

LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING

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November 15, 2022

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

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

7 November 15, 2022



CELIA ZAVALA
EXECUTIVE OFFICER

**HEARING ON WIRELESS FACILITIES ORDINANCE
PROJECT NO. R2021-002931-(1-5)
ADVANCE PLANNING CASE NO. RPPL2021007939
(ALL SUPERVISORIAL DISTRICTS) (3-VOTES)**

SUBJECT

The recommended action is to amend Title 16 (Highways) and Title 22 (Planning and Zoning) of the Los Angeles County Code with the Wireless Facilities Ordinance (Ordinance), to establish application requirements and development standards for wireless communication facilities (wireless facilities), including small cell facilities (SCF), on private property and in the public right-of-way for the unincorporated areas of Los Angeles County.

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,

1. Find the adoption of the Ordinance is exempt from the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the project;
2. Indicate its intent to approve the proposed Ordinance (Advance Planning Case No. RPPL2021007939), including the amendments to Title 22 as recommended by the Regional Planning Commission (RPC), and with additional modifications as proposed by the Department of Regional Planning, and to approve the amendments to Title 16; and
3. Introduce, waive reading, and place on a subsequent Board agenda for the adoption of the amendments to Title 16 and Title 22.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On March 5, 2019, the Board approved a motion that directed the Director of Regional Planning to prepare an ordinance that, at a minimum, defines and establishes standards for the location, height, and design of wireless facilities; conduct outreach to residents, wireless service providers, and other interested parties; and present the ordinance and the appropriate environmental document to RPC and the Board for their consideration. Furthermore, recent wildfires and the COVID-19 pandemic have disclosed systemic inequities in digital access across Los Angeles County, and in response, the Board adopted a number of motions in October 2020 and February 2021, directing various County departments to report back on recommendations and strategies to address these inequities, broadly known as the “digital divide.”

Small cell facilities (SCF) are a subset of wireless facilities comprised of smaller equipment that are typically installed on streetlight and utility poles and other structures. Due to a large number of applications submitted for SCF in the public-right-of-way over the past few years, Regional Planning partnered with Public Works to create a new framework that would streamline permitting for wireless facilities, including SCF. Under this framework, Regional Planning will review wireless facilities on private property and in the public right-of-way, and Public Works will now oversee the review of SCF in the public right-of-way. The proposed Ordinance will satisfy a key component of the Chief Information Officer’s Digital Divide Regional Strategy for improving access to broadband services and digital resources. Additionally, the After Action Review (AAR) of the Woolsey Fire Incident, submitted to the Board in November 2019, identified communication services and delivery as an area in need of improvement. The AAR included a recommendation to increase the availability of communication systems for public notifications of evacuations, which may include wireless services.

Currently, Regional Planning processes applications for all types of wireless facilities, including SCF in the public right-of-way, through a Departmental policy memo dated July 26, 2010. The policy memo has not been updated to accommodate the growth of wireless services or advances in wireless technology, nor recent federal and state regulations, orders, and case law. The memo did not include any standards for SCF in the public right-of-way, which is an emerging and prevalent technology in wireless communications. The proposed Ordinance will supplant the policy memo and shift the intake, review, and processing of applications for SCFs in the public right-of-way from Regional Planning to Public Works through the Title 16 amendment and establish new development standards and review of all other wireless facilities by Regional Planning through the Title 22 amendment of the Ordinance.

Key Components

The amendment to Title 16 will add Chapter 16.25 – SCF to establish development standards for SCF in highways and other public rights-of-way, and streamlines the review process with Public Works prior to issuance of a road encroachment permit for the installation, replacement, or maintenance of an SCF. Proposed SCFs on County-owned streetlights and traffic signals shall obtain and comply with additional standards listed in Public Works' Master Licensing Agreements. No approval from Regional Planning is required unless it is a new SCF located in a Coastal Zone, Significant Ecological Area, or a Scenic Highway. Placement of SCF are given preference in the following order: 1) existing support structures such as streetlights and utility poles; 2) replacement support structures; 3) traffic signal poles; and 4) new towers. SCF shall conform to development standards which include the following: 1) use stealth designs to conceal the SCF; 2) shall not obstruct or interfere with the public use of the highway or County use of its infrastructure on the highway; 3) shall not obstruct any illumination from the support structure; 4) shall maintain the structural integrity of the support structure; 5) be placed at least eight feet above the ground on the support structure; and 6) if placed on a extension arm, be at most six feet from the support structure. SCF that are unpermitted, for which an agreement is revoked, or where relocation is required, are to be removed within 90 days at the owner's expense.

The Title 22 amendment for wireless facilities establishes application requirements and land use regulations, including zoning and development standards, for wireless facilities subject to review by Regional Planning. Existing standards for wireless facilities in community standards districts or specific plans will take precedence. Additionally, the proposed Ordinance will not apply to areas covered by a local coastal program. The Santa Monica Mountains Local Coastal Program has existing regulations in place specifically for wireless facilities, but the remaining local coastal programs will be amended for wireless facilities at a later time.

The Title 22 amendment proposes to permit wireless facilities in most zones, with development and design standards for each type of wireless facility: structure-mounted (including monopoles and faux trees), ground-mounted, roof-mounted, facade-mounted, architectural towers, temporary facilities, and SCF on private property. The standards require screening, shrouding and/or camouflaging, and encourage streamlined designs to reduce visual impacts to the extent technically feasible. Depending on the type of wireless facility and whether it is a new or existing facility, different applications are required that align with the Federal Communication Commission's Rules and Orders on the maximum number of days to approve each type of wireless facility. These applications may range from a Ministerial Site Plan Review with a maximum 60-day review period, to a Conditional Use Permit (CUP) with a maximum 150-day review period. Additional regulations apply to wireless facilities in sensitive areas, such as

significant ecological areas, significant ridgelines, scenic highways and on properties containing historical resources. Wireless facilities that require a CUP shall meet additional findings that the facilities comply with additional development standards, is the least visually intrusive as technically feasible, is necessary to meet a coverage gap, and does not create a safety hazard. Waivers from development standards may be provided through the CUP if a development standard effectively prohibits wireless services, results in a design that is technically infeasible, or conflicts with federal and state regulations.

After the RPC made its recommendation on the Title 22 portion of the Ordinance at its hearing on March 23, 2022, non-substantive changes were made to the Title 22 amendments, which are shown as redlines in the attachment. These changes include expansion of the statement for the Ordinance; corrections to spelling, grammar, capitalization, and punctuation; changes to section numbers; changes to references to federal and other laws; replacement of “structure” with “base station or tower;” addition of “qualified architectural historian” to do historic resource assessments; edit to clarify that chimneys and chimney-like textures as concealment are prohibited; and removal of the superfluous Severability section as Title 22 already has such a controlling provision at Section 22.02.100.

General Plan Consistency

The proposed Ordinance is consistent with the General Plan and supportive of its policies, including Policy PS/F (Public Services and Facilities) 6.2: Improve existing wired and wireless telecommunications infrastructure; and Policy PS/F 6.3: Expand access to wireless technology networks, while minimizing visual impacts through colocation and design.

Implementation of Strategic Plan Goals

Adoption of the proposed Ordinance will promote Goal II – Fostering Resilient and Vibrant Communities, through Strategy II.1 – Drive Economic and Workforce Development in the County. Readily available broadband access for County consumers, students, and workers will enhance access to online information, educational opportunities, and web-enabled information systems, which in turn will drive economic vitality for the County’s communities. The proposed Ordinance will also promote Goal III – Realize Tomorrow’s Government Today through Strategy III.3 – Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, in which the County’s assets can be maximized for the delivery of broadband services by all users in the County, and to streamline the County’s review of applications for wireless facilities.

FISCAL IMPACT/FINANCING

Adoption of the proposed Ordinance will not result in additional costs to the County. Applications for wireless facilities will be offset by fees that are to be collected at the time of application submittals. Certain wireless facilities that will be streamlined by ministerial review will have lower fees associated with ministerial applications. Because a safe harbor amount for fees has been established by federal rules for SCF, they will be processed ministerially. Implementation and enforcement of the proposed Ordinance is an ongoing responsibility of Public Works and Regional Planning, and thus covered by both departments' operating budgets.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The amendments contained in the Ordinance are consistent with applicable federal and state law.

In addition to the public hearing conducted by the RPC on March 23, 2022, for the Title 22 amendments, a public hearing before the Board is required pursuant to Section 22.232.040.B.1 of the County Code and Section 65856 of the California Government Code. Required notice was given pursuant to the requirements set forth in Section 22.222.180 of the County Code.

ENVIRONMENTAL DOCUMENTATION

This project (Wireless Facilities Ordinance) is exempt from the California Environmental Quality Act ("CEQA"). The project will establish application requirements and development standards for wireless facilities within the unincorporated County, including authorization for modifications to existing facilities as well as for minor alterations to land with the construction or conversion of small structures. These actions are within a class of projects that have been determined not to have a significant effect on the environment and which meet the criteria set forth in section 15301 and 15303 of the State CEQA Guidelines ("Guidelines") and Class 1 and 3 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. Any wireless facility applications that do not qualify for these exemptions will undergo required environmental review under CEQA.

Upon your Board's approval of the recommended actions, the department will file a Notice of Exemption with the County Clerk in accordance with section 21152 of the California Public Resources Code.

IMPACT ON CURRENT SERVICES OR PROJECTS

Approval of the proposed Ordinance will not significantly impact County services.

For further information on Title 16 amendment of the Ordinance, please contact Barbara Childers, Principal Engineer, Road Encroachment Unit at (626) 458-4995 or bchilders@dpw.lacounty.gov. For further information on Title 22 amendment of the Ordinance, please contact Bruce Durbin, Supervising Regional Planner, Ordinance Studies Section at (213) 974-6432 or bdurbin@planning.lacounty.gov.

Respectfully submitted,



Amy J. Bodek, AICP
Director of Regional Planning

Reviewed by,



Mark Pestrella, PE
Director of Public Works

MP:AJB:CC:BD:AS:ar

Attachments:

1. Project Summary for Title 22
2. Proposed Ordinance for Titles 16 and 22
3. RPC Hearing Proceedings for Title 22 Ordinance
4. RPC Resolution for Title 22 Ordinance
5. Guidelines for Wireless Facilities in Title 22
6. Notice of Exemption

c: Executive Office, Board of Supervisors
Assessor
Chief Executive Office
County Counsel

**COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING**

PROJECT SUMMARY

PROJECT DESCRIPTION: Wireless Facility Ordinance (Advance Planning Case No. RPPL2021007939): Proposed amendment to the Los Angeles County Code (Title 22) to establish land use regulations and procedures for wireless facilities located on private and public property and in the public right-of-way.

REQUEST: Approval and adoption of the proposed Ordinance.

LOCATION: Countywide (unincorporated areas)

STAFF CONTACT: Mr. Bruce Durbin, Supervising Regional Planner at (213) 974-6432

RPC HEARING DATE: March 23, 2022

RPC RECOMMENDATION: Approval and recommendation to the Board to consider adoption of the proposed Ordinance.

MEMBERS VOTING AYE: Duarte-White, Hastings, Moon, Louie, O'Connor

MEMBERS VOTING NAY: None

MEMBERS ABSENT: None

MEMBERS ABSTAINING: None

KEY ISSUES: The proposed Ordinance amends Title 22 (Planning and Zoning) of the County Code to establish land use regulations for wireless facilities Countywide except in the coastal areas. The Ordinance will establish both ministerial and discretionary reviews for wireless facilities consistent with federal regulations.

MAJOR POINTS FOR: The proposed Ordinance is a result of a Board motion dated March 9, 2019 to establish land use regulations, including development standards, for the placement of small cell facilities and macro facilities that are consistent with federal, state, and case law. FCC establishes parameters for how local

jurisdictions are to regulate wireless facilities and the Ordinance is consistent with these parameters

MAJOR POINTS AGAINST:

The proposed Ordinance does not consider environmental and health impacts in the siting of wireless facilities, and requires ministerial review of certain wireless facilities that does not allow community members any input through a public forum regarding the siting of a proposed wireless facility, including a small cell facility. Environmental and health impacts and regulation of small cell facilities are already preempted by federal regulations.



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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DAWYN R. HARRISON
Acting County Counsel

October 24, 2022

Amy J. Bodek, Director
Department of Regional Planning
320 West Temple Street, 13th Floor
Los Angeles, California 90012

Mark Pestrella, Director
Department of Public Works
900 South Fremont Avenue
Alhambra, California 91803

Re: Ordinance Amending Title 16 – Highways and Title 22 – Planning and Zoning of the Los Angeles County Code

Dear Ms. Bodek and Mr. Pestrella:

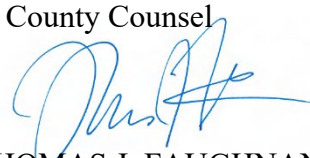
As requested, we have prepared the enclosed analysis and ordinance amending Title 16 – Highways and Title 22 – Planning and Zoning of the Los Angeles County Code to establish regulations for the review and permitting of wireless facilities in the unincorporated areas of Los Angeles County, including in County highways.

The ordinance and analysis may be presented to the Board of Supervisors for its consideration.


Very truly yours,

DAWYN R. HARRISON
Acting County Counsel

By


THOMAS J. FAUGHNAN
Senior Assistant County Counsel

APPROVED AND RELEASED:


NICOLE DAVIS TINKHAM
Chief Deputy

RT:CB:bh:ag
Enclosure

ANALYSIS

This ordinance amends Title 16 – Highways and Title 22 – Planning and Zoning of the Los Angeles County Code to establish regulations for the review and permitting of wireless facilities in the unincorporated areas of Los Angeles County, including in County highways.

The amendment to Title 16 – Highways will establish permit requirements for small cell facilities (SCF) and eligible facilities requests (existing qualifying towers and base stations) within County highways, including on County-owned infrastructure; authorize the Road Commissioner to adopt a design standards checklist and permit conditions that implement the requirements of this Chapter; provide for a permit approval process that meets the requirements of the Federal Communications Commission (FCC) and applicable law; and provide for relocation or removal of SCF for failure to obtain a permit, for failure to comply with applicable law, or upon a determination by the Road Commissioner of a paramount need of the County to utilize County-owned infrastructure.

The amendment to Title 22 – Planning and Zoning will establish regulations for wireless facilities on private property in the unincorporated areas of the County and associated provisions to provide a land use review and permit approval process that meets the requirements imposed by the FCC and other applicable law. It will establish standards to regulate the placement, design, and aesthetics of wireless facilities to minimize visual and physical impacts to surrounding properties; create streamlined permitting procedures for the installation, operation, and modification of wireless

facilities while protecting the public health, safety, and welfare of County residents; require conditional use permits for macro-wireless facilities that do not meet development standards or require a waiver for special circumstances; and help facilitate the provision of equitable, high-quality wireless communications service infrastructure to serve the current and future needs of the County's residents, visitors, businesses, and local governments.

DAWYN R. HARRISON
Acting County Counsel

By 
ROLAND TRINH
Senior Deputy County Counsel
Property Division

RT:bh

Requested: 08-02-2022

Revised: 10-24-2022

ORDINANCE NO. _____

An ordinance amending Title 16 – Highways and Title 22 – Planning and Zoning of the Los Angeles County Code to establish regulations for the review and permitting of wireless facilities in the unincorporated areas of Los Angeles County, including in County highways.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 16.25 is hereby added to reads as follows:

Chapter 16.25 – Small Cell Facilities.

Sections:

16.25.010 – Purpose and Scope.

16.25.020 – Definitions.

16.25.030 – Permit Required.

16.25.040 – Other Requirements.

16.25.050 – Development Standards for SCFs.

16.25.060 – Authority to use Support Structures.

16.25.070 – Violations, Unpermitted Facilities, Revocations, and

Relocations.

16.25.080 – Severability.

16.25.010 Purpose and Scope.

The purpose of this Chapter is to establish procedures and standards for the installation and modification of small cell facilities ("SCF") and for eligible facilities requests ("EFR") located in highways. This Chapter shall not apply to wireless facilities,

including temporary wireless facilities, that are not SCF; EFR not pertaining to SCF; or SCF that is not in compliance with this Chapter. Such facilities shall comply with applicable provisions of Title 22 – Planning and Zoning – of the Los Angeles County Code, other applicable laws, ordinances, and regulations, and shall obtain required approvals from County departments and public agencies.

16.25.020 Definitions.

The terms as used in this Chapter are defined as follows:

A. "Applicant" means a person or entity applying for a permit pursuant to this Chapter to install, maintain, modify, or remove SCF within a highway.

B. "Base station" means a structure or equipment, as defined in 47 C.F.R., section 1.6100(b)(1), or any successor provision, at a fixed location in a highway that enables FCC-licensed or -authorized SCF wireless communications between user equipment and a communications network. This term does not include a tower or any equipment associated with a tower.

C. "C.F.R." means the Code of Federal Regulations, and references to such provisions in this Chapter also include the successor provisions to those cited.

D. "County infrastructure" means County-owned property, structures, objects, and/or equipment located within highways, including, without limitation, free-standing streetlight poles, traffic signal poles, and pedestrian light poles.

E. "Eligible facilities request" or "EFR" means a request for modification of an existing tower or base station pertaining to SCF that does not substantially change the physical dimensions of that tower or base station, and involves collocation, removal, or

replacement of transmission equipment, as defined in 47 C.F.R., section 1.6100(b)(3), and within the meaning of the Spectrum Act or any successor provisions. For the purposes of EFR, collocation is as defined in 47 C.F.R., section 1.6100(b)(2), or any successor provisions.

F. "FCC" means the Federal Communications Commission or its lawful successor.

G. "Owner" means the party responsible for the SCF who is authorized to control and maintain the SCF, including the owner, licensee, or any other party who has authority and control over the SCF and their successors and/or assigns.

H. "Permittee" means any person or entity granted a permit in accordance with this Chapter.

I. "Small cell facility" or "SCF" means a "small wireless facility," as defined in 47 C.F.R., section 1.6002(l), and in any successor provisions.

J. "Support structure" means County infrastructure, streetlight poles, towers, or utility poles.

K. "Temporary SCF" means an SCF intended or used to provide wireless services on a temporary or emergency basis, such as a large-scale special event in which more users than usual gather in a single location or following a duly-proclaimed local or State emergency, as defined in California Government Code section 8558, requiring additional service capabilities. Temporary SCFs include, without limitation, cells or sites on wheels, cells on light trucks, or other similar temporary SCF: (1) that will be in place for no more than six months (or such other longer time as the County

may allow in light of the event or emergency); (2) for which required notice is provided to the Federal Aviation Administration ("FAA"); (3) that do not require marking or lighting under FAA regulations; and (4) that will either involve no excavation or involve excavation only as required to safely anchor the facility, as approved by the commissioner.

L. "Tower" means a structure that is built for the sole or primary purpose of supporting any FCC-licensed or -authorized antennas as defined in 47 C.F.R., section 1.6100(b)(9), including on-site fencing, equipment, switches, wiring, cabling, power sources, shelters, or cabinets associated with that tower but not installed as part of an antenna. This definition does not include utility poles or streetlight poles.

16.25.030 Permit Required.

A. Permit. A permit issued pursuant to this Chapter is required to authorize the installation, replacement, maintenance, modification, or removal of any SCF in a highway, including any Temporary SCF and any EFR pertaining to an SCF. The permit application for SCFs and EFRs shall demonstrate compliance with this Chapter for the application to be deemed complete. Any Temporary SCF shall comply with the requirements of this Chapter for SCF.

B. Application.

1. Application submittal. An applicant for an SCF shall submit an application for a permit on forms provided by the road commissioner of the County of Los Angeles ("commissioner"), containing all information that is required in this Chapter, including the design standards checklist, and in Chapter 16.08 of this Division 1 –

Highway Permits, and providing payment of all application fees required pursuant to Chapter 16.10. The applicant shall identify the written approval for use of the support structure or base station proposed for SCF consistent with Section 16.25.060 and provide supportive documentation to the satisfaction of the commissioner.

2. Design standards checklist. The commissioner may adopt a design standards checklist and permit conditions for SCFs and EFRs implementing the provisions of this Chapter. The permit application for SCFs and EFRs shall demonstrate compliance with the design standards checklist.

3. Installation on County infrastructure. If the SCF is to be mounted on new or replacement County infrastructure, engineered plans shall be submitted for approval by the commissioner before permit issuance.

4. Emergency work. For emergency SCF work, the permit application shall be submitted no later than one business day after the emergency SCF work is commenced.

5. Incomplete application. An application shall be screened for completeness in conformity with this Chapter and applicable law, including any FCC-issued order(s). If the application is incomplete, the commissioner shall notify the applicant in writing and specify the information or material(s) omitted from the application in a timely manner.

6. Processing. An application shall be processed within the time period as specified by applicable law, including any FCC-issued order(s), in accordance

with all applicable requirements and procedures for a permit identified in Title 16 – Highways – Division 1 (Highway Permits).

7. Decision on permit application. The commissioner shall grant a permit when the commissioner is satisfied that the SCF or EFR meets all applicable requirements for a permit under this Chapter. Permits processed and granted pursuant to this Chapter are subject to all applicable provisions of Title 16 – Highways – Division 1 (Highway Permits). The denial of a permit application shall be issued in writing and state the reasons for denial.

8. Final decision. The commissioner's decision on an application submitted pursuant to this Chapter shall be the final action of the County.

C. County authority over highways. The County's grant of a permit for an SCF or EFR does not waive, and shall not be construed to waive, any claims, authority, or standing by the County to challenge any FCC orders or rules related to SCF or EFR in a highway.

16.25.040 Other Requirements.

A. Other applicable permits. Prior to the issuance of a permit for an SCF or EFR, the applicant shall obtain all required County, State, federal, and public agency permits and approvals, as applicable.

1. Regional Planning.

a. An SCF on a new support structure to be located in a highway identified as a Scenic Highway in the County General Plan, or to be located within the boundaries of a Significant Ecological Area, or within 50 feet of a Significant

Ridgeline, as described in Title 22 of the County Code, shall obtain land use approvals from the County of Los Angeles Department of Regional Planning ("Regional Planning").

b. An SCF on a new or existing support structure to be located within the boundaries of a Coastal Zone, as described in Title 22 of the County Code, shall obtain land-use approvals from Regional Planning.

2. United States Department of the Interior, National Park Service ("NPS"). An SCF on a new or existing support structure located in a highway on land within NPS jurisdiction shall obtain a Right-of-Way (ROW) permit as required from the NPS in accordance with 54 U.S.C., section 100902(b), or any successor provisions.

B. Existing SCF in highways. Any existing SCF in a highway as of the adoption date of this Chapter shall remain subject to the provisions of the County Code and any applicable master license agreement or authorization in effect prior to the adoption of this Chapter, unless and until the agreement or authorization for such SCF to remain in the highway expires, at which time the provisions of this Chapter shall apply. Notwithstanding the above, any existing SCF in a highway is subject to provisions of Title 16 – Highways – Division 1 (Highway Permits) of the County Code.

C. Public use. Except as otherwise provided by applicable law, any use of a highway or County infrastructure authorized pursuant to this Chapter is subordinate to the County's use and use by the public.

D. Order of use. To the extent feasible as determined by the commissioner, the SCF shall utilize support structures in this order of preference: (1) existing support

structures, other than traffic signal poles; (2) replacement support structures; (3) traffic signal poles; (4) new towers.

E. Compliance with laws, permits, and agreements. SCF owners and permittees shall comply with all applicable federal, State, and local laws, regulations, and other rules, permits, conditions, and any agreement with the County related to SCF.

16.25.050 Development Standards for SCFs.

In order to obtain a permit, SCFs shall comply with the following development standards and the design standards checklist adopted by the commissioner.

A. Support structure concealment. All SCFs shall be stealth, meaning designed to blend into, or to be incorporated into, the support structure. The SCF and associated equipment, including antennas, radios, and cables, shall be concealed on or within the support structure where technologically feasible, and consistent with the design standards checklist.

B. Location. The location or placement of SCF shall not interfere with the use of the highway; impede the flow of vehicular or pedestrian traffic; impair the primary use and purpose of traffic signals, streetlights, utility poles, other support structures, signs, or other County infrastructure in the highway; interfere with the County's use of County infrastructure; interfere with outdoor dining areas or emergency facilities; or otherwise obstruct the accessibility of the highway. SCFs and associated equipment in the highway shall comply with Americans with Disabilities Act (ADA) requirements.

C. Structural integrity. All SCFs shall comply with applicable utility facilities construction standards, including, but not limited to, California Public Utilities

Commission General Order 95, or successor provisions. An SCF and its associated equipment to be mounted on an existing support structure shall not compromise the structural integrity of the support structure. If the SCF or its equipment to be mounted on the support structure affects its structural integrity, a replacement support structure shall be installed that will accommodate the SCF and its associated equipment. If the proposed new or replacement support structure is County infrastructure, the structure shall adhere to all terms, conditions, and guidelines of any agreement or master license agreement between the County and the Owner. If any SCF is requested to be placed on County infrastructure, then a structural analysis of the effect of such placement on the County infrastructure, including wind impacts on traffic signal poles and mast arms of traffic signals, shall be provided for approval by the commissioner, to ensure there is no overburden on County infrastructure.

D. Height. The combined height of the support structure and antenna(s) for an SCF shall not exceed the height limitation in 47 C.F.R., section 1.6002(l), and any successor provisions. In no event shall the antenna(s) on the support structure be placed lower than eight feet above the ground.

E. Placement of pole-mounted SCF antennas and associated equipment.

1. Streetlights. Antennas and any associated equipment to be mounted on or integrated in a streetlight shall be placed in a manner that does not block or otherwise impede the illumination of the lighting to the ground.

2. Utility poles. If a cross-arm or side-arm is the only feasible option to mount antennas and any associated equipment on a utility pole, then each side-arm

assembly shall not extend further than six feet from the center of the pole in either direction. A cross-arm shall not exceed a total length of 12 feet. Antennas and any associated equipment to be mounted on or integrated in a utility pole shall be placed in a manner that does not block or otherwise impede the illumination of street lighting to the ground.

3. All antennas and any associated equipment shall be installed at least five feet from any existing radio equipment on County infrastructure. If the County requires radio equipment to be installed on the support structure, the antenna(s) and its associated equipment shall be relocated to maintain the five feet separation at the cost of the Permittee and/or Owner.

F. Power supply. Co-mingling or sharing circuits used for County power service is prohibited.

G. Generators. Separate, above-ground generators for SCFs shall be prohibited in any highway. Temporary generators shall be permitted pursuant to Chapter 16.08.

H. Lighting. No SCF shall contain artificial lighting that is in addition to any existing illumination provided by the support structure, such as a streetlight luminaire, unless otherwise required by applicable County, State, or federal regulations.

16.25.060 Authority to use Support Structures.

A. County infrastructure. The placement of SCFs on County infrastructure in a highway shall be subject to a written agreement or master license agreement with the County. The agreement shall specify the compensation to the County for use of the

County infrastructure, including additional maintenance costs incurred by the County due to the placement of the SCF and associated equipment on County infrastructure. Any person or entity seeking an agreement or master license agreement with the County shall reimburse the County for all costs incurred in connection with the County's review of, and action upon, such request. Such agreement or master license agreement shall be signed by the County and the Owner prior to the issuance of a permit on County infrastructure pursuant to this Chapter. Every agreement or master license agreement approved by the County for placement of SCF in a highway shall be granted upon, and be subject to, such rules, regulations, restrictions, terms, and conditions as are incorporated therein by reference, and, except as otherwise expressly provided in the agreement or master license agreement, is subject to the rules, regulations, restrictions, terms, and conditions set forth in this Chapter.

B. Other support structures. The placement of SCF on support structures in a highway that is not County infrastructure shall be authorized by the entity that owns, operates, and/or controls the support structure.

16.25.070 Violations, Unpermitted Facilities, Revocations, and Relocations.

A. Violations. Any violation of this Chapter by a Permittee or Owner shall be subject to the same penalties described in Chapter 16.28 of the County Code.

Penalties for violations of any agreement or master license agreement between the Owner and the County, if applicable, are in addition to penalties for violations of the County Code.

B. Unpermitted facilities. An SCF installed without a permit and/or authorization to utilize the support structure, consistent with Section 16.25.060, shall be removed at the expense of the Owner within 90 days following the issuance of a written notice from the commissioner, or as otherwise determined by the commissioner; provided that the support structure owned by the County, a utility, or other entity authorized to maintain the support structure in a highway need not be removed, but such structure shall be restored to its condition prior to such unpermitted work, except as specifically allowed by the County. A permit shall be required for the removal of such SCF. All costs incurred by the County in connection with the removal shall be paid for by the Owner.

C. Revocations. A permit may be revoked for failure to comply with applicable standards or laws, or the agreement with the County. Upon revocation, the SCF shall be removed at the expense of the Owner or Permittee within 90 days following the issuance of a written notice from the commissioner or as otherwise determined by the commissioner, or in accordance with the terms and conditions of the applicable agreement between the Owner and the County.

D. Relocations. An SCF shall be relocated within 90 days of a request by the County when the commissioner determines that there is a paramount need of the County, due to a change in street alignment, construction, expansion, permanent closure of a street, sale of County property, public improvement project, or other similar determination by the commissioner. The Owner of the SCF shall relocate the

equipment at its own expense to an alternative location. Required permit(s), and other approvals as applicable, shall be obtained prior to relocation.

16.25.080 Severability.

If any Section, subsection, provision, sentence, clause, phrase, or word of this ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase, or word included within this ordinance, it being the intent of the County that the remainder of the ordinance shall be and shall remain in full force and effect, valid, and enforceable.

SECTION 2. Section 22.14.230 is hereby amended to read as follows:

22.14.230 W.

. . .

Winery. A facility that is used for processing grapes or other agricultural products into wine, including mobile bottling or crushing facilities, operated under a Type 02 license issued by the California Department of Alcoholic Beverage Control, where processing involves the fermentation, crushing, bottling, testing, or aging of wine.

Wireless facility. The following terms are defined for the purposes of Section 22.140.760 (Wireless Facilities):

Associated equipment. Is equipment, switches, wiring, cabling, power sources, shelters, or cabinets associated with an antenna, located at the same fixed location as the antenna, and when collocated on a structure, is mounted or installed at

the same time as such antenna, as defined in Title 47 of the Code of Federal Regulations section 1.6002(c), or any successor provision.

Antenna facility. Is an antenna and associated equipment, as defined in Title 47 of the Code of Federal Regulations section 1.6002(d), or any successor provision.

Architectural tower. A stand-alone tower that incorporates architectural elements and is constructed for the purpose of supporting and concealing wireless facilities, such as a faux belfry, minaret, cupola, water tower or tank, silo or other agricultural-type structure, clock tower, windmill, or another similar structure.

Base station. A structure or equipment at a fixed location that enables the Federal Communications Commission-licensed or authorized wireless communications between user equipment and a communications network as defined in Title 47 of the Code of Federal Regulations section 1.6100(b)(1), or any successor provision. A base station includes a structure where a wireless facility may co-locate on, but is not built for the sole or primary purpose of supporting a wireless facility. This term does not include a tower or any equipment associated with a tower.

Collocation. As defined in Title 47 of the Code of Federal Regulations section 1.6002(g)(1) and (2), or any successor provision, is the (1) mounting or installing an antenna facility on a pre-existing structure, and/or (2) modifying a pre-existing structure for the purpose of mounting or installing an antenna facility on that structure.

Eligible Facilities Request. A request for modification of an existing tower or base station that, within the meaning of the Spectrum Act, does not substantially

change the physical dimensions of that tower or base station, and involves collocation, removal, or replacement of transmission equipment as defined in Title 47 of the Code of Federal Regulations section 1.6100(b)(3), or any successor provision. For the purposes of eligible facilities requests, collocation is as defined in Title 47 of the Code of Federal Regulations section 1.6100(b)(2), or any successor provision.

Faux rock outcroppings. Artificial rocks that are used to conceal a wireless facility and are designed to mimic actual rocks typically found in proximity to the proposed project site and appropriate for that location.

Faux tree. An artificial tree that is used to conceal a wireless facility and is designed to mimic an actual tree typically found in proximity to the proposed project site and appropriate for that location.

FCC. The Federal Communications Commission or its lawful successor.

Macro facility. A wireless facility that does not meet the requirements of a small cell facility or an eligible facilities request.

Personal wireless services. Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined in Title 47 of the United States Code section 332(c)(7)(C)(i), or any successor provision.

Personal wireless services facility. A wireless facility that is used for the provision of personal wireless services, as defined in Title 47 of the United States Code section 332(c)(7)(C)(ii), or any successor provision.

Small cell facility. As defined in Title 47 of the Code of Federal Regulations section 1.6002(l), or any successor provision, is a "small wireless facility" is a personal wireless services facility that meets the following conditions:

1. The facility is mounted on a structure up to 50 feet in height, including antennas, as defined in Title 47 of the Code of Federal Regulations section 1.1320(d), or any successor provision, or is mounted on a structure and extends no more than 10 percent in height above other adjacent structures, whichever is greater;

2. Each antenna associated with the facility, excluding associated antenna equipment (as defined under "antenna" in Title 47 of the Code of Federal Regulations section 1.1320(d), or any successor provision), is no more than three cubic feet in volume;

3. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

4. The facility does not require antenna structure registration under Title 47 of the Code of Federal Regulations Part 17, or any successor provisions;

5. The facility is not located on Tribal lands, as defined under Title 36 of the Code of Federal Regulations section 800.16(x), or any successor provision; and

6. The facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in

Title 47 of the Code of Federal Regulations section 1.1307(b), or any successor provision.

Substantial change. Has the same meaning as defined in Title 47 of the Code of Federal Regulations section 1.6100(b)(7), or any successor provision.

Support structure. As defined in Title 47 of the Code of Federal Regulations section 1.6002(m), or any successor provision, is a pole, tower, base station, or other building, whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service (whether on its own or comingled with other types of services).

Temporary facility. A wireless facility used to provide wireless services on a temporary or emergency basis, such as, but not limited to, a large-scale special event, following a duly proclaimed local or State emergency as defined in California Government Code section 8558, or any successor provision, or during repair, maintenance, or upgrading of existing facilities. Temporary facilities include, without limitation, cells on wheels, sites on wheels, cells on light trucks, or other similar wireless facilities, and shall:

1. Be in place for no more than six months (or such other longer time as the County may allow in light of the event or emergency);

2. Provide notice to the Federal Aviation Administration;

3. Not require marking or lighting under Federal Aviation Administration regulations;

4. Be less than 200 feet in height; and

5. Either involve no excavation or involve excavation only as required to safely anchor the facility, including footings and other anchoring mechanisms, by no deeper than 24 inches below ground if the ground is undisturbed, or no deeper than 12 inches above the depth of any previous disturbance if the ground is disturbed.

Tower. A structure that is built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas, including on-site fencing, equipment, switches, wiring, cabling, power sources, shelters, or cabinets associated with that tower but not installed as part of an antenna. This definition does not include utility poles.

Wireless facility. The antenna facility used for the provision of wireless services at a fixed location, including, without limitation, any associated support structure(s).

...

SECTION 3. Section 22.16.030 is hereby amended to read as follows:

22.16.030 Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W.

...

C. Use Regulations.

1. Principle Uses. Table 22.16.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.16.030-B: PRINCIPAL USE REGULATIONS FOR AGRICULTURAL, OPEN SPACE, RESORT AND RECREATION, AND WATERSHED ZONES						
	A-1	A-2	O-S	R-R	W	Additional Regulations
...						
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses						
...						
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, wells, and tanks, and any other use normal and accessory to the storage and distribution of water, except for shared water wells and associated tanks	CUP	CUP	CUP	CUP	SPR	
<u>Wireless facilities, in compliance with Section 22.140.760.D.1</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	Section 22.140.760
<u>Wireless facilities, in compliance with Section 22.140.760.D.2</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	Section 22.140.760
...						

SECTION 4. Section 22.18.030 is hereby amended to read as follows:

22.18.030 Land Use Regulations for Zones R-A, R-1, R-2, R-3, R-4, and R-5.

...

C. Use Regulations.

1. Principal Uses. Table 22.18.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	R-1	R-2	R-3	R-4	R-5	Additional Regulations
...							
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses							
...							
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, wells and tanks, and any other use normal and accessory to the	CUP	CUP	CUP	CUP	CUP	CUP	

TABLE 22.18.030-B: PRINCIPAL USE REGULATIONS FOR RESIDENTIAL ZONES							
	R-A	R-1	R-2	R-3	R-4	R-5	Additional Regulations
storage and distribution of water, except for shared water wells and associated tanks							
<u>Wireless facilities, in compliance with Section 22.140.760.D.1</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>Section 22.140.760</u>
<u>Wireless facilities, in compliance with Section 22.140.760.D.2</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>Section 22.140.760</u>
...							

SECTION 5. Section 22.20.030 is hereby amended to read as follows:

22.20.030 Land Use Regulations for Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R.

...

C. Use Regulations.

1. Principal Uses. Table 22.20.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	C-1	C-2	C-3	C-M	C-MJ	C-R	Additional Regulations
...								
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses								
...								
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, tanks, wells, and any use normal or accessory to the storage and distribution of water	CUP	CUP	CUP	CUP	CUP		CUP	
<u>Wireless facilities, in compliance with Section 22.140.760.D.1</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>Section 22.140.760</u>

TABLE 22.20.030-B: PRINCIPAL USE REGULATIONS FOR COMMERCIAL ZONES								
	C-H	C-1	C-2	C-3	C-M	C-MJ	C-R	Additional Regulations
Wireless facilities, in compliance with Section 22.140.760.D.2	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	Section 22.140.760
...								

SECTION 6. Section 22.22.030 is hereby amended to read as follows:

22.22.030 Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5.

...

C. Use Regulations.

1. Principal Uses. Table 22.22.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.22.030-B: PRINCIPAL USE REGULATIONS FOR INDUSTRIAL ZONES						
	M-1	M-1.5	M-2	M-2.5	Additional Regulations	
...						
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses						
...						
Wharves	SPR	SPR	SPR	CUP	SPR	
Wireless facilities, in compliance with Section 22.140.760.D.1	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	Section 22.140.760	
Wireless facilities, in compliance with Section 22.140.760.D.2	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	Section 22.140.760	
...						

SECTION 7. Section 22.22.040 is hereby amended to read as follows:

22.22.040 Land Use Regulations for Zone M-3.

A. Permitted Uses. Premises in Zone M-3 may be used for any use, except that a use listed in Subsections B and C, below, is permitted only as provided

in such sections, below, and uses listed in Subsection D, below, are prohibited. In addition, the following uses are permitted in Zone M-3:

...

4. Wireless facilities, in compliance with Section 22.140.760.D.1.

...

C. Other Permits Required. If an application for a specified permit has first been approved, premises in Zone M-3 may be used for the following:

...

5. Wireless facilities, in compliance with Section 22.140.760.D.2.

...

SECTION 8. Section 22.22.050 is hereby amended to read as follows:

22.22.050 Land Use Regulations for Zones B-1 and B-2.

Table 22.22.050-A, below, identifies the permit or review required to establish each use.

TABLE 22.22.050-A: LAND USE REGULATIONS FOR ZONES B-1 AND B-2			
Use or Structure	B-1	B-2	Additional Regulations
...			
Surface mining operations	SMP	SMP	
<u>Wireless facilities</u>	=	=	
...			

SECTION 9. Section 22.24.030 is hereby amended to read as follows:

22.24.030 Land Use Regulations for Rural Zones.

...

C. Use Regulations.

1. Principal Uses. Table 22.24.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.24.030-B: PRINCIPAL USE REGULATIONS FOR RURAL ZONES			
	C-RU	MXD-RU	Additional Regulations
...			
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses			
...			
Water reservoirs, dams, treatment plants, gauging stations, pumping stations, wells, and tanks, and any other use normal and accessory to the storage and distribution of water, except for shared water wells and associated tanks	CUP	CUP	
<u>Wireless facilities, in compliance with Section 22.140.760.D.1</u>	<u>SPR</u>	<u>SPR</u>	<u>Section 22.140.760</u>
<u>Wireless facilities, in compliance with Section 22.140.760.D.2</u>	<u>CUP</u>	<u>CUP</u>	<u>Section 22.140.760</u>
...			

SECTION 10. Section 22.26.020 is hereby amended to read as follows:

22.26.020 Institutional Zone.

...

B. Land Use Regulations.

...

3. Use Regulations.

a. Principal Uses. 22.26.020-B, below, identifies the permit or review required to establish each use.

TABLE 22.26.020-B: LAND USE REGULATIONS FOR ZONE IT		
		Additional Regulations
...		
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses		
...		
Police stations	CUP	
<u>Wireless facilities, in compliance with Section 22.140.760.D.1</u>	SPR	<u>Section 22.140.760</u>
<u>Wireless facilities, in compliance with Section 22.140.760.D.2</u>	CUP	<u>Section 22.140.760</u>

...

SECTION 11. Section 22.26.030 is hereby amended to read as follows:

22.26.030 Mixed Use Development Zone.

...

B. Land Use Regulations.

...

3. Use Regulations.

a. Principle Uses.

i. Table 22.26.030-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.26.030-B: PRINCIPAL USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
...		
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses		
...		

TABLE 22.26.030-B: PRINCIPAL USE REGULATIONS FOR ZONE MXD		
		Additional Regulations
...		
Transportation, Electrical, Gas, Communications, Utilities, and Public Service Uses		
Stations, bus, railroad, and taxi	CUP	
<u>Wireless facilities, in compliance with Section 22.140.760.D.1</u>	SPR	<u>Section 22.140.760</u>
<u>Wireless facilities, in compliance with Section 22.140.760.D.2</u>	CUP	<u>Section 22.140.760</u>
...		

SECTION 12. Section 22.26.040 is hereby amended to read as follows:

22.26.030 Specific Plan Zone.

...

B. Land Use Regulations.

...

3. Wireless Facilities. If a zone or land use category within a Specific Plan is silent with regard to wireless facilities, the Director may accept an application for a wireless facility if the Director determines that a wireless facility is similar to another use permitted within such zone or land use category, in accordance with the following:

a. If the wireless facility is in compliance with Section 22.140.760.D.1, the Director may accept a Ministerial Site Plan Review application (Chapter 22.186); or

b. If the wireless facility is in compliance with Section 22.140.760.D.2, the Director may accept a Conditional Use Permit application (Chapter 22.158).

c. This provision shall not apply if the Specific Plan Zone is within a local coastal program.

...

SECTION 13. Section 22.26.060 is hereby amended to read as follows:

22.26.060 Parking Restricted Zone.

...

B. Land Use Regulations.

...

3. Use Regulations.

a. Principal Uses. Table 22.26.060-B, below, identifies the permit or review required to establish each principal use.

TABLE 22.26.060-B: PRINCIPAL USE REGULATIONS FOR ZONE P-R		
		Additional Regulations
...		
Surface mining operations	SMP	
Wireless facilities, in compliance with Section 22.140.760.D.1	SPR	Section 22.140.760
Wireless facilities, in compliance with Section 22.140.760.D.2	CUP	Section 22.140.760
...		

SECTION 14. Section 22.140.760 is hereby added to read as follows:

22.140.760 Wireless Facilities.

A. Purpose. The purpose of this Section is to:

1. Facilitate wireless communications service providers to provide equitable, high-quality wireless communications service infrastructure to serve the current and future needs of the County's residents, visitors, businesses, and local governments quickly, effectively, and efficiently.

2. Establish streamlined permitting procedures for the installation, operation, and modification of wireless facilities, while protecting the public health, safety, and welfare of the County residents.

3. Establish standards to regulate the placement, design, and aesthetics of wireless facilities to minimize visual and physical impacts to surrounding properties.

4. Comply with all applicable federal and State laws and regulations regarding wireless facilities.

B. Applicability. This Chapter applies to all wireless facilities located on private property and public property, except for small cell facilities to be located in the public right-of-way which are subject to Chapter 16.25 (Small Cell Facilities) in Title 16 (Highways) of the County Code. Wireless facilities shall be permitted in all zones except Zones B-1 and B-2, subject to the required application as specified in Subsection D, below. Where another regulation in Title 22 applies to a wireless facility, that regulation shall take precedence over this Section. This Section shall not apply to areas within a local coastal program.

C. Exemptions. The following shall be exempt from the provisions of this Section:

1. A single ground or building-mounted antenna not exceeding the maximum height permitted by this Chapter, including any mast, is subject to the following restrictions:

a. A satellite dish antenna 39.37 inches or less in diameter and (a) intended for the sole use of a person occupying the same parcel to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite; or (b) a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services, is permitted anywhere on a lot provided it is no higher than needed to receive or transmit an acceptable quality signal and in no event higher than 12 feet above the roofline.

b. A non-satellite dish antenna 39.37 inches or less in diameter or diagonal measurement and (a) intended for the sole use of a person occupying the same parcel to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, or to receive or transmit fixed wireless signals other than via satellite; or (b) a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services, is permitted anywhere on a lot.

2. Amateur radio antennas that are in compliance with Section 22.140.040 (Amateur Radio Antennas).

3. Like-kind equipment replacements to an existing cabinet, vault, shroud, or generator that do not increase pre-existing visual or noise impacts and are substantially similar in appearance and the same or less in size, dimensions, and weight.

4. The following temporary facilities that will be placed for less than seven consecutive days, provided any necessary building permit or other approval is obtained and the property owner's written consent is provided to the County:

a. Facilities installed and operated for large-scale events;

b. Facilities needed for coverage during repairs, upgrades, or the temporary relocation of an existing and already-approved facility; and

c. Emergency generators to provide auxiliary power to wireless facilities for seven or fewer days, provided they are to be located on private property, and comply with the Noise Ordinance in Title 12 (Environmental Protection) and other applicable law.

D. Application Requirements.

1. Ministerial Site Plan Review. A Ministerial Site Plan Review (Chapter 22.186) application is required to authorize the following:

a. Installation and operation of a small cell facility located on private property and public property that is not a public right-of-way;

b. An Eligible Facilities Request, as defined in Section 22.14.230 (W), for an existing facility that was previously approved with a Ministerial Site Plan Review (Chapter 22.186), but does not include a small cell facility

located in the public right-of-way, which instead is subject to Chapter 16.25 (Small Cell Facilities) of the County Code;

c. Installation and operation of a macro facility on an existing base station or tower that meets all standards in Subsection E, below, and does not require a waiver;

d. Installation and operation of a temporary facility other than those described in Subsection C.4, above; and

e. Placement and operation of an emergency generator to provide auxiliary power to a wireless facility for more than seven days, but no more than 90 days, provided the generator is not located in the public right-of-way, and complies with the Noise Ordinance in Title 12 (Environmental Protection) and other applicable law.

2. Conditional Use Permit. A Conditional Use Permit (Chapter 22.158) application is required to authorize the following:

a. Installation and operation of a new macro facility not installed on an existing base station or tower.

b. Installation and operation of any wireless facility, of any type, that requires a waiver from one or more of the design standards specified in Subsection E, below.

3. Revised Exhibit "A." A Revised Exhibit "A" (Chapter 22.184) application is required to collocate a macro facility on an existing base station or tower with an approved and unexpired discretionary permit that currently hosts another macro

facility, or to make modifications to an existing macro facility with an approved and unexpired discretionary permit, including an Eligible Facilities Request for the macro facility. Certain conditions prescribed as part of the approval of the discretionary permit shall not be binding for modifications to a facility as part of an Eligible Facilities Request only to the extent that the Eligible Facility Request seeks to rectify those conditions (i.e., size, dimensions, or height), and all other conditions shall continue to apply.

4. For every new application, the applicant shall prepare and submit to the Director a report on the radio frequency emissions levels of each wireless facility demonstrating that such emissions comply with adopted FCC guidelines.

E. Development Standards.

1. General Standards. All wireless facilities, except for facilities as part of Eligible Facilities Requests and small cell facilities, shall comply with the following standards. If a waiver is required for one or more of these standards due to technical infeasibility, Subsection D.2.b, above, shall apply.

a. Compliance with all regulations. The facility shall comply with State and federal requirements, standards, and law.

b. Location.

i. Wireless facilities shall not encroach into any required setbacks for structures.

ii. In Residential Zones, including in the public right-of-way, wireless facilities shall be placed no further than five feet from any common property line shared with adjoining lots, and shall be stealth or use concealment

techniques.

iii. Wireless facilities shall be located in compliance with regulations as specified in Chapter 22.102 (Significant Ecological Areas), Division 10 (Community Standards Districts), and Division 11 (Non-Coastal Specific Plans), where applicable.

iv. New wireless facilities shall not be installed on buildings or structures listed or eligible for listing on the National, California, or County historic registers. New towers and support structures installed on the grounds of properties listed or eligible for listing on the National, California, or County historic registers shall be located and designed to eliminate impacts to the historic resource. A historic resource assessment, prepared to the satisfaction of the Director by a qualified architectural historian, may be required for a facility to be located on a site containing an eligible resource to identify impacts to historic resources, and identify mitigation to minimize impacts.

c. Height.

i. In Industrial, Rural, Agricultural, Open Space, Resort-Recreation, and Watershed Zones, the maximum height of a non-building-mounted wireless facility shall be 75 feet.

ii. In Zones R-1, R-2, and R-3, the maximum height of a wireless facility shall be 35 feet.

iii. In all other zones except Zones R-1, R-2, and R-3, the maximum height of a non-building-mounted wireless facility shall be 65 feet.

iv. The height of a wireless facility, including those located within an Airport Influence Area, shall comply with the applicable FAA requirements.

d. Design standards.

i. Cables. All cables that serve the wireless facility shall be located within the interior of the structure, sheathed, or hidden to the fullest extent technically feasible.

ii. Color. All pole-mounted equipment not concealed shall be treated with exterior coatings of a color and texture to match the predominant visual background or existing architectural elements to visually blend in with the surrounding development.

iii. Associated Equipment. Associated equipment shall not be visible, and, if placed on the ground, shall be located in an enclosed structure, such as a building or underground vault (with the exception of required electrical panels), or screened and secured by solid fencing, walls, and gates, and shall conform to the height of the applicable zone. Radio units need not be enclosed but shall use concealment techniques.

iv. Fencing. Barbed wire shall be prohibited.

2. Additional standards for monopoles.

a. To the extent technically feasible, antennas shall be mounted directly on the structure for a streamlined design. If mounting equipment shall be required to make the facility feasible, the maximum length of each mounting

equipment, such as a side arm, bracket, or extension, shall be two feet from the structure.

b. Wireless facilities designed as flagpoles are prohibited.

3. Additional standards for facilities mounted on structures other than towers or buildings. A facility mounted on a structure other than a tower or building, such as an architectural tower, bridge, pole sign, lamppost, monumental sign, outdoor advertising sign, stadium light, utility pole, water tank, or windmill, shall also comply with the following standards:

a. Non-ground mounted equipment shall be shrouded or contained within the structure to the extent technically feasible.

b. Cables shall be flush-mounted or fully sheathed to the structure to prevent visible gaps between the cables and the structure, unless expressly prohibited by a state regulation. Cables shall not be visibly loose or spooled.

c. Shroud and cables shall be finished to match the structure exterior in color.

d. Architectural towers. Architectural towers shall:

i. Completely conceal equipment, including antennas;
and

ii. Blend in with the architecture of buildings located near the tower location.

4. Additional standards for roof-mounted facilities.

a. Roof-mounted facilities shall be completely concealed and not visible from any public right-of-way at ground level. Acceptable concealment includes screening or architectural features appropriate to the building such as parapets, penthouses, cupolas, steeples, chimneys, or architectural towers finished to match the building exterior.

b. Chimneys and chimney-like textures as concealment shall not be permitted for the roofs of commercial buildings.

5. Additional standards for façade-mounted facilities.

a. Façade-mounted equipment shall be flush mounted, architecturally integrated, or completely screened.

b. Architecturally integrated and screening elements shall be finished to match the building exterior.

F. Development Standards for Small Cell Facilities.

1. Setbacks. Small cell facilities shall not encroach into any required setbacks for structures.

2. Height and size. The height and size of the small cell facility shall not exceed the dimensions specified in Section 22.14.230 (W) for "small cell facility."

3. Design standards.

a. All antennas, cables, and equipment shall be concealed or located within the antenna shrouds, pole, conduits, and other stealth apparatus.

b. The small cell facility shall be finished with matching colors to blend in with the structure.

G. Modifications to Existing Macro Facilities. Existing macro facilities may be eligible for either:

1. A Ministerial Site Plan Review (Chapter 22.186) application if such facilities are redesigned with shorter mounting equipment that extends no more than two feet from the structure, or with removal of any existing mounting equipment, and with additional screening techniques, such as shrouds or walls, that blend in with the structure, including color and texture, and conforms to all standards in Subsection E, above, and does not require a waiver; or

2. A Revised Exhibit "A" (Chapter 22.184) application for modifications to a facility where such modifications will not bring the facility into conformity with the standards in Subsection E, above, or which requires a waiver.

3. An Eligible Facilities Request may be processed with a Ministerial Site Plan Review (Chapter 22.186) application if minor modifications will bring the facility in conformance with all standards in Subsection E, above, and does not require a waiver. Otherwise, the Eligible Facilities Request may be processed with a Revised Exhibit "A," in accordance with Subsection D.3, above.

H. Standards for Wireless Facilities Subject to Conditional Use Permit. All facilities that are subject to a Conditional Use Permit (Chapter 22.158), pursuant to Subsection D.2, above, shall comply with the following standards:

1. Location.

a. Wireless facilities shall be located and designed to minimize visual impacts to vistas from adopted scenic highways and ridgelines.

b. Wireless facilities shall be located to minimize visual impacts on adjacent residences and historic resources.

2. Design standards. Wireless facilities shall incorporate the following concealment measures appropriate for the proposed location:

a. Monopoles. Monopoles shall be designed as follows:

i. Monopoles shall be located to utilize existing natural or man-made features including topography, vegetation, buildings, or other structures in the immediate surroundings to provide the greatest amount of visual screening.

ii. If mounting equipment shall be required for the monopole, the maximum length of each mounting equipment, such as a side arm, bracket, or extension, shall be eight feet from the structure.

b. Faux Trees. Any proposed faux tree shall be designed as follows:

i. Wherever possible, faux trees shall be located within 50 feet of an existing grove of at least two live trees, and shall be similar in appearance to the species of the live trees.

ii. The faux tree species shall be appropriate for the climate and environment of the location.

iii. Antennas shall be painted, coated, or covered to match their background (e.g., leaves, branches, or trunk) and shall not extend beyond the tree branches or fronds.

iv. Faux branches or fronds shall conceal the antennas

to the extent technically feasible and shall be weather-resistant.

v. Faux bark cladding shall be provided from the ground to five feet beyond where the faux branches begin; above the faux bark cladding, the pole shall be painted a flat non-reflective paint of the same color as the bark cladding.

c. Faux Rock Outcroppings. Faux rock outcroppings, shall contain all equipment, including antennas, and shall be similar in appearance to real rocks in the immediate vicinity with respect to color, texture, and scale.

d. Architectural Towers. Architectural towers shall:

i. Completely conceal equipment, including antennas;
and

ii. Blend in with the architecture of buildings located near the tower location.

I. Findings. If a wireless facility is subject to Subsection D.2, above, the following additional findings shall be made:

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

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

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

4. For new wireless facilities, the location of the facility does not create a safety hazard.

J. Conditions of Approval. For wireless facilities subject to Subsection D.2, above, the Commission or the Hearing Officer may impose conditions to ensure that the approval will be in accordance with the findings required by the application. Such conditions may involve any pertinent factors that could affect the establishment, operation, and maintenance of the facility.

K. Permit Duration. A Conditional Use Permit to authorize a wireless facility may be valid for a period of 15 years.

L. Waivers.

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

a. Prohibit or effectively prohibit the provision of personal wireless services, pursuant to Title 47 of the United States Code section 332(c)(7)(B)(i)(II), or any successor provision;

b. Otherwise violate applicable laws or regulations; or

c. Require a technically infeasible design or installation of a wireless facility.

2. When a determination is made to grant a waiver, one or more of the applicable design or location standards may be waived, but only to the minimum extent required to avoid the prohibition, violation, or technically infeasible design or installation, and that does not compromise public safety.

SECTION 15. Section 22.250.010 is amended to read as follows:

22.250.010 Filing Fees and Deposits.

A. For the purpose of defraying the expense involved in connection with any application or petition required or authorized by this Title 22, the following fees, as provided in Table 22.250.010-A, below, shall accompany the application or petition.

Table 22.250.010-A may be referred to as the Filing Fee Schedule.

TABLE 22.250.010-A: FILING FEE SCHEDULE		
...		
Site Plan Review, Ministerial	...	
	Residential, hillside areas	\$1,259
	Small cell facilities on existing structures – for up to five facilities	\$500
	Small cell facilities on existing structures – for each facility beyond the first five facilities	\$100
	Small cell facilities on new structure – for each new structure	\$1,000
...		

[CH1625CSCC]
[2214230RTCC]

**REGIONAL PLANNING COMMISSION
SUMMARY OF PUBLIC HEARING PROCEEDINGS**

WIRELESS FACILITY ORDINANCE

On March 23, 2022, the Regional Planning Commission (RPC) conducted a duly-noticed public hearing to consider the Wireless Facility Ordinance (Ordinance), which is an amendment to Title 22 to establish land use regulations, including development standards, for wireless communication facilities (wireless facilities) to be sited on private and public property and in the public right-of-way for the unincorporated areas of the County. It establishes ministerial review for small cell facilities, co-locations, and eligible facility requests, and certain existing macro facilities that are redesigned and streamlined to meet all development standards. It establishes discretionary review for all new macro facilities and existing macro facilities that are not streamlined or that require waivers from the development standards. The regulations are consistent with federal, state, and case law that established parameters for how local jurisdictions are to regulate wireless facilities.

During the hearing, Regional Planning staff (staff) provided an overview of the Ordinance. Staff also presented additional language to the Ordinance for coverage gap under Findings that were not part of the draft of the Ordinance that was released to the public and RPC prior to the hearing. Thirty-one speakers testified regarding the Ordinance, with 29 in opposition, with requests to either deny or delay the Ordinance, and two to request modifications to certain sections of the Ordinance regarding development standards on height and cross-arm lengths and design considerations in rural areas, including community standards districts and scenic highways. The majority of the testifiers expressed grave concerns that the Ordinance does not include considerations for environmental and health issues and does not give neighbors due process and other Constitutional rights in a public forum regarding the siting of a wireless facility that may impact their properties. Several testifiers pointed out that the County is not obligated to follow the Federal Communication Commission's regulations and that the Telecommunications Act of 1996 was misinterpreted, and that the County should consider adopting an ordinance similar to the ones adopted by Encinitas or Malibu in California or Scarsdale in New York that give health considerations or buffers from residential zones and that indemnify a jurisdiction from liability for approving a facility. Other testifiers expressed concerns that these wireless facilities would pose serious fire risks. Several testifiers stated that being exposed to a nearby wireless tower caused them or their family members to be sick. Several testifiers pointed out that fiber optics is a safer technology option and that the County should prioritize investing in the buildout of fiber optics Countywide for broadband access to people.

Commissioner Moon asked questions about setbacks from residential properties, compensation to property owners when a facility is placed on or near their properties, and notifications to surrounding residents on the siting of SCFs. Staff responded to Moon's questions. Commissioner Hastings made a statement that the amount of testimony presented has given him serious considerations for more time before taking action on the Ordinance, and he asked questions regarding rollout of fiber optics, whether the FCC is

knowledgeable about the health concerns of 5G as expressed by many testifiers, have staff present a matrix of regulations from Malibu, Encinitas, and Scarsdale, NY to compare against the Ordinance, have rural issues be addressed in the guidelines, and have a wireless master plan with GIS mapping of all facilities. Commissioner Moon moved for the RPC to continue the hearing to a date certain for staff to return with responses to Hasting's questions. Staff from Regional Planning and Public Works and County Counsel responded to all of Hasting's questions. Chair Duarte-White commented that we are up against the federal government and this matter needs to be brought before the Congress through our representatives. County Counsel further commented on recent case rulings that determined that the FCC regulations do not violate any Constitutional rights and that, very recently with a case from New Mexico, the U.S. Supreme Court has declined to take up the matter. Commissioner O'Connor stated that this is a very complicated topic, and would like more information before proceeding, and pointed out that the heart of the issue is equity and access, and people are trying to slow it down. Commissioner Louie thanked staff for the work put into the Ordinance and expressed satisfaction with staff's answers to Hastings' questions and that the staff has consulted with internal and external Counsel in developing the Ordinance. He stated he did not see the need for more time to sort things out, and reminded the Commission of the one time they chose to "challenge" a wireless facility case and the case was sent back to them. Chair Duarte-White stated that this Ordinance is a response to the Board's Digital Divide motion that cannot be ignored from an equity perspective. Commissioner Louie further stated it should not be the Commission's role to have the County ignore established federal law. The Commissioners voted one to four on the motion to continue the hearing to a date certain, so the motion did not carry.

The RPC unanimously moved to close the public hearing and adopted the resolution to find the project categorically exempt from CEQA reporting requirements and recommend that the Board of Supervisors consider and adopt the proposed Ordinance, with amendments as discussed at the RPC hearing, with a vote of 5-0.

VOTE:

Concurring: Duarte-White, Hastings, Moon, Louie, and O'Connor

Dissenting: None

Abstaining: None

Absent: None

Action Date: March 23, 2022

**RESOLUTION
REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
WIRELESS FACILITY ORDINANCE
PROJECT NO. 2021-002931
PLAN NO. RPPL2021007939**

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted a duly noticed public hearing on March 23, 2022, to consider the Wireless Facility Ordinance ("Ordinance"), an amendment to Title 22 (Planning and Zoning) of the Los Angeles County Code ("Title 22") to establish new land use regulations, including development standards, for wireless communications infrastructure ("wireless facilities") in the unincorporated areas of Los Angeles County;

WHEREAS, the Regional Planning Commission finds as follows:

1. Title 22 does not currently recognize wireless facilities as a land use countywide, except in a limited number of communities covered by a community standards district, specific plan, or local implementation program.
2. Currently, it is a policy of the Department of Regional Planning to require a Conditional Use Permit for a wireless facility, and to process wireless facility applications similarly to radio and television towers.
3. On March 5, 2019, the Board of Supervisors directed the Director of the Department of Regional Planning to initiate an ordinance that at a minimum, defines wireless facilities and establishes standards for the location, height, and design of wireless facilities, and present the ordinance to the Regional Planning Commission and the Board of Supervisors for consideration at their respective public hearings.
4. The Federal Telecommunications Act of 1996 specifies that states and local jurisdictions cannot prevent the wireless telecommunication industry from providing wireless services to the public.
5. The Federal Communications Commission (FCC), the California State Public Utilities Commission (PUC), and case law have defined the regulatory framework for local jurisdictions on wireless facilities.
6. The Ordinance establishes a regulatory framework that includes development standards on aesthetics, height, and location of different types of wireless facilities, and streamlines the review of

RPC RESOLUTION
WIRELESS FACILITY ORDINANCE

applications for wireless facilities that meet all development standards and wireless facilities that propose minor modifications.

7. The Ordinance codifies the current policy of requiring a Conditional Use Permit for certain types of new wireless facilities and for wireless facilities that do not comply with all development standards.
8. The Ordinance supports the Board's goals of bridging the "Digital Divide" by establishing land use regulations that will streamline wireless facilities, while limiting visual impacts on surrounding properties to the extent technically feasible.
9. The Ordinance is consistent with all state and federal laws, regulations, and orders pertaining to wireless facilities, and with other provisions of Title 22.
10. The Ordinance is compatible with, and supportive of, the goals, policies, and principles of the Los Angeles County General Plan, including the following sections of Policy PS/F (Public Services and Facilities):
 - a. 6.2: Improve existing wired and wireless communications infrastructure; and
 - b. 6.3: Expand access to wireless technology networks, while minimizing visual impacts through colocation and design.
11. Adoption of the Ordinance is in the interest of the public health, safety, and general welfare and in conformity with good zoning practice.
12. Pursuant to Chapter 22.244 (Ordinance Amendments) of Title 22, a public hearing notice was published in 14 local newspapers countywide, including the Spanish-language newspaper *La Opinión*. The public hearing notice and materials were posted on the Department of Regional Planning's website and promoted through social media and email notifications to County stakeholders.
13. The Ordinance qualifies for a Class 1, Existing Facilities (Section 15301), and Class 3, New Construction or Conversion of Small Structures (Section 15303), categorical exemption under the California Environmental Quality Act ("CEQA") (Public Resources Code, § 21000, et seq.), the State CEQA Guidelines (Title 14, Cal. Code Regs., Chapter 3, §§ 15000-15387), and the Environmental Document Reporting Procedures and Guidelines for the County.

RPC RESOLUTION
WIRELESS FACILITY ORDINANCE

THEREFORE, BE IT RESOLVED THAT the Regional Planning Commission recommends the following to the Board of Supervisors of the County of Los Angeles:

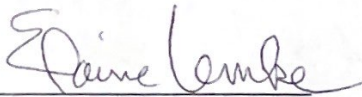
1. That the Board hold a public hearing to consider the Wireless Facility Ordinance for Title 22 of the Los Angeles County Code;
2. That the Board find that this project is categorically exempt from CEQA pursuant to State CEQA Guidelines sections 15301 (Class 1, Existing Facilities) and 15303 (Class 3, New Construction or Conversion of Small Structures), and find that the proposed amendments to Title 22 will not have a significant effect on the environment;
3. That the Board determine that the amendments are consistent with the goals and policies of the Los Angeles County General Plan; and
4. That the Board adopt the Wireless Facility Ordinance.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on March 23, 2022.

Elida Luna

Elida Luna, Commission Services
Regional Planning Commission
County of Los Angeles

APPROVED AS TO FORM: OFFICE OF THE COUNTY COUNSEL

By 

Elaine Lemke
Assistant County Counsel
County of Los Angeles

WIRELESS FACILITIES GUIDELINES

WIRELESS FACILITIES ORDINANCE IN TITLE 22



NOVEMBER 2022

**COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
DESIGN GUIDELINES FOR WIRELESS FACILITIES**

SECTION 1. PURPOSE

The purpose of these design guidelines (Guidelines) is to establish aesthetic and locational criteria for macro wireless facilities located on both public and private property and in the public right-of-way, and for Small Cell Facilities (SCF) not located in the public right-of-way, in the unincorporated areas of Los Angeles County (County). In general, wireless facilities shall be designed with the least visible impacts technically possible and should be aesthetically compatible with the surrounding structures (i.e., color, materials, size, and scale) and the built environment. These Guidelines may be amended by the County from time to time under the guidance of the Regional Planning Commission.

SECTION 2. DEFINITIONS

The definitions set forth in Chapter 22.14 of the County Code are incorporated by reference into these Guidelines.

SECTION 3. ENTITLEMENTS

In **all zones**, the following applications are required for the following types of wireless facilities:

Type of Wireless Facility	Required Application
SCF and temporary wireless facility in highway or public right-of-way (including roads, streets, highways, medians) that is not in a designated location.	No review at Regional Planning. Refer to Public Works for Road Encroachment Permit (Chapter 16.25).
SCF within the Coastal Zone or a SEA	Coastal Development Permit Exemption in Coastal Zone (Chapter 22.44), or Ministerial SEA Site Plan Review (Chapter 22.102).
<ul style="list-style-type: none"> • Installation and operation of a SCF on private property or utility right-of-way. • Operation of a macro facility on an existing support structure that meets all standards in Section 22.140.700.E. 	Ministerial Site Plan Review (Chapter 22.186).

<ul style="list-style-type: none"> • Installation and operation of a temporary facility on private property that meets standards. 	
Collocation of a new facility on an existing support structure that was approved by a Ministerial Site Plan Review	Amended Ministerial Site Plan Review (Chapter 22.186)
Collocation of a new macro facility or redesign of a facility on an existing support structure that currently hosts another macro facility with an approved discretionary permit*	Revised Exhibit A (Chapter 22.184)
Installation and operation of a new macro facility, or operation of a macro facility that does not meet standards in Section 22.140.700.E or requires a waiver.	Conditional Use Permit (Chapter 22.158)
Eligible Facilities Requests	
<ul style="list-style-type: none"> • On an existing structure that has been approved with a Ministerial Site Plan Review, or SCF on private property 	Ministerial Site Plan Review (Chapter 22.186)
<ul style="list-style-type: none"> • On an existing structure that has been approved with a Conditional Use Permit 	Revised Exhibit "A" (Chapter 22.184)

Note:

*When a Conditional Use Permit has expired for an existing wireless facility:

- Existing facilities that meet all standards may be approved with a Ministerial Site Plan Review.
- Existing facilities that do not meet standards will require a new Conditional Use Permit.

When a CUP for an existing facility is valid and in full effect:

- Facilities seeking modifications or streamlining but do not meet all standards will require a Revised Exhibit A, and the CUP will continue to be valid and in full effect. Conditions relating to size, dimensions or height may be modified for an Eligible Facility Request, but all other conditions may continue to apply.
- Facilities seeking modifications or streamlining that will meet standards may apply for a Ministerial Site Plan Review with no term limit. However, the Conditional Use Permit will remain in effect, but if it is unused for a period of two years and not revoked by a Review Authority, it may cease to be in effect under Section 22.222.280 (Cessation of Use).

SECTION 4. EXEMPTIONS

The following wireless facilities are exempt from these Title 22 regulations:

- A. Consumer-End Antennas.** Provided that they are no higher than 12 feet above a roofline (see <https://www.fcc.gov/media/over-air-reception-devices-rule>):
1. Satellite dishes.
 2. TV antennas.
 3. Broadband radio antennas of less than one meter in diameter.
 4. Amateur radio antennas that are fully enclosed or a single wire of one-fourth inch in diameter or less, or are ground-mounted and less than 42 feet in height. Masts and support structures for the antenna shall conform to the Building Code.
- B. “Like Kind” Equipment Replacements.** Replacing similar equipment on approved facilities, including generators.
- C. Temporary Facilities.** For up to seven days to support large scale events, media coverage, and temporary gap coverage during repairs or relocation of permanent facilities. If located in a public right-of-way, refer to Public Works for a road encroachment permit.
- D. Coastal Zone.** Section 22.140.700 shall not apply to areas covered by a local coastal program.

SECTION 5. FEDERAL AND STATE REGULATIONS

A. Federal Communication Commission (FCC) Requirements.

- **Telecommunications Act of 1996:** found at 47 U.S.C. Chapter 5.
- **Spectrum Act of 2012:** found at 47 U.S.C. § 1455(a)
For Eligible Facilities Requests under Section 6409(a), see [Report and Order FCC 14-153](#).

B. Shot-clocks. Per [Report and Order FCC 18-133](#) applications shall be processed and acted upon within the prescribed timeframes as follows:

- 1. Complete Applications:** Applications shall be reviewed for completeness within **10 days** of the date of first submittal. Regional Planning shall respond to the applicant for any missing required materials within the 10 days. Once all required materials are submitted and the application is deemed complete, the shot-clock restarts to Day 1. Public Works’ review shall be conducted within the prescribed shot-clock for an application that is referred to Public Works.
- 2. Processing of Complete Applications:**

Installation Type	Type of Review Required	Time Period to Decision
Macro Wireless Facilities- New and Renewals if not streamlined	Conditional Use Permit	150 days
SCF (on private and public property, not in public right-of-way)	Ministerial Site Plan Review (Zoning Conformance Review)	60 days for mounting on existing support structure 90 days for mounting on new support structure.

		For consistency, DRP uses 60 days.
SCF in public right-of-way	Road encroachment permit only. Refer to DPW	60 days
Macro Wireless Facilities that are streamlined and Collocations	Ministerial Site Plan Review for streamlined design that meets all standards Revised Exhibit “A” for active Conditional Use Permit of the original carrier facility.	90 days
Eligible Facilities Request for facilities without CUP	Ministerial Site Plan Review (Zoning Conformance Review)	60 days
Eligible Facilities Request for facilities with CUP	Revised Exhibit “A”	60 days
Temporary Facilities (for longer than 7 days)	Ministerial Site Plan Review (Zoning Conformance Review) In some cases, Special Event Permit	60 days

C. Federal Aviation Administration (FAA) Requirements.

- Depending on the height of the facility, marking may be required. See <http://wirelessestimator.com/articles/2016/new-faa-rules-will-require-some-50-to-200-foot-towers-to-be-marked/>
- The High Terrain Area encompasses locations where the ground elevation exceeds or is within 35 feet beneath an Airspace Protection Surface, as defined by FAR Part 77 for the airport. Refer to ALUC for advisory review.
- Obstructions. AERONAUTICS LAW PUBLIC UTILITIES CODE Division 9, Part 1 Chapter 4—Airports and Air Navigation Facilities Article 2.7—Regulation of Obstructions (excerpts):
 - 21658. Construction of Utility Pole or Line in Vicinity of Aircraft Landing Area
No public utility shall construct any pole, pole line, distribution or transmission tower, or tower line, or substation structure in the vicinity of the exterior boundary of an aircraft landing area of any airport open to public use, in a location with respect to the airport and at a height so as to constitute an obstruction to air navigation, as an obstruction is defined in accordance with Part 77 of the Federal Aviation Regulations, Federal Aviation Administration, or any corresponding rules or regulations of the Federal Aviation Administration, unless the Federal Aviation Administration has determined that the pole, line, tower, or structure does not constitute a hazard to air navigation. This section shall not apply to existing poles, lines, towers, or structures or to the repair, replacement, or reconstruction thereof if the original height is not materially exceeded and this section shall not apply unless just compensation shall have first been paid to the public utility by the owner of any airport for any property or property rights which would be taken or damaged hereby.

- If a macro requires guy wires for support, depending on the height, it is advisable to have the wires “marked” (i.e., adding balls) so that small planes do not clip them since they may be invisible. Be advised that guy wires may be approved only through the Conditional Use Permit.

D. Federal lands. If a wireless facility will be placed on property that is owned, managed, or governed by a federal agency, such as the National Park Service, a separate permit or assessment from the federal agency may be required.

E. Radio Frequency Emissions. Per 47 USC §332(c)(7), “No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.”

SECTION 6. SUPPORT STRUCTURE PREFERENCE

When advising wireless facility applicants, the County may establish the order of support structures from most preferred to least preferred, and in appropriate locations for each type of support structure as follows:

- 1. Existing support structure.**
- 2. Replacement support structure.**
- 3. New support structure.**

MACRO WIRELESS FACILITY PREFERENCE MATRIX

Preference	Support Structure Type	Appropriate Location
1	Existing Support Structure and Collocation, Integrated and/or Camouflaged (Excluding SCF in highway a, which is subject to Title 16 regulations only)	In Residential zones, other zones that contain residences, or areas adjacent to residential zones: Not in front of windows (20 feet distance in a 180-degree horizontal plane). In all other zones where there are no residences or areas where residences are not adjacent, there are no restrictions. Refer to PW for road encroachment permit if the support structure (both macro and SCF) is located in highway or public right-of-way.
2a	Replacement Support Structure (excluding SCF, which is subject to Title 16 regulations only), Integrated and/or Camouflaged	In Residential zones, other zones that contain residences, or areas adjacent to residential zones: Not in front of windows (20 feet distance in a 180-degree horizontal plane). In all other zones where there are no residences or areas where

		residences are not adjacent, there are no restrictions. Refer to PW for road encroachment permit if the support structure (for both macro and SCF) is located in highway or public right-of-way.
2b	Existing and Replacement Support Structure, Uncamouflaged	Same restrictions as above.
3a	New Support Structure, Camouflaged Tower	In Residential zones, other zones that contain residences, or areas adjacent to residential zones: Not in front of windows (20 feet distance in a 180-degree horizontal plane). In all other zones where there are no residences or areas where residences are not adjacent, there are no restrictions.
	New Architectural Tower	Clock tower, public art, other integrated structures: Commercial and Residential zones. Water tower or windmill: Rural and Agricultural zones.
3b	New Support Structure, Uncamouflaged Tower with Flush-mounted Antennas	Any zone – Areas where camouflage designs are technically infeasible.
3c	New Support Structure, Uncamouflaged Tower with Arrays	Industrial zones and Zone C-M - Areas where visual impact are minimal.
3d	New Faux Tree	Scenic areas, preferred in Residential zones, adjacent to Residential zones, and where similar mature trees exist. Otherwise, any zone. Discouraged in very high-wind areas (especially monopines).
3e	New Faux Rock	Scenic areas where there are natural rock outcroppings in the vicinity.

Strand-mounted facilities shall be strongly discouraged due to safety issues, but may be considered as a last resort when there are no technically feasible alternatives available to provide coverage.

SECTION 7. FACILITY PREFERENCES BASED ON LOCATION

The following guidelines shall apply to all wireless facilities to be placed in the following zones:

A. Industrial Zones.

1. Prohibited:

- Facilities mounted on or camouflaged as flagpoles.

B. Commercial and Mixed Use Zones.

1. Preferred:

- Rooftop mounted facilities to be screened as parapet walls, penthouses, tower extensions (need to blend in with architecture of building).
- Loading and parking areas not visible from the public right-of-way nor visible to adjacent residential areas.
- Camouflaged or screened building or facade-mounted facilities.
- Architectural towers (camouflaged ground-mounted) at places of worship (churches, temples, etc.) and public spaces (plazas, gateways, etc.).

2. Discouraged:

- Uncamouflaged or unscreened macro antennas on rooftop.
- Ground-mounted support structures with arm extensions longer than 24 inches from pole or support structure.
- Unpainted or original-colored antennas, especially white.
- Any facility to be placed within 20 feet from the nearest residential window in any 180-degree horizontal plane.

3. Prohibited:

- Facilities mounted on or camouflaged as flagpoles.
- Chimneys as camouflage for rooftop mounted antennas on commercial buildings.
- Equipment placed above ground, whether pole-mounted or ground-mounted, where it may interfere with sightlines from driveways and other egress/ingress to streets and highways.

C. Agricultural, Open Space, Resort-Recreation, and Watershed Zones.

1. Preferred:

- Collocations on existing utility towers and poles in lieu of a new stand-alone support structure.
- Faux water towers.
- Faux windmills.
- Faux rock outcroppings, but only if there are natural rock outcroppings in the immediate vicinity (e.g., Santa Monica Mountains, western San Fernando Valley, and Agua Dulce & Acton).
- Faux trees, if in proximity to an existing grove. Existing fauna and geography shall be considered in the design of the faux tree. Monopines,

monocypresses, monoecalyptus, or other tree types may be preferable over monopalms in certain locations that are not exposed to extreme weather conditions. In the Antelope Valley, support structures mimicking Joshua trees and other desert tree species are preferred over other tree types. Faux trees shall be designed to withstand strong weather elements, including snow and wind, with minimal wear.

2. Discouraged:

- New support structures in environmentally sensitive areas, including SEAs and Scenic Highways.
- Monopines in high-wind areas, including the Antelope Valley.
- Monopalms in desert and mountain environs (e.g., Antelope Valley, and San Gabriel and Santa Monica Mountains).
- Any facility to be placed within 20 feet from the nearest residential window in any 180-degree horizontal plane.

3. Prohibited:

- Facilities mounted on or camouflaged as flagpoles.

D. Residential Zones.

1. Preferred:

- Camouflaged or screened roof-mounted facilities.
- Camouflaged or screened building or facade-mounted facilities.
- Stealth facilities that appear to be architectural element of a structure.
- Architectural towers (camouflaged ground-mounted) at places of worship (churches, temples, mosques, etc.) and entryway gates.

2. Discouraged:

- Uncamouflaged ground-mounted facilities.
- Any facility to be placed within 20 feet from the nearest residential window in any 180-degree horizontal plane.

3. Prohibited:

- Equipment placed above ground, whether pole-mounted or ground-mounted, where it may interfere with sightlines from driveways and other egress/ingress to streets and highways.
- Facilities mounted on or camouflaged as flagpoles.

E. Rural zones.

1. Preferred:

- Collocations on existing utility towers and poles in lieu of a new stand-alone support structure.
- Faux water towers.
- Faux windmills.
- Faux rock outcroppings, but only if there are natural rock outcroppings in the immediate vicinity (e.g., Agua Dulce & Acton).

- Faux trees, if in proximity to an existing grove. In the Antelope Valley, support structures mimicking Joshua trees and other desert tree species are preferred over other tree types. Faux trees must withstand strong weather elements, including snow and wind.

2. Discouraged:

- Monopalms.
- Monopines in high wind areas.
- Any facility to be placed within 20 feet from the nearest residential window in any 180-degree horizontal plane.

3. Prohibited:

- Equipment placed above ground, whether pole-mounted or ground-mounted, where it may interfere with sightlines from driveways and other egress/ingress to streets and highways.
- Facilities mounted on or camouflaged as flagpoles.

F. Santa Monica Mountains Local Implementation Program (Coastal Zone).

Refer to Section 22.44.1330 (Wireless and Other Telecommunication Facilities).

G. Specific Plans Areas.

For Universal Studios Specific Plan, refer to Section 22.46.2170 (Communication Facilities), which contains specific requirements for wireless facilities.

H. Additional Location Standards.

1. Significant Ecological Areas (SEA).

- Wireless facilities are discouraged within a SEA; within 250 feet of a SEA.
- Wireless facilities are discouraged on land or ground that is undisturbed.
- Wireless facilities shall collocate on existing vertical infrastructure (e.g., streetlight, utility pole) wherever possible and minimize new ground disturbance to the greatest extent feasible.

2. Significant Ridgelines. Installations are strongly discouraged in the following locations:

- In view of a mapped significant ridgeline.
- In a location that impedes views of mapped significant ridgelines.
- Within 50 feet of a mapped significant ridgeline.

3. Environmentally-protected areas. Installations in environmentally-protected areas (other than SEAs and ridgelines, properties identified or designated as within Hillside Management Areas, Coastal Zones, within a national forest, and within other areas identified or designated as environmentally sensitive) shall utilize existing vertical infrastructure and seek to minimize new ground disturbance to the greatest extent feasible.

4. **Rural Outdoor Lighting District (ROLD).** Wireless installations, especially those mounted on new support structures that serve as streetlights or pedestrian lights in the ROLD shall comply with the additional requirements in Chapter 22.80 (Rural Outdoor Lighting District) of the County Code.
5. **Historic resources and landmarks.**
 - No new facilities shall be permitted on or within historic resources or structures listed or eligible for listing on the national, state, or county historic registers. Facilities may be located elsewhere on the property containing the historic resource or structure.
 - Existing facilities located on or within historic resources or structures listed or eligible for listing in any historic registers shall be located and designed to eliminate impacts on the historic resource.
 - A Historic Resource Assessment may be required to determine if the project adversely impacts a historic resource and recommend mitigation of impacts.

SECTION 8. DESIGN GUIDELINES FOR STRUCTURE-MOUNTED AND COLLOCATED FACILITIES

A. Roof-Mounted Facilities.

1. **Height.**
 - a. The maximum height for non-camouflaged facilities shall be 16 feet above the roofline.
 - b. Within Airport Influence Areas, the FAA may impose stricter height requirements.
2. **Concealment.**
 - a. No accessory equipment shall be visible.
 - b. All cables shall be located within the interior of the support structure and camouflaged or hidden to the fullest extent possible without jeopardizing the physical integrity of the support structure.
 - c. Facilities shall be completely concealed and not visible from any publicly accessible areas at ground level. Acceptable concealment includes screening or architectural features such as parapets, cupolas, steeples, chimneys, and architectural towers that match the exterior of the building.
 - d. Equipment for a macro facility may not be placed on a rooftop where the rooftop is less than 20 feet above ground level.
3. **Color.** All pole-mounted equipment not concealed shall be treated with exterior coatings of a color and texture that match the predominant visual background or existing architectural elements. Colors for parapet walls or penthouses should match the building façade color.

Encourage Screening on rooftop



Synergy Engineering/Tmobile

Discourage unconcealed antennas



Artistic Engineering/Verizon

Encourage integration of screening penthouse or parapet wall to building façade



Artistic Engineering/Sprint

B. Tower-Mounted Facilities.

1. Height.

- a. In the Industrial, Rural, Agricultural, Open Space, Resort-Recreation, and Watershed zones, the maximum height shall be 75 feet by-right.
- b. In Zones R-1, R-2, and R-3, the maximum height shall be 35 feet by-right.
- c. In all other zones, the maximum height shall be 65 feet by-right.
- d. Within Airport Influence Areas, the FAA may impose stricter height requirements, and consultation with ALUC staff is strongly encouraged. Elsewhere, FAA regulations may apply.
- e. Requests to extend heights above those imposed in 1.a. or 1.b, above, shall require a Conditional Use Permit.

2. Concealment.

- a. No accessory equipment shall be visible or easily accessible.
- b. All cables shall be located within the interior of the support structure or flush-mounted and shrouded, camouflaged or hidden to the fullest extent possible without jeopardizing the physical integrity of the support structure.
- c. Flags shall not be installed on a tower facility.

3. **Color.** All pole-mounted equipment not concealed shall be treated with exterior coatings of a color and texture that match the predominant visual background or existing architectural elements. Preferred colors for the support structure and facilities should be brown, gray, dark green, or sky blue (to mirror natural colors in the environment). White or black should be discouraged for pole or antennas.
4. **Collocations.** Collocations are permitted on towers with existing antennas and may be preferable over erecting a new support structure. Collocations are strongly encouraged to be mounted close to the support structure to the extent feasible and use the same color or concealment techniques and designs that are similar to the primary antennas on the support structure. For example, if the primary antennas are painted gray, then the collocated antennas shall also be painted gray. If the primary antennas use 24-inch cross-arms, the collocation antennas shall also use the same length of cross-arms.

Encourage flush mounting of antennas, stealthing of cables, and color matching between antennas and tower.



Infinigy/Verizon

Discourage long arms, visible cables, and different coloring between antennas and tower.



md7/ T-mobile

C. Façade-Mounted Facilities.

1. **Height.** Facilities that are mounted on the façade of a building shall be no higher than the roofline of the building.
2. **Concealment.**
 - a. Equipment shall be flushed mounted, architecturally integrated, and completely screened. Equipment may not protrude beyond the façade of the building by more than 12 inches.
 - b. Screening shall be finished to match the building exterior.

Discourage antennas that are “tacked-on” or not integrated into the façade of building exterior, even if color-matched.



Encourage, as first preference, mounting on the roof behind parapet walls, or as second preference, using architectural articulation across the façade (i.e., screen or projection).



City of San Diego Development Services

D. Other Structure-Mounted Facilities. Facilities mounted on other support structures (not building or tower), such as a bridge, pole, monument sign, art installation, stadium lighting, or water tank, shall comply with the following:

1. **Height.** Facilities, other than SCF, that are mounted to a support structure shall be no higher than the top of the support structure. SCF may extend the height of the support structure by no more than 10 percent.
2. **Concealment.** Where feasible, shrouding shall be used to hide cables and match the support structure in color and texture.
3. **Cables.** Cables shall be flush and secured to the support structure to prevent visible gaps between the support structure and the cables. No loose or looped cables are permitted.
4. **Collocations.** Collocations may be permitted if space, including minimum separation, allows on a structure that will not compromise the structure’s physical integrity. Collocations are not permitted on utility poles, streetlights, or pedestrian lights.

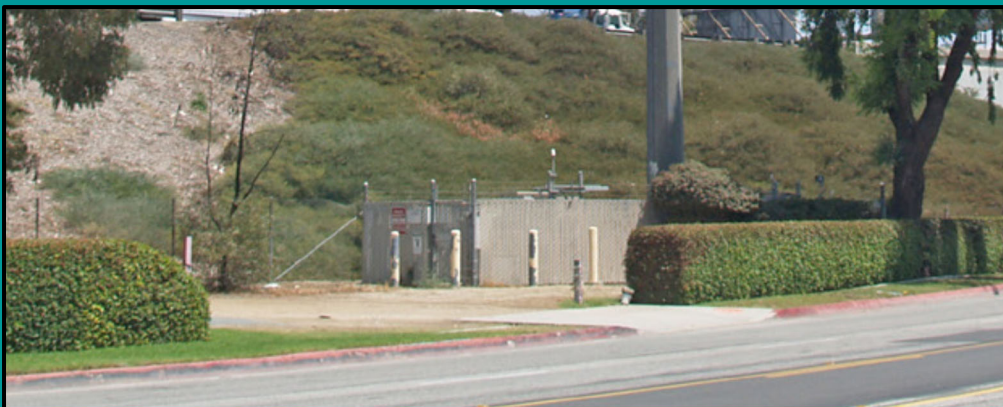
Preference goes to collocating on existing vertical infrastructure, such as power lattice tower or utility pole, over erecting a new support structure. Color of antennas should match the color of the tower or similar vertical infrastructure.



E. Accessory Equipment.

1. **Enclosure.** In all zones, accessory equipment shall be located in an enclosed structure, such as a building or underground vault (with the exception of required electrical panels), or screened and secured by fencing, walls, and gates. Radio units need not be enclosed but shall not be visible.
2. **Landscaping.** In all zones, landscaping is encouraged to be installed and maintained to screen those portions of the fence or wall visible from the public right-of-way, as a graffiti prevention measure. Landscaping that is drought-tolerant is highly preferred.
3. **Prohibition.** Barbed wire is prohibited.

Encourage enclosing accessory cabinets in screened and/or landscaped fences or walls, or hedges, and out of sight from the public right-of-way. Fence or wall height shall conform to the zone, but shall not exceed eight feet.



Artistic Engineering/Crown Castle

Due to safety, discourage multiple cabinets that are in or adjacent to the public right-of-way, or accessible and visible from the public right-of-way.



Synergy/T-mobile

SECTION 9. DESIGN GUIDELINES FOR GROUND-MOUNTED FACILITIES

- A. Sightlines.** Facilities shall not impair or diminish views of and vistas from eligible or adopted Scenic Highways. They shall be located to minimize visual impacts on adjacent residences and historic resources.
- B. Concealment.** Facilities shall incorporate concealment measures appropriate for the proposed location:
1. **Faux Trees.**
 - a. Faux trees shall mimic the species of trees existing in the immediate vicinity of the installment. Faux trees shall be discouraged if no mature live trees exist within the immediate vicinity.
 - b. Antennas shall be painted, coated, or covered to match their background (i.e., leaves, branches, or trunk) and shall not extend higher or beyond the tree branches or fronds.
 - c. Faux branch or frond coverage shall conceal the antennas.
 - d. Faux bark cladding shall be provided from the ground to five feet beyond where the faux branches begin; above the faux bark, a flat non-reflective coat of paint shall match the color of the bark cladding.

Mono-eucalyptus



Google Streetview

Monopalm



Synergy/T-mobile

Monopine



SBA Monarch Towers I, LLC/T-mobile

Encourage design of monopalm with short antennas concealed inside fronds



Syngery/T-mobile

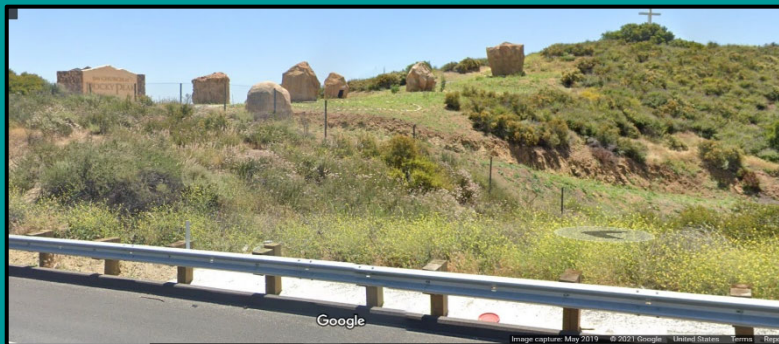
Discourage design of monopalm with antennas extending outward of fronds



CCTMO, LLC

2. **Faux Rocks.** Faux rocks shall contain all equipment, including antennas, and shall mimic real rocks in the immediate or general vicinity in color, texture, and scale. Faux rocks shall be discouraged if no large natural rocks or boulders exist within the general vicinity. Preferred areas for faux rocks are in Twin Lakes/Deer Lake/West Chatsworth, State Highway 14 corridor around Vasquez Rocks, and the Santa Monica Mountains.

Example of Faux Rocks



Google Streetview

3. **Monopoles.**
 - a. Monopoles shall be located to utilize existing natural or man-made features, including topography, vegetation, buildings, or other structures to provide the greatest amount of visual screening.
 - b. Antennas shall be flush-mounted to the support structure to the extent feasible. If the mounting cannot be flush to the support structure, arm mounts may be used, but shall be as short as necessary. To achieve a streamlined design and be eligible for a Ministerial Site Plan Review, the

maximum projection of mounting arms and extensions shall be no more than 24 inches (two feet) from the support structure.

- c. Colors for exterior coatings should be neutral or match the predominant visual background or existing architectural elements. Preferred colors for the support structure and facilities should be brown, gray, dark green, or sky blue (to mirror natural colors in the environment). White or black should be discouraged for pole or antennas if these colors do not exist with any architectural elements around the facilities.
- d. Collocations are encouraged on existing monopole over erecting a new monopole. Collocations shall use similar design as the existing antennas, such as color and distance from the pole.

Encourage blending with natural color and flush mounting or short cross-arms



Artistic Engineering/Crown Castle



Synergy/T-mobile

Discourage white color and long cross-arms that extend outward



Artistic Engineering/Crown Castle



Synergy/T-mobil

Example of a preferred monopole that is redesigned and streamlined to meet standards:



Existing



PROPOSED

D4 Communications LLC/American Tower

4. **Architectural Towers.** Architectural towers shall completely conceal equipment, including antennas, and shall blend in with the architecture of buildings located near the tower location.

Examples of Architectural Towers

Water Tank



Artistic Engineering/AT&T

Church Steeple/Bell Tower



Sprint

SECTION 10. DESIGN GUIDELINES FOR SMALL CELL FACILITIES (SCF) ON PRIVATE PROPERTY

- A. **Location.** SCF shall be placed in the highway or public right-of-way wherever possible. If a private property is required to close a gap in service, the SCF may be mounted on an existing support structure. If no existing support structure is available, the facility shall be designed as an integrated pole (e.g., parking lot lamppost, utility pole), except that it shall not be a flagpole.
- B. **Height.** The height of the facility shall comply with Code of Federal Regulations Section 1.6002(I).
- C. **Concealment.** All equipment and cables shall be concealed and located within the support structure or shrouded and flush-mounted to the support structure. Shrouds shall match the color of the support structure.

Example of Concealed Small Cell Facility on Support Structure



Eukon Group/AT&T



**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING**

320 West Temple Street, Los Angeles, CA 90012
T: (213) 974-6411 • F: (213) 626-0434 • TDD: (213) 617-2292





Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director of Regional Planning

Dennis Slavin
Chief Deputy Director,
Regional Planning

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE:	March 23, 2022
PROJECT NUMBER:	2021-002931
PERMIT NUMBER(S):	RPPL2021007939
SUPERVISORIAL DISTRICT:	1-5
PROJECT LOCATION:	Countywide
OWNER:	N/A
APPLICANT:	Los Angeles County
CASE PLANNER:	Alyson Stewart, Senior Regional Planner astewart@planning.lacounty.gov

Los Angeles County (“County”) completed an initial review for the above-mentioned project. Based on examination of the project proposal and the supporting information included for the project, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act (CEQA).

This project (Ordinance) qualifies for a Categorical Exemption, (Class 1 – Existing Facilities, and Class 3 – New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and County environmental guidelines. The project includes authorization for modifications to existing facilities as well as for minor alterations to land with the construction or conversion of small structures. Both actions will not have a significant effect on the environment.

Notice of Exemption

To:

Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

County Clerk
County of: Los Angeles, Business Filings
12400 E. Imperial Hwy., #1201
Norwalk, CA 90650

From:

Public Agency: LA County Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

Project Title: _____

Project Applicant: _____

Project Location - Specific: _____

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project: _____

Name of Public Agency Approving Project: Los Angeles County Department of Regional Planning

Name of Person or Agency Carrying Out Project: _____

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: _____
- Statutory Exemption. State code number: _____
- Exemptions for Agricultural Housing, Affordable Housing, and Residential Infill Projects. State type and section number: _____
- Others: _____

Reasons why project is exempt: _____

Lead Agency
Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency

Signed by Applicant

Date Received for filing at OPR: _____