the Notice of Exemption for DP No. 17-3, the Planning Commission hereby finds and determines that DP No. 17-3 will not result in or have a significant impact on the environment, because the proposed use is consistent with the general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed project occupies a 361 square foot lease area on a 3.18 acre site. The proposed use is within City limits on a project site surrounded by urban and industrial uses. The project site is fully developed with self storage buildings and parking lot. The site is adequately served by all required utilities and public services, and given that the Property is built out, and surrounded by urban uses, the Property and surrounding area are not environmentally sensitive. Therefore, the proposed project is categorically exempt from the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 *et seq.*), pursuant to Section 15303 (Class 3 New construction or conversion of small structures), of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations). Based on these

findings, the Planning Commission recommends that the City Council adopt the Notice of Exemption and direct staff to file same as required by law.

SECTION 4: Based upon substantial evidence presented to the Planning Commission during the February 7, 2017 public hearing, including public testimony and written and oral staff reports, this Commission finds as follows:

1. The site is suitable for development in accordance with the development plan because it meets the Wireless Telecommunications development guidelines in Chapter 17.70.060 of the Industry Municipal Code. The facility is as small as feasibly possible, no required parking spaces are lost, and the facility is located at the rear of the property.

2. The total development is arranged so as to avoid traffic congestion, ensure the public health, safety and general welfare or prevent adverse effects upon neighboring properties. The Property is served by street access adequate in width and improved as necessary to carry the kind of minimal quantity of traffic for such use that would generate as it will only be for routine maintenance. There is no expansion of the footprint of the any buildings, and the Property is currently served by Gale Avenue, which is of adequate capacity to serve the industrial use. The Wireless Telecommunications Facility use is compatible with surrounding properties and will not create public health of adverse effects.

3. The development is in general accord with all elements of this title. The proposed wireless telecommunications facility meets all guidelines of Chapter 17.70 of the municipal code, which includes height, location and size requirements.

4. The development is consistent with the provisions of the general plan or any applicable redevelopment plan. The proposed use is consistent with the goals and objectives of the General Plan. The General Plan designates the site as Employment, which allows for uses necessary to support industrial activities. The Zoning Ordinance, which implements the General Plan, allows for observable Wireless Telecommunications Facilities with approval of a CUP. In addition, the conditions of approval set operational and management standards to ensure that the business will operate in a manner consistent with the General Plan's policies related to noise, safety, property maintenance, and maintaining a professional appearance.

SECTION 5: Based upon the foregoing findings, the Planning Commission hereby recommends City Council approval of DP No. 17-3, subject to the conditions contained in Attachment 1.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Industry at a regular meeting held on February 7, 2017 by the following vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

Jim Divers, Chairman

ATTEST:

Diane M. Schlichting, Secretary



CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

Attachment 1

Standard Requirements and Conditions of Approval

Application: Development Plan 17-3

Applicant: AT&T Mobility

Location: 16408 Gale Avenue

Conditions of Approval

Conditions of approval are unique provisions, beyond the requirements of law, the municipal code, or standard practices that are applied to a project by the City Council per Section 17.36.080 of the Zoning Code. Please note that if the design of your project or site conditions change, the conditions of approval may also change. If you have any questions regarding these requirements, please contact the City of Industry.

1. The operator shall maintain the wireless telecommunication facility and monopole materials (panel antennas and associated equipment) in a condition that approximates new and in a manner that maintains the integrity and intent of the materials to mask the wireless facility. The operator shall make all necessary repairs and replacements of equipment and structural and aesthetic components that result from discoloring, fading, and damage caused by outdoor exposure and/or inclement weather. Under this condition, the operator shall replace such components within 90 days of written notice by the City.
2. Paint colors must minimize visual impacts by blending with the surrounding environment and buildings.
3. The exterior surfaces must be constructed of nonreflective materials.
4. A freestanding observable wireless telecommunications facility may not exceed sixty-five feet in height.
5. Supports or poles may be required to be boxed and treated to blend with the character of the surrounding area.
6. Wireless telecommunication facilities may not be lighted or marked unless required by the FCC or the Federal Aviation Administration.
7. Cable trays and runs for a freestanding wireless telecommunication facility must be located inside the pole and underground.
8. No signs, flags, banners, or any form of advertising may not be attached to a wireless telecommunication facility except for government-required certifications, warnings, or other required seals or signs.

9. Freestanding wireless telecommunication facilities may not utilize guy wires or other diagonal or horizontal support structures.
10. Accessory buildings, shelters, cabinets and other ground-based equipment must be grouped together to the maximum extent feasible.

Code Requirements and Standards

The following is a list of code requirements and standards deemed applicable to the proposed project. The list is intended to assist the Applicant by identifying requirements that must be satisfied during the various stages of project permitting, implementation, and operation. It should be noted that this list is in addition to any "conditions of approval" adopted by the City Council and noted above. Please note that if the design of your project or site conditions change, the list may also change. If you have any questions regarding these requirements, please contact the City of Industry.

1. The approval expires twelve (12) months after the date of approval by the City Council if a building permit for each building and structure thereby approved has not been obtained within such period.
2. The Applicant shall construct adequate fire protection facilities to the satisfaction of the Los Angeles County Fire Department.
3. All exterior surfaces of buildings and appurtenant structures shall be painted in accordance with the approved development plan.
4. The Applicant shall provide drainage and grading plans to be approved by the City Engineer if required prior to the issuance of a building permit. Such plans shall be in substantial conformity with the development plans.
5. The Applicant shall provide building plans to be approved prior to the issuance of a building permit. Such plans shall be in substantial conformity with the development plans. Building plans shall be submitted to and approved by the Los Angeles County Engineer's Office - Building and Safety Division prior to the issuance of a building permit. All development shall be completed in substantial compliance with the approved development plan.
6. Demolition and construction operations shall be limited to the hours prescribed by the Los Angeles County Noise Ordinance (Los Angeles County Municipal Code, Section 12.08.390).
7. No outdoor storage of any personal property, building materials, or other property not permanently affixed to the Property is allowed.
8. Should archeological resources be uncovered during site preparation, grading, or excavation, work shall be stopped for a period not to exceed 14 days. The find shall be immediately evaluated for significance by a county-certified archaeologist. If the archaeological resources are found to be significant, the archaeologist shall perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit resources to the California State University Fullerton; and provide a comprehensive final report including appropriate records for the California Department of

Parks and Recreation (Building, Structure, and Object Record; Archaeological Site Record; or District Record, as applicable).

9. Prior to Planning Final, all outstanding fees and invoices due to the City shall be paid in full. If requested by City Staff, the Applicant shall provide proof of payment.

Interpretation and Enforcement

1. The Applicant shall comply with all applicable code requirements, conditions of approval, laws, rules, and regulations applicable to the development of the project.
2. The Planning Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of Industry Municipal Code.

Indemnification and Hold Harmless Condition

1. The Applicant and Property Owner and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Industry and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council and Planning Commission concerning this project. The City shall promptly notify the Applicant and Property Owner of any claim, action or proceeding and should cooperate fully in the defense thereof.
2. The Applicant and Property Owner shall file an executed and acknowledged Acceptance of Terms and Conditions of Development Plan 17-3 within 10 days of approval of said entitlement.

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EXHIBIT H

Resolution No. PC 2017-02

[Attached]

RESOLUTION NO. PC 2017-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF CONDITIONAL USE PERMIT NO. 17-1, TO ALLOW A WIRELESS TELECOMMUNICATIONS FACILITY AT 16408 GALE AVENUE, CITY OF INDUSTRY, CALIFORNIA, AND NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECITALS

WHEREAS, on January 5, 2017, AT&T Mobility, ("Applicant") filed a complete application requesting the approval of Conditional Use Permit ("CUP") No. 17-1 described herein ("Application"); and

WHEREAS, the Application applies to allow the construction and operation of a Wireless Telecommunications Facility to be located on an existing Edison lattice tower, with associated equipment located on a 3.18 acre property at 16408 Gale Avenue, City of Industry, California, Assessor's Parcel Number 8242-009-803 ("Property"); and

WHEREAS, the Applicant desires to construct and operate a Wireless Telecommunications Facility, which will house 12 panel antennas, on an existing Edison lattice tower in the "I" Industrial zone and, in accordance with Section 17.70.040.A.3 of the City's Municipal Code ("Code"), a CUP is required for this type of activity, and under Sections 17.36.020 and 17.70.050 of the City's Code, a Development Plan is also required; and

WHEREAS, the Land Use Element of the General Plan designates the Property as Employment. The proposed use is consistent with the General Plan as it would support an ancillary use that is necessary to support basic industrial activities, and does not conflict with the established goals and objectives of the Land Use Element. Observable Wireless Telecommunication's Facilities are permitted in the "I" Industrial zone, subject to the approval of a CUP and Development Plan pursuant to Sections 17.70.040.A.3, 17.36.020 and 17.70.050 of City's Code; and

WHEREAS, an Environmental Assessment was conducted by staff pursuant to the City's requirements. Based upon the information received and Staff's review and assessment, the project was determined not to have a significant impact on the environment and is categorically exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15303(c) (Class 3 New Construction or Conversion of Small Structures of the CEQA Guidelines because the project is less than 2,500 square feet in floor area, is in an urbanized area and does not involve the use of a significant amount of a hazardous substance. The lease area for the facility is only 361 square feet, is adequately served by all necessary public services and facilities, and given that

the Property is already improved, and is located in an urbanized area, it is not surrounded by sensitive uses; and

WHEREAS, notice of the Planning Commission's February 7, 2017 public hearing on CUP No. 17-1 was published in *The San Gabriel Valley Tribune* on January 27, 2017, in compliance with the City's Code and Government Code Section 65091, and was posted at the Property and at three public places on January 27, 2017; and

WHEREAS, the notice of the Planning Commission's January 7, 2017 public hearing on CUP No. 17-1 was also mailed to property owners within 300 feet of the Property on January 27, 2017; and

WHEREAS, on February 7, 2017, the Planning Commission of the City of Industry conducted a duly noticed public hearing on the Application, and considered all testimony written and oral; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Industry as follows:

SECTION 1: The Planning Commission finds that all of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

SECTION 2: All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Industry.

SECTION 3: Upon independent review and consideration of the information contained in the Staff Report and the Notice of Exemption for Conditional Use Permit No. 17-1, the Planning Commission hereby finds and determines that Conditional Use Permit No. 17-1 will not result in or have a significant impact on the environment, because the proposed use is consistent with the general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed project occupies a 361 square foot lease area on a 3.18 acre site. The proposed use is within city limits on a project site surrounded by urban and industrial uses. The project site is fully developed with self storage buildings and parking lot. The site is adequately served by all required utilities and public services, and given that the Property is built out, and surrounded by urban uses, the Property and surrounding area are not environmentally sensitive. A CUP is required for observable Wireless Telecommunication Facilities in the "I" Industrial zone and the proposed project will not involve additional construction to the existing buildings. Therefore, the proposed project is categorically exempt from the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 *et seq.*), pursuant to Section 15303

(Class 3 New construction or conversion of small structures), of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations). Based on these findings, the Planning Commission recommends that the City Council adopt the Notice of Exemption and direct staff to file same as required by law.

SECTION 4: Based upon substantial evidence presented to the Planning Commission during the February 7, 2017 public hearing, including public testimony and written and oral staff reports, this Commission finds as follows:

(a) The proposed use is consistent with the goals and objectives of the General Plan. The General Plan designates the site as Employment, which allows for uses necessary to support industrial activities. The Zoning Ordinance, which implements the General Plan, allows for observable Wireless Telecommunications Facilities with approval of a CUP. In addition, the attached Conditions of Approval set operational and management standards to ensure that the business will operate in a manner consistent with the General Plan's policies related to noise, safety, property maintenance, and maintaining a professional appearance.

(b) The Property is adequate in size and shape, topography and location to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Section 17.36.060 of the City's Code, and there will be adequate utilities to accommodate the proposed use. The Property complies with the development standards outlined in Chapter 17.36, Zoning Code of the City's Code and the use does not involve any physical changes to the Property, and there will be no increased demands placed upon the existing water, gas, and sewer and minimal increase in electricity that adequately serve the site.

(c) The Property is served by street access adequate in width and improved as necessary to carry the kind and minimal quantity of traffic for such use would generate as it will only be for routine maintenance. There is no expansion of the footprint of any buildings, and the Property is currently served by Gale Avenue, which is of adequate capacity to serve the industrial use. In addition no additional parking spaces are required for the proposed telecommunications use.

(d) The Wireless Telecommunications Facility use is compatible with surrounding properties and uses because the surrounding area is composed of industrial, or manufacturing uses. The uses of the surrounding properties may change, but the character will remain manufacturing in nature consistent with the General Plan and zoning designations of the site.

(e) The nature, condition and proposed development of adjacent uses, buildings and structures has been considered, and the proposed use, the Wireless Telecommunications Facility, will not adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare, in that the surrounding area is composed of other similar uses. The

Wireless Telecommunications Facility will complement the adjacent uses and will expand the cell coverage in the area that will benefit the community.

(f) The proposed wireless telecommunications facility has been designed to achieve compatibility with the surrounding industrial community to the maximum extent reasonably feasible. The facility has been placed at the rear of the Property and is screened from public view.

(g) An alternative configuration will not increase community compatibility or is not reasonably feasible. The Applicant studied co-locating on nearby existing cell sites and found that the other existing sites were not able to provide the coverage that the project site does. The Applicant also studied co-locating on the adjacent existing wireless facility and found that the antennas would have to be located further down on the monopole such that it would not offer the necessary height to provide the necessary coverage.

(h) The location of the wireless telecommunications facility on alternative sites will not increase community compatibility or is not reasonably feasible. The Applicant studied building the facility on nearby sites but found that these sites were either not available or did not adequately cover the area that needed to be covered by this proposal. The facility would be located in an industrial area where the City would prefer wireless facilities to be located.

(i) The proposed facility is necessary to close a significant gap in coverage, increase network capacity, or maintain service quality, and is the least intrusive means of doing so. The location and height of this proposed facility is needed to close the gap in coverage and maintain service. The facility is needed to fill in a low reception in the area, and will increase level of service in the area.

(j) The Applicant has submitted a statement of its willingness to allow other wireless service providers to co-locate on the proposed wireless telecommunications facility if technically and economically feasible and where co-location would not harm community compatibility and, agreed to allow a co-location in the future.

(k) Noise generated by equipment will not be excessive, annoying or detrimental to the public health, safety, and welfare. The project consists of electronic equipment, as well as antennae mounted on a monopole. This type of equipment would not generate significant noise.

SECTION 5: Based upon the foregoing findings, the Planning Commission hereby recommends City Council approval of CUP No. 17-1, subject to the conditions contained in Attachment 1.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Industry at a regular meeting held on February 7, 2017 by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

Jim Divers
Chairman

ATTEST:

Diane M. Schlichting
Secretary

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CITY OF INDUSTRY

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ATTACHMENT 1

Standard Requirements and Conditions of Approval

Application: Conditional Use Permit 17-1

Applicant: AT&T Mobility

Location: 16408 Gale Avenue

Conditions of Approval

Conditions of approval are unique provisions, beyond the requirements of law, the municipal code, or standard practices that are applied to a project by the Planning Commission per Section 17.48.060 of the Zoning Code. Please note that if the design of your project or site conditions change, the conditions of approval may also change. If you have any questions regarding these requirements, please contact the City of Industry.

1. The operator shall maintain the wireless telecommunication facility and monopole materials (panel antennas and associated equipment) in a condition that approximates new and in a manner that maintains the integrity and intent of the materials to mask the wireless facility. The operator shall make all necessary repairs and replacements of equipment and structural and aesthetic components that result from discoloring, fading, and damage caused by outdoor exposure and/or inclement weather. Under this condition, the operator shall replace such components within 90 days of written notice by the City.
2. Paint colors must minimize visual impacts by blending with the surrounding environment and buildings.
3. The exterior surfaces must be constructed of nonreflective materials.
4. A freestanding observable wireless telecommunications facility may not exceed sixty-five feet in height.
5. Supports or poles may be required to be boxed and treated to blend with the character of the surrounding area.
6. Wireless telecommunication facilities may not be lighted or marked unless required by the FCC or the Federal Aviation Administration.
7. Cable trays and runs for a freestanding wireless telecommunication facility must be located inside the pole and underground.
8. No signs, flags, banners, or any form of advertising may not be attached to a wireless telecommunication facility except for government-required certifications, warnings, or other required seals or signs.

- 9. Freestanding wireless telecommunication facilities may not utilize guy wires or other diagonal or horizontal support structures.
- 10. Accessory buildings, shelters, cabinets and other ground-based equipment must be grouped together to the maximum extent feasible.

Code Requirements and Standards

The following is a list of code requirements and standards deemed applicable to the proposed project. The list is intended to assist the applicant by identifying requirements that must be satisfied during the various stages of project permitting, implementation, and operation. It should be noted that this list is in addition to any "conditions of approval" adopted by the Planning Commission and noted above. Please note that if the design of your project or site conditions change, the list may also change. If you have any questions regarding these requirements, please contact the City of Industry.

- 1. The approval expires twelve (12) months after the date of approval by the Planning Commission if a building permit for each building and structure thereby approved has not been obtained within such period.
- 2. The applicant shall provide drainage and grading plans to be approved by the City Engineer prior to the issuance of a building permit. Such plans shall be in substantial conformity with the plans.
- 3. The applicant shall construct adequate fire protection facilities to the satisfaction of the Los Angeles County Fire Department.
- 4. All exterior surfaces of buildings and appurtenant structures shall be painted in accordance with the approved plan.
- 5. The applicant shall provide building plans to be approved prior to the issuance of a building permit. Such plans shall be in substantial conformity with the development plans. (Building plans shall be submitted to and approved by the Los Angeles County Engineer's Office - Building and Safety Division prior to the issuance of a building permit.)
- 6. No outside storage of any personal property, building materials, or other property not permanently affixed to the real property shall be allowed, unless approved by the Planning Director.
- 7. No changes to the approved plan shall be permitted without written permission from both the City of Industry.
- 8. The noise level created by the business shall not exceed the following at the property line of any adjacent or nearby residential land use, hospital, school in session, church or public library as measured by a sound level meter:
 - (a) 55 dBA between 7:00 a.m. - 10:00 p.m.
50 dBA between 10:00 p.m. - 7:00 a.m.
for a cumulative period of more than 30 minutes in any hour;
 - (b) 60 dBA between 7:00 a.m. - 10:00 p.m.
55 dBA between 10:00 p.m. - 7:00 a.m.
for a cumulative period of more than 15 minutes in any hour;

- (c) 65 dBA between 7:00 a.m. - 10:00 p.m.
60 dBA between 10:00 p.m. - 7:00 a.m.
for a cumulative period of more than 5 minutes in any hour;
- (d) 70 dBA between 7:00 a.m. - 10:00 p.m.
65 dBA between 10:00 p.m. - 7:00 a.m.
at any time.
9. Any violation of these conditions or any local, county, state or federal laws shall constitute grounds for revocation or suspension of the Conditional Use Permit.
10. Within sixty days of commencement of operations, the operator of a new wireless telecommunications facility must provide the planning department with a report, prepared by a qualified engineer acceptable to the city, indicating that the actual radio frequency (RF) emissions of the facility, measured at the property line or nearest point of public access and in the direction of maximum radiation from each antenna, is in compliance with all applicable FCC safety standards. This report must include RF emissions from all colocation facilities, if any, at the site. The operator must subsequently provide an updated report to the City within sixty days after completion of any change in design, number of antennas, operation, or other significant change in circumstances, or when such a report is otherwise required by the FCC, to the satisfaction of the planning director.
11. Wireless telecommunication facilities may not generate radio frequency emissions or electromagnetic radiation in excess of applicable FCC standards or any other applicable regulations. All wireless telecommunication facilities must comply with all standards and regulations of the FCC, and any other state or federal government agency with the authority to regulate wireless telecommunications facilities.
12. The Property and the wireless telecommunications facility, including all landscaping, security fencing, and related equipment must be maintained in a neat and clean manner and in accordance with all approved plans.
13. All graffiti on wireless telecommunication facilities must be removed at the sole expense of the operator of the facility within forty-eight hours of notification.
14. If any FCC, CPUC or other required license or approval to provide telecommunications services is ever revoked, the operator must inform the planning director of the revocation within ten days of receiving notice of such revocation.
15. A wireless telecommunications facility and all equipment associated with the use must be removed in its entirety by the operator, at the operator's sole expense, within ninety days of a FCC or CPUC license or registration revocation or if the facility is abandoned or no longer needed. The Property must be restored to its pre-installation condition and, where necessary, revegetated to blend in with the surrounding area. Restoration and revegetation must be completed within two months of removal of the facility. Facilities not removed within these time periods are subject to immediate removal and restoration of the premises. The City is not required to provide notice that removal is required under this section.

Interpretation and Enforcement

1. The Planning Department, Engineering Department, and contract agencies (Los Angeles County Fire Department, Los Angeles Department of Building and Safety) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval.

2. The Planning Department may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of Industry Municipal Code.

Indemnification and Hold Harmless Condition

1. The Property Owner that is the subject of this project, and the project applicant if different from the Property Owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Industry and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council and Planning concerning this project. The City shall promptly notify the Property Owner and applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.
2. The Property Owner and Applicant shall file an executed and acknowledged Acceptance of Terms and Conditions of Conditional Use Permit No. 17-01 within 10 days of approval of said entitlement.