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March 29, 2016

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

#20 OF MARCH 29, 2016 Agenda No. 5
01/26/16

Lori Glasgow
LORI GLASGOW
EXECUTIVE OFFICER

**Re: PROJECT NUMBER R2014-02565-(5)
CONDITIONAL USE PERMIT NUMBER 2014-00121-(5)
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above referenced permit which sought to authorize the installation, operation, and maintenance of a wireless telecommunication facility at 4337 North Sunflower Avenue, in the unincorporated community of Charter Oak, within the Charter Oak Zoned District. At the completion of the hearing, you indicated an intent to deny the permit and instructed us to prepare findings for denial. Enclosed are findings for your consideration.

Very truly yours,

MARY C. WICKHAM
County Counsel

By

Elaine M. Lemke

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APPROVED AND RELEASED:

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c: Sachi A. Hamai, Chief Executive Officer
Lori A. Glasgow, Executive Officer, Board of Supervisors
Richard J. Bruckner, Director, Department of Regional Planning

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NUMBER R2014-02565-(5)
CONDITIONAL USE PERMIT NUMBER 2014-00121-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Project No. R2014-02565-(5), consisting of Conditional Use Permit No. 2014-00121-(5) ("CUP") on January 26, 2016. The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP on September 2, 2015 and October 28, 2015.
2. The applicant, Verizon Wireless ("applicant"), requests the CUP to authorize the construction, operation, and maintenance of a wireless telecommunications facility ("Project") in a church parking lot on a property located at 4337 North Sunflower Avenue within the unincorporated Los Angeles County community of Charter Oak ("Project Site").
3. The Project Site is located in the Charter Oak Zoned District and is currently zoned A-1-10,000 (Light Agricultural with 10,000 Square Feet Minimum Lot Required Area). A CUP is required to construct a wireless telecommunications facility in the A-1-10,000 zone pursuant to Los Angeles County Code ("County Code") Section 22.24.100.
4. The Project Site is located within the Low Density Residential land use category of the applicable County General Plan.
5. Surrounding Zoning within a 500-foot radius includes:

North: A-1-10,000, R-1-8,000, and City of San Dimas;
South: A-1-10,000 and City of San Dimas;
East: City of San Dimas; and
West: City of San Dimas.
6. Surrounding land uses within a 500-foot radius include:

North: Water tanks and single-family residences;
South: Single-family-residences;
East: Single-family residences; and
West: Single-family residences.
7. The Project Site's primary access is via Badillo Street through a non-exclusive vehicular path of 12 feet wide. The secondary access to the Project Site is via Sunflower Avenue.
8. The Project Site lease area is 378 square feet in size located in the parking area on the southwestern portion of the property within a 1.25 acre lot developed with a church. The Project Site is irregular in shape with generally flat topography.

9. The site plan for the Project depicts 12 panel antennas, each eight feet in height, mounted on three arms (four on each arm) of a 46-foot-high tower; 12 remote radio units (four on each arm) mounted behind the antennas; and two parabolic antenna dishes, and two RAYSCAPS (a radio equipment named after its brand name) mounted on the steel frame ("antenna array").
10. The elevation plans depict the height of the antenna array at 45 feet at the top camouflaged within a 46-foot-high steel trellis triangular frame with a cross design mounted on three posts at the top of the frame. The applicant is proposing to install equipment cabinets and a backup generator on the parking lot surface within the leased area enclosed by an eight-foot-high concrete masonry unit wall. While depicted at 46 feet high, under a 2014 order by the Federal Communications Commission ("FCC"), if a wireless company sought to co-locate its facilities on the tower, its height could be increased by 20 feet if the co-location was deemed to not defeat existing concealment elements.
11. The County Department of Regional Planning ("Regional Planning") does not have records pertaining to approval for the construction of the church building. However, building permit records from the County Department of Public Works ("Public Works") include approval for the construction of a one-story church with an occupant load of 200 persons in 1958. The parking requirement for the church at that time was one parking space for 10 persons. Therefore, 20 parking spaces were required at that time.
12. County Ordinance No. 10366, which became effective on November 5, 1971, required a CUP to operate a church in the A-1 Zone.
13. The County approved CUP 85-152 in 1986 for the church site, which allowed the construction, operation, and maintenance of a church. This permit does not include an expiration date and indicates that there is one oak tree on the southeast portion of the property. The Assessor's office records show that a total of more than 88,000 square feet of building improvements were built at the site in 1989.
14. Revised Exhibit "A" 201000132, related to CUP 85-152, allowed second floor additions for Sunday school classrooms and included an occupancy load calculation of 390 individuals for the church building that was approved by Public Works. At that time, 58 parking spaces were required for the church, calculated as follows: 20 parking spaces for the 200 person-occupancy of the original church buildings (as calculated under the nonconforming parking standard which allows continuation of original parking requirements for the original square footage) plus 38 parking spaces for the building addition that allowed for an additional occupancy load of 190 people (also calculated under nonconforming standards that require the addition to a nonconforming use to provide parking under current parking standards for only the building addition, which is one parking space per five occupants). If built today, the church would require 78 parking spaces.

15. Prior to the public hearings regarding the Project, Regional Planning staff determined that the Project qualified for a Class 3, New Construction or Conversion of Small Structures, 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 involves the construction of a wireless telecommunications facility and includes a lease area of less than 400 square feet.
16. Under the County Code, to obtain a conditional use permit, information must be presented at public hearings to substantiate, first, that the proposed use will be consistent with the County's applicable General Plan. Among other requirements, information presented at hearings must also show that: (a) the requested use will not adversely affect the peace, comfort, or welfare of persons residing or working in the surrounding area; (b) the requested use will not be materially detrimental to the use, enjoyment, or valuation of property located in the vicinity of the Project Site; and (c) that the proposed site is adequate in size and shape to accommodate parking and loading facilities required by the County or as is otherwise required to integrate the use with uses in the surrounding area. An application for a conditional use permit is required to be denied if those findings cannot be made.
17. Due to when the Project application was received, the Project was subject to, and analyzed pursuant to, the County's 1980 General Plan. One of the objectives identified in that General Plan is to "maintain and enhance the quality of existing residential neighborhoods." Accordingly, one of the General Plan's land use policies is "to protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation" such as excessive noise, glare, and shadowing. Under the General Plan, the intent of the Low Density Residential land use classification is to maintain the character of the neighborhood and to provide additional areas to accommodate future market demand.
18. Pursuant to the Federal Telecommunications Act, local jurisdictions are preempted from considering radio frequency emissions when regulating wireless telecommunication facilities as long as such facilities comply with FCC regulations.
19. A duly noticed public hearing was held on June 16, 2015, before a County Hearing Officer. In its presentation, Regional Planning staff advised that it had received an e-mail from a nearby resident regarding the proposed Project at this location. The resident expressed concern about possible interference between the new wireless telecommunication facility and other communication devices, such as broadcast television and cable. At the hearing, a representative from Verizon spoke in favor of the request and agreed to a revision to the condition

requiring that the generator noise level not exceed 60 dBA. Verizon's representative also stated that the cell phone tower would not interfere with other communication devices because it is broadcast on a different frequency and that FCC regulations prevent interference with any other signals. Regional Planning staff presented a comment from an adjacent neighbor, received on the day of the public hearing, requesting that the hearing be scheduled locally. There being no further testimony, the Hearing Officer closed the public hearing and approved the Project with the revision to the condition related to noise recommended by staff and agreed to by the applicant.

20. After the Hearing Officer's public hearing, staff received a petition with a total of 963 signatures opposing the Project and a resident living near the church timely appealed the Hearing Officer's decision to the Commission.
21. At the September 2, 2015 Commission hearing, after an initial explanation of the Project by Regional Planning staff, the appellant testified in opposition to the Project. The appellant testified that at a community meeting, a representative for Verizon advised that the purpose of the proposed Project was not to fill a significant gap in current services, but to "increase capacity" of Verizon's network. His testimony reflected that testing by neighborhood residents and independent websites depicting coverage by different wireless providers showed adequate coverage in the Project Site area and that hundreds of Project opponents also indicated that their Verizon coverage was adequate. He also testified that the A-1 zoning of the Project Site was an island in a sea of residential housing, and that allowing a commercial use on the Project Site would be incompatible with the neighborhood. He argued that such a commercial use also violated the church's CUP.
22. With regard to other sites, the appellant also testified at the Commission hearing that the alternatives proposed by Verizon were never viable as alternatives because the sites were either unavailable or unworkable for other reasons, adding that Verizon is "showing us rejected sites and ones that are not available," rather than real alternatives. The appellant also asserted that under the FCC order, the height of the tower could be increased by 20 feet in the future to allow co-location, thereby worsening the negative aesthetic impacts of the proposed tower. He added that other wireless providers might also be allowed to locate sites on other areas of the church property in the future due to the Federal Telecommunications Act's requirement that local jurisdictions not discriminate between wireless companies, which, again, would only exacerbate negative impacts.
23. At the Commission hearing, the appellant also noted that installation of the proposed Project would eliminate at least two parking spaces on a property that already would not comply with the County's current parking requirements. The appellant advised that the church uses also violated other provisions of the CUP, which should prevent allowing the Project. Testimony was provided that the church parking lot, while intended to provide 70 spaces as stated in the findings

for CUP 85-152, was down to 66 spaces. Two spaces were eliminated by storage units improperly located with the setback area in the parking lot and a basketball rim in front of those units while another space was covered with a large pile of dirt. The Project would eliminate two more parking spaces. Finally, the appellant referenced the burden of proof requirements to obtain a conditional use permit and said that the evidence presented showed the Project would negatively affect the peace and comfort of those residing in the area, including his own, and that it would be detrimental to the enjoyment and use of his property and cause its value to drop.

24. In addition to the appellant, 24 other residents near the Project Site spoke at the Commission hearing in opposition to the Project. Three people testified in support of the Project, two Verizon representatives and a pastor of the church on which the Project Site is located. Another person, a member of the church, testified that he thought the cross tower would be beautiful and objected to the protests that had disrupted church services, but did not voice either opposition or support for the Project.
25. Those testifying at the Commission hearing in opposition to the Project echoed and amplified the concerns raised by the appellant. Among the aesthetic concerns raised were visibility of the proposed wireless tower from nearby hiking trails, negative impacts to views of nearby mountains, the height of the tower compared to other structures in the area which are limited to 35 feet in height, and its towering presence over nearby and adjacent residences, contending that it "destroy[ed] the look of the neighborhood." Testifiers stated that it did "not match our community," it "destroys the look of the neighborhood," would be a "large eye sore," and reflected "encroaching commercialism into [the] neighborhood." An immediate neighbor testified that the proposed tower would "loom over" his backyard. It was pointed out that the tower would be "taller than the trees, light poles, and even the church." One individual testified that none of eight other local churches have a separate bell tower. Project opponents stated that they were already subject to the negative aesthetic impacts of water tanks across the street from the church in the adjacent City of Covina and should not be subjected to additional negative views.
26. At the Commission hearing, the manager for homeowners associations testified that a cell tower adversely affects property values, specifically residential homes, decreasing values from 2 to 20 percent, due to not only stigma from alleged health effects, but for other reasons as well.
27. Many at the Commission hearing testified that they had adequate cell phone coverage, including from Verizon. One of the opponents testified that he had used his own phone to test claims of a gap in coverage in the community, which were videotaped and found no such gap, that in fact the coverage was "better than good, better than great, it's off the chain, it is awesome." That same witness, in addition to identifying possible sites for a macro facility like the one proposed, stated that there were more than 80 DAS antennas (small cell sites) in

San Dimas on which Verizon could co-locate and that Verizon could use DAS, which would be "the least intrusive way to handle" any alleged gap. He also pointed out that more than 400 letters and a petition with nearly 800 signatures had been submitted opposing the Project.

28. One of those speaking in favor of the Project at the Commission meeting was a senior pastor of the church where the parking lot would be used for siting the wireless tower. He testified that the church had previously rejected a monopole tower proposed by Verizon and settled on the cross tower "as an architectural feature of [the] church, it fits our church very well, and it puts our symbol of our Christianity in the community; that would draw people to our church." He testified he thought the Project would be a benefit to the community by improving cell coverage and that it financially benefitted the church. He argued that the opposition, despite testifying at the Commission to the contrary, was due to alleged health effects "from (RF) frequency radiation."
29. Two Verizon representatives also testified at the Commission hearing. One Verizon representative, after stating that he had never seen "such a show of opposition," discussed the Project Site. The Verizon representative stated, "This facility, as has been mentioned, is not necessarily aiming to fill a coverage gap per se; it's not aiming to bring service to an area that doesn't already have it. Instead, [what it's] aiming to do is to bring additional capacity to a neighborhood that is almost entirely single family residential. So, Verizon is in the midst of a large build-out across all of southern California where they're not only building a network for today, they're building a network for tomorrow." He added that the Project was intended "to draw network stress from other facilities in Covina, San Dimas, this part of the neighborhood. ...It's not just that we're going to be bringing a network coverage to areas and the residents in Charter Oaks, it's also we're going to be improving [coverage for] people living in Glendora, San Dimas, and in Covina." He concluded that there was a capacity gap rather than a coverage gap. In response to claims of the residents that there was adequate service, he confirmed that the Project Site is "not a coverage site" but a capacity site to improve capacity "now and 5 to 15 years in the future."
30. The Verizon representative explained why certain other sites for a large macro-site were rejected, including unreceptive landlords, frequency interference, and lesser coverage that those sites would provide compared to the Project Site. He did not respond to the option proposed by neighbors that Verizon consider DAS, or using additional smaller cell sites in combination. In fact, he testified that, about two years earlier, Verizon issued "a scope of work to find a wireless facility [site] in this relatively narrow slice of territory," an area three-quarters of a mile long and centered around, Sunflower Avenue, "to see if you can find us a macro-site to offload network stress for all of these network towers." Thus, they were not tasked with considering smaller cell sites as an alternative.
31. Public comments at the Commission hearing concluded with rebuttal testimony by the appellant of the Hearing Officer's decision to approve the Project. The

appellant indicated that his group wished to retract all references by opponents to RF emissions and health, that his opposition was not based on such reasons. Instead, he focused on a lack of a coverage gap, showing video taken of him placing various calls throughout the community, where he was able to call and access YouTube, including Essex where there is supposed to be "poor coverage." Due to time constraints, the opponents showed only a few of the videos, but testified that they had 20 videos, and 14 voice data calls "from all the points of interest that are on our map and the alternative sites and especially at the church and in our homes." He added that there was no problem in making emergency calls, again suggested alternatives including DAS, which he said was less intrusive than the Project. In response to the Verizon testimony, he concluded that "future capacity" for wireless service "is not what this is about" but that the focus, under the Federal Telecommunications Act is about whether there is coverage today, which is "already here."

32. At the conclusion of testimony at the Commission on September 2, 2015, the Commission continued the hearing to October 28, 2015, and instructed Regional Planning staff to prepare findings to support an order denying the Project for the Commission's consideration. Accordingly, Regional Planning prepared denial findings and order, which were approved by the Commission at the continued hearing on October 28, 2015.
33. Verizon timely appealed the Commission's decision to the Board, contending that the Commission decision was not supported by substantial evidence, that, to the extent the decision was based on decreased property values that claim was, in reality, based on the alleged environmental effects of RF emissions in violation of the Federal Telecommunications Act, and that the decision had the effect of prohibiting the provision of Verizon's wireless services and was thus pre-empted by the Federal Telecommunications Act.
34. The Federal Telecommunication Act generally preserves the County's land use and zoning jurisdiction with respect to siting of wireless facilities, except that application of County laws may not discriminate between wireless providers, the decision must be supported by substantial evidence (the same as state law), and the decision shall not have the effect of prohibiting service. "Prohibiting service" means that, if a wireless project cannot be approved under local zoning laws, then the wireless provider must show that there is a significant gap in their coverage and that the site chosen is the least intrusive means to close that gap—least intrusive in terms of dealing with the reason that led to denial of the wireless application under local laws. If the wireless provider makes this prohibition of service showing, the Federal Telecommunications Act requires approval of the Project by the local jurisdiction.
35. At the Board's January 26, 2016 hearing, Regional Planning staff explained the procedural history of the Project, and recommended affirming the decision of the Commission and instructing County Counsel to prepare necessary findings for denial of the Project. Seventeen people spoke at the hearing, one—an attorney

for Verizon—testified in favor of the Project, one person commented negatively about Verizon generally and another suggested the Board take additional time to consider the matter. The remainder of those appearing at the Board hearing opposed the Project.

36. At the Board hearing, Verizon's counsel testified that there was a significant gap in coverage as shown by technical data that Verizon submitted to the Board, but, given the testimony of residents that they had adequate coverage, he proposed referring the matter back to Regional Planning to allow an independent third-party engineer, selected by the County and paid for by Verizon, to analyze the data to determine and also review whether the church tower was the "least intrusive means" of closing any such gap.
37. As at the Commission hearing, opponents of the Project testified generally at the Board hearing about negative aesthetic impacts of the Project, its incompatibility with the neighborhood, the decrease in the church's parking spaces due to the Project thereby exacerbating the already deficient parking under current standards, and the lack of need for the Project because wireless telecommunication service in the area was more than adequate. The appellant of the original Hearing Officer decision affirmed that "after much research," his group concluded that there were no negative health effects from the Project and they were "formally" retracting and striking any mention of negative health effects from RF emissions, radiation, and EMF emissions from cell towers and wireless facilities.
38. At the Board hearing, Project opponents stated that more than 465 letters from residents and a petition containing 794 signatures were submitted to the County opposing the Project. Photo simulations were submitted by Project opponents to show how the cell tower would look from an immediate neighboring property, as well as from other properties, at the 66-foot level in the event that a co-location were approved in the future, stating that the tower would add to the already negative aesthetic impacts of the "ugly water tanks" across the street. Another opponent testified about the "great views of the mountains" and the "Walnut Creek Wilderness Area" across the street from his home, noting that undergrounding of utilities was required in the wilderness area. He added that if the Project was approved, he would "be looking out from the back of [his] home at a large ugly commercial structure in the middle of a residential neighborhood." Others also testified that the tower would mar views of the San Gabriel Mountains, including Mount Baldy. As to the visual aspects of the tower, it was noted that the tower is "not integrated into the existing church building and would be placed in a separate steel trellis frame" with its 46 feet exceeding the height of the church and surrounding buildings. Several residents testified that the proposed tower was out of proportion to all surrounding structures. Another witness stated that, while the church property was zoned A-1, surrounding property was all developed as residential where a tower would not be allowed and thus the tower was not going to "fit well within our residential community."

He also pointed out that Verizon could place smaller antennas on light poles or traffic signals, but chose not to do so.

39. Concerning Verizon's coverage within the area, one witness testified to the Board about the testing that had been done with his Verizon telephone, which he videotaped, and found no significant gaps, explaining that he "was able to talk, text, and use YouTube successfully at multiple sites across the three square miles" of what Verizon claimed was the coverage gap. He said there were already five cell towers within one-and-one-quarter miles of the Project Site and another cell tower less than a half mile away on La Cienega Avenue, the latter not identified by Verizon as an alternative that it explored. He also testified that DAS, small cell sites, should be explored as alternatives.
40. Written data submitted by Verizon prior to the Board hearing regarding possibly locating five small wireless facilities in the area did not indicate that such sites, in combination, would not provide the coverage Verizon was seeking. Rather, these sites were not proposed to the County due to Verizon's belief that those small sites would be opposed and because Verizon concluded that they would not be less intrusive than a large 46-foot-high tower at the Project Site.
41. The manager for a neighborhood homeowners association testified that at least part of the decrease in property values when a cell tower is installed stemmed from the aesthetics. He testified that, unlike the proposed Project, there were no other churches in the area that have a separate structure on their lots for cell towers. He concluded that the proposed tower at the Project Site, separated from the church building, does not conform to the residential area, does not conform to other churches in the area, and, "it really sticks out, especially in light of its height." Another resident who lived adjacent to the church testified that it would be difficult to enjoy use of his back yard with the looming tower next door.
42. After completion of testimony and closing the public hearing, Supervisor Antonovich noted the prior public hearings and stated that the appellant of the original approval by the Hearing Officer and other Project opponents had "provided sufficient written and oral testimony to establish that [Verizon] failed to substantiate the burden of proof required in the County Code Section 22.56.040," for a conditional use permit. He then moved to deny Verizon's appeal of the Planning Commission's decision and to direct "County Counsel to prepare the necessary findings to affirm the Commission denial" of the Project. Supervisor Kuehl, in supporting the motion, commended the Project opponents for limiting the issues by withdrawing any objections based on alleged health effects of the Project. She also noted the residents proved, with testimony and tests using Verizon's own phones to show there was no coverage gap, that there was no need to expand at the Project Site. Supervisor Antonovich's motion was unanimously approved.
43. After public hearings, when the Board instructs County Counsel to prepare findings and conditions if a project is to be approved or findings for denial if a

project is to be denied, the Board's decision is not final until those findings are later approved by the Board. Up until approval of findings, the Board retains the authority to approve or deny a project, or change its terms of approval.

44. The Board finds that pursuant to Sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearings by mail, newspaper, and property posting. Additionally, the Project hearings were noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Charter Oak community.
45. The Board finds that the Project is an incompatible use in this low density residential area and that the proposed tower is different from other church towers or steeples in the area because it is not connected to the church building. As a result, the Board further finds that approval of the Project would not maintain the character of the neighborhood, nor maintain nor enhance the quality of the existing neighborhood. To the contrary, the Project would detract from the neighborhood's character.
46. The Board finds that the Project Site currently provides 66 parking spaces and the Project will decrease the parking to 64 spaces. Based on the current parking standard of one space per five occupants, if built today, the church would require 78 parking spaces for 390 occupants. Therefore, the Project Site does not meet current parking standards and the decrease in parking spaces resulting from the Project would exacerbate this condition. The Board thus further finds that the Proposed Site is not adequate in size to house the Project and provide parking facilities needed to integrate the wireless facility with the uses in the surrounding area.
47. The Board finds that the appellant and other opponents have provided sufficient written and oral testimony, including photo simulations, to substantiate that the Project will have negative visual and aesthetic impacts on adjacent and nearby properties and to views from properties in the area. The wireless telecommunication facility is not integrated into the existing church building and would be placed in a separate steel trellis frame. In addition, the 46-foot-high steel trellis frame exceeds the height of the existing church building and other surrounding buildings, which are subject to a 35-foot height limit in the A-1 and residential zones. Pursuant to FCC regulations, the height of the WTF could be increased by ten percent, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater, which would exacerbate the negative impacts from the height differential. The Board finds that the existing water tanks in the vicinity of the Project Site have negative visual and aesthetic impacts on adjacent properties and that the addition of the Project would exacerbate these impacts. The Board thus finds that the proposed Project will adversely affect the comfort or welfare of people residing in the surrounding area and will be materially detrimental to the use, enjoyment, and valuation of property located in the vicinity of the Project Site.

48. Testimony was provided that prospective buyers of homes have terminated purchase agreements when they become aware of a wireless telecommunication facility in the immediate vicinity and that property values can decrease from 2 to 20 percent with at least some of that decrease due to aesthetic impacts. Thus, the Board finds that the appellant and other opponents have provided sufficient written and oral testimony to substantiate that the Project will have negative impacts on property values and the ability of existing residents to sell their homes. Therefore, the Board finds that the Project will be materially detrimental to the valuation of property in the area.
49. The Board finds that area residents presented substantial evidence that there was no significant coverage gap in Verizon's services through their testimony, written information and actual testing showing that there was ample Verizon coverage in the area. On the other hand, Verizon presented conflicting testimony on this issue. While its counsel asserted at the Board hearing that there was a significant gap in Verizon's coverage in the Charter Oak neighborhood, at the Commission hearing, a Verizon representative stated that the Project was not meant to fill a significant coverage gap. Rather, he stated, the purpose was to increase capacity in the surrounding area, that Verizon was in the midst of a build-out across southern California not only for today but to build a "network for tomorrow" and to improve coverage in other areas. As a result, the Board finds that Verizon failed to show with substantial evidence that it had a significant coverage gap in the area around the church and in the Charter Oaks neighborhood.
50. The Board finds that Verizon failed to fully explore and have the County consider small cell sites as an alternative to the Project Site. The Board finds that depending on the design and siting of such much smaller facilities that they could be less intrusive aesthetically than a 46-foot-high tower, however disguised, standing alone in a church parking lot and towering over neighboring properties and negatively impacting views of immediate and nearby residents. The evidence submitted by Verizon did not show that Verizon considered all available nearby co-location facilities on other towers or macro-sites suggested by Project opponents or otherwise available, in particular at a site on La Cienega Boulevard. Accordingly, the Board finds that Verizon failed to show that, even assuming for purposes of argument that there was a significant gap in Verizon's coverage, that the Project was the least intrusive means for closing such a gap.
51. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based is at the Los Angeles County Department of Regional 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 Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

1. That the proposed use is not consistent with the adopted general plan for the area;
2. That the requested use at the proposed location will adversely affect the peace, comfort, or welfare of persons residing or working in the surrounding area; and
3. That the requested use will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Denies Project No. R2014-02565-(5), consisting of Conditional Use Permit No. 2014-00121-(5).