



---

**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT**

---

**ACTION DATE:** January 15, 2015

**TO:** Planning Commission

**APPLICANT:** Crown Castle NG West LLC  
2125 Wright Avenue, Suite C-9  
La Verne, CA 91750

**CASE NO.:** 14-CUP-004

**LOCATION:** Northeast corner of the Reyes Adobe Road and Thousand Oaks Boulevard

**REQUEST:** Request for approval of a Wireless Telecommunications Facilities Permit/Conditional Use Permit to install a new antenna and a remote radio unit on a traffic signal pole with accessory equipment on the sidewalk.

**ENVIRONMENTAL DETERMINATION** Categorically Exempt from CEQA per Section 15303 and independently, exempt pursuant to the general rule in Section 15061(b)(3).

**RECOMMENDATION:** Staff recommends approval of Wireless Telecommunications Facilities/Conditional Use Permit Case No. 14-CUP-004, subject to conditions, based on the findings of the attached Draft Resolution.

**ZONING DESIGNATION:** Single Family Residential -5-7,500 - (RS-(5)-7,500)

**GENERAL PLAN DESIGNATION:** Residential Single Family

**I. PROJECT BACKGROUND AND DESCRIPTION**

Crown Castle has applied for a Wireless Telecommunications Facilities Permit/Conditional Use Permit to install a wireless telecommunications facility in the City of Agoura Hills near the intersection of Reyes Adobe and Thousand Oaks Boulevard, specifically at the northeast corner of the two major arterials. The applicant is seeking to install a Distributed Antenna System (DAS) by attaching an antenna and a remote radio unit on an existing street signal pole located in the right-of-way with a ground mounted meter on the sidewalk. This specific portion of the

right-of-way is located in the Single Family Residential zone (RS-(5)-7,500 near the Morrison Ranch residential neighborhood. A meter is also proposed on the ground in proximity to the existing pole. Crown Castle has applied to install antennas at three locations in the public right-of-way, and each is being processed as a separate Wireless Telecommunications Facilities Permit/Conditional Use Permit, although they will be connected as part of a distributed antenna system.

A distributed antenna system is a type of wireless telecommunication facility that is an alternative to a larger, taller "macro" cell site, and consists of multiple "nodes," which are small low-powered antennas, connected to each other by fiber optic cable. Wireless signals are picked up by the nodes, carried over fiber optic lines to a central hub, and handed off to wireless carriers. DAS facilities can be used to receive and transmit both wireless telecommunications and wireless data communication signals. The antennas do not need to be located as high as macro cell sites, but instead require multiple shorter pole locations to cover the same area as a macro site. By using a DAS, a carrier can fill in coverage gaps and dead spots in their macro network and it helps add capacity to the carrier's network. DAS is a shared-infrastructure or neutral host that serves to expand a wireless network footprint such as WIFI, GSM, and LTE. Crown Castle's customers are not individual wireless users, but rather the commercial wireless carriers that provide wireless service to consumers. In this case, MetroPCS is the commercial wireless carrier that is seeking to expand or fill the gaps in its service by using the DAS that Crown Castle proposes to install.

In 2005, the City and NextG Networks of California, Inc. ("NextG") entered into a Right-Of-Way Use Agreement that allows NextG to install antennas and other equipment on existing facilities in the City's right-of-way, subject to certain terms and conditions. In 2012, NextG became Crown Castle NG West Inc. ("Crown Castle"), and Crown Castle is the applicant. The Agreement requires Crown Castle to obtain all required permits and comply with all applicable laws prior to installing its antennas and other equipment in the public right-of-way.

## **II. STAFF ANALYSIS**

The Wireless Telecommunications Facilities (WTF) Ordinance provides standards for the appearance of the wireless facilities and requires the facilities to be camouflaged. The review process consists of three tiers. Tier I can be approved by the Director of the Planning and Community Development Department, and consists of certain types of facilities in the Business Park- Manufacturing zone only. Tier II includes most other wireless facilities and locations, and requires a Conditional Use Permit or an Amendment to an existing Conditional Use Permit, and is subject to the Planning Commission's review and approval. Finally, Tier III requires Planning Commission approval, and includes the projects that require an Exception to the provisions of the Ordinance (e.g. dimensions, design characteristics, location).

Per the Ordinance, this application falls under the Tier II review process, which requires a new Conditional Use permit subject to the Planning Commission's approval. The antenna and a remote radio unit are proposed for installation on an existing street traffic signal pole in the public right-of-way.

This project would be the first DAS facility and first wireless facility in the public right-of-way. The traffic signal pole is located at the northeast corner of Reyes Adobe Road and Thousand

Oaks Boulevard on Thousand Oaks Boulevard adjacent to the Morrison Ranch residential development. The primary function of the existing pole is to provide signalization to vehicular traffic travelling eastbound and westbound on Thousand Oaks Boulevard and northbound on Reyes Adobe Road and providing lighting to the intersection. The pole also supports City sponsored events banners, a traffic camera and a street sign.

The applicant is proposing to attach a 24-inch tall by 8-inch in diameter omni-directional antenna atop the pole and attach a 10x5x20-inch remote radio unit on the pole between the arm supporting the lighting fixture and the arm supporting the traffic signal. The pole is 30 feet 3 inches tall currently, and with the installation of the antenna, the total height of the pole would be 32 feet 6 inches tall. The wireless facility cables would be contained within the traffic signal pole and routed underground to a new ground-mounted meter. The new, 48 inch-tall meter would be installed on the sidewalk 90 feet north of the pole on Reyes Adobe with a handhole and underground connection.

Currently, the pole supports other appurtenances in addition to the traffic signal and street light such as the City sponsored events banner, a traffic camera and a street sign.

The following paragraphs describe the project's consistency with the design and development standards of the Ordinance (Section 9661.6).

The Ordinance requires that the antenna not exceed six (6) feet above the existing height of a light pole, and the pole-mounted equipment cannot exceed six (6) cubic feet in dimension. The Ordinance also requires that screening and camouflaging techniques in the placement of wireless telecommunications facilities be used to ensure the facilities are as visually inconspicuous as possible. In screening, the design must blend with the color, texture, materials, quality and style of the existing pole so as to minimize the facility's visual impact from surrounding properties and achieve community compatibility.

Accessory equipment must be placed underground unless city staff determines that there is no room in the public right-of-way for undergrounding or that undergrounding is not feasible. When above-ground is the only feasible location for a particular type of accessory equipment and cannot be pole-mounted, such accessory equipment shall be enclosed within a structure, and cannot exceed a height of five (5) feet and a total footprint of fifteen (15) square feet, and must be fully screened and/or camouflaged, including the use of landscaping, architectural treatment, or acceptable alternate screening.

As described above, the proposed structure only consists of a relatively small antenna which would not be conspicuous and would be of a similar color as the pole. Staff finds with respect to the height, the project meets that requirement with an antenna height of 24 inches and the combined dimensions of the antenna and a remote radio unit of less than 6 cubic feet. With respect to the screening and camouflaging, it is preferable to allow the installation without a shroud around the antenna to minimize attention to the pole and maintain the utilitarian aspect of the pole and the remote radio unit. Furthermore, methods used for camouflaging may result in a heavier load on the pole and potentially require a new, wider pole which is not desirable. With regard to the remote radio unit, the Code requires that the unit be placed at a minimum of 18 feet above the drivable road surface, which the project has demonstrated. The unit is placed over 20 feet above the roadway.

Finally, with respect to the ground mounted meter, staff determined that there is no room in the public right-of-way for undergrounding or that undergrounding is not feasible. The equipment box is 20x17x48-inch which is less than 5 feet tall and has less than a 15 square-foot footprint, consistent with the Ordinance and similar to the meters installed by utility companies throughout the City. The meter allows for pedestrian circulation and does not obstruct the view of drivers on Reyes Adobe Road as it is not in proximity to an intersection. The proposed meter is of standard construction and is painted similar to other meters used by other public utility companies.

The applicant states that the new facility would not generate noise that would potentially impact the public outside and the work environment inside the building. The project is conditioned not to be audible at the property line of any residential property and also not to exceed an exterior noise level of fifty-five (55) dBA three feet from the noise source. Based on the information provided, the project is consistent with Section 9661.6 of the Ordinance.

This project complies with a Right-of-Way Use Agreement that the City entered into in 2005. The equipment and the placement of the equipment do not exceed the dimensions permitted by the Use Agreement and the placement of the equipment does not conflict with regulatory requirements established by other agencies.

The applicant claims that the project is needed to fill a significant gap in MetroPCS's communications network, and the applicant claims it is using the least intrusive means to fill that gap in service. Attached to this staff report are applicant's justifications in support of its position, including applicant's significant gap analysis, least intrusive alternatives analysis, and RF Coverage Maps. Federal law prohibits a city from using its regulations to "effectively prohibit" wireless service. A city regulation may not prevent a wireless service provider from closing a significant gap in its service coverage when the manner in which the wireless service provider proposes to fill the significant gap in service is the least intrusive on the values that the denial sought to serve. Because staff is recommending approval of the project, staff has not determined whether a significant gap exists, or whether the applicant's method is the least intrusive means to fill the gap.

#### Conditional Use Permit Findings:

In order for a Conditional Use Permit to be approved, the applicant must demonstrate compliance with all six of the Conditional Use Permit findings, as well as all four of the wireless telecommunication facilities specific findings specified in the Zoning Ordinance in Section Nos. 9673.2.E and 9661.7.

1. The Planning Commission must find that the proposed use is consistent with the objectives of the Zoning Ordinance and the purposes of the district in which the use is located. Wireless telecommunications facilities are allowed in the public right-of-way zoned Residential Single-Family (RS), subject to the issuance of a Conditional Use Permit. The pole mounted antenna and the remote radio unit are relatively small in size and do not need additional screening.
2. A second finding the Planning Commission must make to approve the Conditional Use Permit is that the proposed use is compatible with the surrounding properties. The pole is a traffic signal with a lighting fixture which is utilitarian in nature and which is

considered a necessity to the community in that it regulates vehicular and pedestrian traffic. The Wireless Telecommunications Facilities including antennas and accessory equipment are allowed by the Ordinance and the Use Agreement to be pole-mounted and in the right-of-way without the use of camouflaging structures as it is expected that the visual impact of the added equipment will not be significantly increased. The meter is proposed to be similar to other utility companies' meters. The use is appropriate for this heavily traveled corridor since the use provides a communication service to neighboring commercial and residential properties, as well as to motorists.

3. The Planning Commission must also find the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare. Wireless telecommunications facilities must be built in compliance with the City's Building Code, and are subject to inspection by the City's Building Department to ensure they are constructed in a safe manner. The Federal Communication Commission (FCC) regulates wireless telecommunications facilities with regards to other related health and safety issues, particularly radio frequency emissions, and establishes thresholds of RF emissions beyond which a facility cannot exceed. As part of the conditions of approval, and pursuant to the Ordinance, the applicant would be required to demonstrate continued compliance with the FCC emission standards.
4. Another finding is that the proposed use will comply with each of the applicable provisions of the Zoning Ordinance. Telecommunication facilities are allowed in the RS zone, subject to the issuance of a Conditional Use Permit. The facilities are designed and located in compliance with the Zoning Ordinance, and with the conditions of approval imposed, will comply with the applicable provisions of the Ordinance.
5. A finding must also be made that the distance from other similar and like uses is sufficient to maintain the diversity within the community. The pole is one of four at the intersection of Reyes Adobe Road and Thousand Oaks Boulevard and not other installation is proposed in the vicinity. Over the years, other facilities have been approved on commercial buildings in different zones of the City. In this case, with the proposed antenna, radio unit and meter are similar to existing utility equipment and inconspicuous to the public eye and would not contribute to visual over-concentration of similar uses. Attached is an exhibit showing all wireless telecommunications facilities approved in the City (Exhibit B).
6. Finally, a finding must be made that the proposed use is consistent with the goals and policies of the General Plan with respect to wireless telecommunication facilities. The General Plan states that:

Goal U-6: Telecommunication System. Quality communication systems that meet the demands of new and existing developments in the City.

The project will provide quality communications systems to meet the demands of new and existing developments in the City by extending coverage, adding capacity, with minimal equipment installation.



Policy U-6.1: Access and Availability. Work with service providers to ensure access to and availability of a wide range of state-of-the-art telecommunications systems and services for households, businesses and institutions throughout the City.

The project will provide state-of-the art wireless telecommunication services.

Policy U-6.2: Design and Siting of Facilities. Require that the installation of telecommunications infrastructure, such as cellular sites and towers, be designed in a manner to minimize visual impacts on the surrounding environment and neighborhood, and to be as unobtrusive as possible.

The proposed Distributed Antenna System (DAS) will use smaller antennas on shorter poles, separated in space so as to provide coverage over the same area as a taller, larger "macro" antenna site. This reduces the need for larger panel antennas and taller macro antenna sites, causing less visual impact while improving service connections. Additionally, mounting the antenna and remote radio unit to an existing pole makes the wireless telecommunications facility as unobtrusive as possible. The smaller antennas blend in with the pole by acting as an extension to the pole without enlarging the structure from the ground up.

#### Wireless Telecommunication Facilities Findings:

In addition to the Conditional Use Permit findings, the Planning Commission must make the following wireless telecommunications facilities findings per Section 9661.7 of the Ordinance:

1. The proposed facility has been designed and located in compliance with all applicable provisions of the Ordinance. The wireless use remains secondary to the traffic signal pole and is permitted in this zone with a conditional use permit. It is designed with minimal equipment. Further, the applicant has completed the supplemental application for wireless telecommunications facilities to the satisfaction of the Director of Planning and Community Development, which serves, in part, as compliance verification.
2. The proposed facility has been designed and located to achieve compatibility with the community. Wireless telecommunications facilities are being incorporated into an existing traffic signal pole structure, and are sufficiently small so as not to be visually intrusive.
3. The applicant has submitted a statement of its willingness to allow other carriers to collocate on the proposed wireless telecommunications facility wherever technically and economically feasible and where collocation would not harm community compatibility.
4. Noise generated by equipment will not be excessive, annoying, nor be detrimental to the public health, safety, and welfare, and will not exceed the standards set forth in the Ordinance. The noise will not be audible at the property line of any residentially zoned property within 500 feet from the project location, and will not exceed an exterior noise level of fifty-five (55) dBA three feet from the noise source.

5. The applicant has provided substantial written evidence supporting the applicant's claim that it has the right to enter the public right-of-way pursuant to state or federal law, or the applicant has entered into a franchise agreement with the city permitting them to use the public right-of-way. In this case, the applicant has done both. The Applicant submitted to the City a copy of applicant's certificate of public convenience and necessity, issued by the Public Utilities Commission, and the applicant entered into a Right-of-Way Use Agreement with the City on October 26, 2005.
6. The applicant has demonstrated that the facility will not interfere with the use of the public right-of-way and existing subterranean infrastructure and will not interfere with the city's plans for modification of such location and infrastructure. The selected location for the meter will be in line with other utility poles and meters and will not extend further into the pedestrian path.

Conditions of Approval specific to wireless telecommunications facilities, as outlined in the Ordinance, are included in the Draft Resolution and Conditions of Approval, and are attached to this report.

### **III. ENVIRONMENTAL REVIEW**

The Planning Commission hereby finds that the approval of the project is categorically exempt from the California Environmental Quality Act (Public Resources Code Section 2100 et seq., "CEQA"), pursuant to Section 15303 (Class 3), because the project involves the construction and location of limited numbers of new, small facilities or installation of small equipment into a structure, and does not have any potential for causing a significant effect on the environment. Additionally and independently, the Planning Commission finds that the Project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possible significant effect directly related to the project, therefore no further action is required under CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)).

### **IV. RECOMMENDATION**

Based on the above analysis, staff recommends approval of Conditional Use Permit Case No. 14-CUP-004, subject to the conditions of approval included the attached Draft Resolution.

### **V. ATTACHMENTS**

- Draft Resolution of Approval and Conditions of Approval
- Exhibit A: Vicinity/Zoning Map
- Exhibit B: Approved and Proposed Telecommunications Facilities Map
- Exhibit C: Copy of Reduced Plans
- Exhibit D: Photo-Simulation of Proposed Wireless Telecommunications Facilities
- Exhibit E: Applicant Attachments to Application: Significant Gap Analysis, RF Coverage Maps, Least Intrusive Alternatives Analysis, and Appendix A

**Case Planner:** Valerie Darbouze, Associate Planner

DRAFT RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS CONDITIONALLY APPROVING WIRELESS TELECOMMUNICATIONS FACILITIES/ CONDITIONAL USE PERMIT CASE NO. 14-CUP-004; AND MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

**Section 1.** An application was duly filed by Crown Castle NG West LLC with respect to improvements in the public right-of-way at the intersection of Reyes Adobe Road and Thousand Oaks Boulevard, for a Wireless Telecommunications Facilities/Conditional Use Permit, Case No. 14-CUP-004, to install a new antenna and a remote radio unit on an existing traffic signal pole and accessory equipment on the sidewalk with miscellaneous cabling and undergrounding work

**Section 2.** The Planning Commission of the City of Agoura Hills considered the application at a public hearing held on January 15, 2015, at 6:30 p.m. in the Council Chambers of City Hall at 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid was duly given.

**Section 3.** Evidence, both written and oral, including the staff report and supporting documentation, was presented to and considered by the Planning Commission at the aforesaid public hearing.

**Section 4.** Pursuant to Section 9673.2.E. of the Agoura Hills Zoning Ordinance, and based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds, that:

1. The proposed use is consistent with the objectives of the Zoning Ordinance and the purposes of the district in which the use is located. Wireless telecommunications facilities are allowed in the public right-of-way zoned Single Family Residential subject to the issuance of a Conditional Use Permit. The pole mounted antenna and the remote radio unit are relatively small in size and do not need additional screening.
2. The proposed use is compatible with the surrounding properties. The pole is a traffic signal with a lighting fixture which is utilitarian in nature and which is considered a necessity to the community in that it regulates vehicular and pedestrian traffic. The Wireless Telecommunications Facilities including antennas and accessory equipment are allowed by the Ordinance and the Use Agreement to be pole mounted and in the right-of-way without the use of camouflaging structures as it is expected that the visual impact of the added equipment will not be significantly increased. The meter is proposed to be similar to other utility companies' meters. The use is appropriate for the heavily traveled corridor since the use provides a communication service to neighboring commercial and residential properties, as well as to motorists.



3. The proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare. Wireless telecommunications facilities must be built in compliance with the City's Building Code, and are subject to inspection by the City's Building Department to ensure they are constructed in a safe manner. The Federal Communication Commission (FCC) regulates wireless telecommunications facilities, with regards to other related health and safety issues, particularly RF emissions, and establishes thresholds of RF emissions beyond which a facility cannot exceed. As part of the conditions of approval, and pursuant to the Ordinance, the applicant would be required to demonstrate continued compliance with the FCC emission standards.
4. The proposed use will comply with each of the applicable provisions of the Zoning Ordinance. Telecommunication facilities are allowed in the RS zone, subject to the issuance of a Conditional Use Permit. The facilities are designed and located in compliance with the Zoning Ordinance, and with the conditions of approval imposed, will comply with the applicable provisions of the Ordinance.
5. The distance from other similar and like uses is sufficient to maintain the diversity within the community. The pole is one of four at the intersection of Reyes Adobe Road and Thousand Oaks Boulevard and not other installation is proposed in the vicinity. Over the years, other facilities have been approved on commercial buildings in different zones of the City. In this case, the proposed antenna, radio unit and meter would be similar to the existing utility equipment and inconspicuous to the public eye and would not contribute to visual over-concentration of similar uses.
6. The proposed use is consistent with the goals and policies of the General Plan with respect to wireless telecommunications facilities, particularly with Goal U-6 and Policies U-6.1 and U-6.2. The General Plan seeks quality communication systems that meet the demands of new and existing developments in the City, which this proposed use does by providing improved wireless telecommunication services and implementation of state-of-the-art telecommunications services. The General Plan requires that the installation of telecommunication infrastructure, such as cellular sites, be designed in a manner as to minimize visual impacts on the surrounding environment and neighborhood, and to be as unobtrusive as possible. The pole mounted antenna and the remote radio unit are relatively small in size and cause less of a visual impact than a taller macro antenna site. Additionally, mounting the antenna and remote radio unit to an existing pole makes the wireless telecommunications facility as unobtrusive as possible.

**Section 5.** Pursuant to Section 9661.7(A) and (B) of the Agoura Hills Zoning Ordinance, and based upon the evidence presented at the hearing, including the staff report and oral and written testimony, the Planning Commission finds that:

1. The proposed facilities have been designed and located in compliance with all applicable provisions of Division 11 of Part 2, Chapter 6 of Title IX Zoning. The wireless use remains secondary to the traffic signal pole and is permitted in this zone

with a conditional use permit. It is designed with minimal equipment. Further, the applicant has completed the supplemental application for wireless telecommunications facilities to the satisfaction of the Director of Planning and Community Development, which serves, in part, as compliance verification.

2. The proposed facilities have been designed and located to achieve compatibility with the surrounding community. Wireless telecommunications facilities are being incorporated into an existing traffic signal pole structure, and are sufficiently small so as not to be visually intrusive.
3. The applicant has submitted a statement of its willingness to allow other carriers to collocate on the proposed wireless telecommunications facilities wherever technically and economically feasible and where collocation would not harm community compatibility.
4. Noise generated by equipment will not be excessive, annoying, nor be detrimental to the public health, safety, and welfare, and will not exceed the standards set forth in the Ordinance. The noise will not be audible at the property line of any residentially zoned property within 500 feet from the project location, and will not exceed an exterior noise level of fifty-five (55) dBA three feet from the noise source.
5. The applicant has provided substantial written evidence supporting the applicant's claim that it has the right to enter the public right-of-way pursuant to state or federal law, and the applicant has entered into a franchise agreement with the city permitting them to use the public right-of-way. Applicant has submitted to the City a copy of applicant's certificate of public convenience and necessity, issued by the Public Utilities Commission, and the applicant entered into a Right-of-Way Use Agreement with the City on October 26, 2005.
6. The applicant has demonstrated that the facility will not interfere with the use of the public right-of-way and existing subterranean infrastructure and will not interfere with the city's plans for modification of such location and infrastructure. The selected location for the meter will be in line with other utility poles and meters and will not extend further into the pedestrian path

**Section 6. CEQA Findings.**

- A. The Planning Commission hereby finds that the approval of the project is categorically exempt from the California Environmental Quality Act (Public Resources Code Section 2100 et seq., "CEQA"), pursuant to Section 15303 (Class 3), because the project involves the construction and location of limited numbers of new, small facilities or installation of small equipment into a structure, and does not have any potential for causing a significant effect on the environment. Additionally and independently, the Planning Commission finds that the Project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possible significant effect directly related to the project, therefore no

further action is required under CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)).

- B. The custodian of records for all materials that constitute the record of proceeding upon which this decision is based is the City Clerk, and those documents are available for public review in the City Clerk's office located at 30001 Ladyface Court, Agoura Hills, California 91301.

**Section 7.** Based on the aforementioned findings, the Planning Commission hereby approves Wireless Telecommunications Facilities/Conditional Use Permit No. 14-CUP-004, subject to the attached Conditions of Approval, with respect to the property described in Section 1.

**Section 8.** The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and this certification to be entered in the Book of Resolutions of the Planning Commission of the City.

PASSED, APPROVED and ADOPTED this 15<sup>th</sup> day of January, 2015, by the following vote to wit:

AYES: (0)  
NOES: (0)  
ABSTAIN: (0)  
ABSENT: (0)

\_\_\_\_\_  
Michael Justice, Chairperson

ATTEST:

\_\_\_\_\_  
Doug Hooper, Secretary

**Conditions of Approval**  
**(Case No. 14-CUP-004)**

**STANDARD CONDITIONS**

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of this Permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the project plans.
4. All exterior materials used in this project shall be in conformance with the materials samples submitted as a part of this application.
5. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
6. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
7. All requirements of the Zoning Ordinance and of the specific zoning designation of the subject property must be complied with unless set forth in the Conditional Use Permit.
8. Unless this permit is used within two (2) years from the date of City approval, Case No. 14-CUP-004 will expire. A written request for a one (1) year extension may be considered prior to the expiration date.
9. Operation of the use shall not be granted until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
10. The facility will require the approval of the Building and Safety Department prior to installation and operation.

**WIRELESS TELECOMMUNICATIONS FACILITIES STANDARD CONDITIONS**

1. The permittee shall submit an as built drawing within ninety (90) days after installation of the facility.
2. The permittee shall submit and maintain current at all times basic contact and site information on a form to be supplied by the city. The permittee shall notify the city of any changes to the information submitted within seven (7) days of any change, including change of the name or legal status of the owner or operator. This information shall include, but is not limited to, the following:
  - a. Identity, including the name, address and 24-hour local or toll free contact phone number of the permittee, the owner, the operator, and the agent or person responsible for the maintenance of the facility.
  - b. The legal status of the owner of the wireless telecommunications facility, including official identification numbers and Federal Communications Commission certification.
  - c. Name, address and telephone number of the property owner if different than the permittee.
3. Upon any transfer or assignment of the permit, the Director of Planning and Community Development may require submission of any supporting materials or documentation necessary to determine that the proposed use is in compliance with the existing permit and all of its conditions of approval including, but not limited to, statements, photographs, plans, drawings, models, and analysis by a qualified radio frequency engineer demonstrating compliance with all applicable regulations and standards of the Federal Communications Commission and the California Public Utilities Commission. If the director determines that the proposed operation is not consistent with the existing permit, the director shall notify the permittee who shall either revise the application or apply for modification of the permit pursuant to the requirements of the Agoura Hills Municipal Code.
4. The facility shall bear no signs or advertising devices other than certification, warning or other signage required by law or permitted by the City. At all times, all required notices and signs shall be posted on the site as required by the Federal Communications Commission and California Public Utilities Commission, and as approved by the City. The location and dimensions of a sign bearing the emergency contact name and telephone number shall be posted pursuant to the approved plans.
5. At all times, the permittee shall ensure that the facility complies with the most current regulatory and operational standards including, but not limited to, radio frequency emissions standards adopted by the Federal Communications Commission and antenna height standards adopted by the Federal Aviation



Administration, and shall timely submit all monitoring reports required pursuant to section 9661.13 of the Agoura Hills Municipal Code.

6. If the Director of Planning and Community Development determines there is good cause to believe that the facility may emit radio frequency emissions that are likely to exceed Federal Communications Commission standards, the director may require post-installation testing, at permittee's expense, or the director may require the permittee to submit a technically sufficient written report certified by a qualified radio frequency emissions engineer at other than the regularly required intervals specified in Section 9661.13 of the Agoura Hills Municipal Code, certifying that the facility is in compliance with such FCC standards.
7. Permittee shall pay for and provide a performance bond, which shall be in effect until the facilities are fully and completely removed and the site reasonably returned to its original condition, to cover permittee's obligations under these conditions of approval and the City of Agoura Hills Municipal Code. The bond coverage shall include, but not be limited to, removal of the facility, maintenance obligations and landscaping obligations. Such performance bond shall be in a form satisfactory to the City Attorney and Risk Manager, naming the City as obligee, in an amount equal to \$25,000.
8. If a nearby property owner registers a noise complaint and such complaint is verified as valid by the city, the city may hire a consultant to study, examine and evaluate the noise complaint and the permittee shall pay the fee for the consultant. The matter shall be reviewed by the Director of Planning and Community Development. If the Director determines sound proofing or other sound attenuation measures should be required to bring the project into compliance with the Code, the director may impose that condition on the project after notice and a public hearing.
9. "Permittee" shall include the applicant and all successors in interest to this permit.
10. This permit shall be valid for a period of ten (10) years from the date of Planning Commission approval, which is the date of issuance, unless pursuant to another provision of the Agoura Hills Municipal Code it lapses sooner or is revoked. At the end of ten (10) years from the date of issuance, this permit shall expire.
11. Blending/Stealth Methods. The facilities shall have subdued colors and non-reflective materials that blend with the materials and colors of the surrounding area, structures, and pole on which the equipment is mounted. Permittee shall use the least visible antennas possible to accomplish the coverage objectives. Antenna elements shall be flush mounted, to the extent feasible. The streamline design of the wireless telecommunications facility, with the antenna(s) mounted to the light signal pole to give the appearance the facility is part of the pole so it blends in with the surroundings, is an integral feature of the project's compliance with the blending, stealthing, screening, and camouflaging requirements of the Agoura Hills Municipal Code and must be complied with at all times.

12. The facility shall be properly engineered to withstand high wind loads. An evaluation of high wind load capacity shall include the impact of modification of an existing facility.
13. The facilities shall be designed and located in such a manner as to avoid adverse impacts on traffic safety. Each component part of the facility shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, inconvenience to the public's use of the right-of-way, or safety hazards to pedestrians and motorists and in compliance with section 9661.14. Permittee shall not install, use or maintain any wireless telecommunications facility which in whole or in part rests upon, in or over any public sidewalk or parkway, when such installation, use or maintenance endangers or is reasonably likely to endanger the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such facility unreasonably interferes with or impedes the flow of pedestrian or vehicular traffic including any legally parked or stopped vehicle, the ingress into or egress from any residence or place of business, the use of poles, posts, traffic signs or signals, hydrants, mailboxes, permitted sidewalk dining, permitted street furniture or other objects permitted at or near said location.
14. The facility shall not be located within any portion of the public right-of-way interfering with access to fire hydrants, fire stations, fire escapes, water valves, underground vaults, valve housing structures, or any other vital public health and safety facility.
15. In no case shall any ground-mounted facility, above-ground accessory equipment, or walls, fences, landscaping or other screening methods be less than eighteen (18) inches from the front of curb.
16. All cables, including, but not limited to, electrical and utility cables, between the pole and any accessory equipment shall be placed underground. All cables, including, but not limited to, electrical and utility cables, shall be run within the interior of the pole and shall be camouflaged or hidden to the fullest extent feasible without jeopardizing the physical integrity of the pole.
17. The facility shall be built and located in compliance with the Americans with Disabilities Act (ADA).
18. The facility shall not be illuminated unless specifically required by the Federal Aviation Administration or other government agency. Lightning arresters and beacon lights are not permitted unless required by the Federal Aviation Administration or other government agency. Any required lighting shall be shielded to eliminate, to the maximum extent possible, impacts on the surrounding neighborhoods, and a lighting study shall be prepared by a qualified lighting professional to evaluate potential impacts to adjacent properties, which must be reviewed and approved by the City prior to the installation of any lighting.

19. Permittee shall submit to the City within ninety (90) days of beginning operations under this permit, and every two years from the date the facility begins operations, a technically sufficient report (“monitoring report”) that demonstrates the following:
  - a. The facility is in compliance with applicable federal regulations, including Federal Communications Commission RF emissions standards, as certified by a qualified radio frequency emissions engineer;
  - b. The facility is in compliance with all provisions of this section and its conditions of approval.
  - c. The bandwidth of the facility has not been changed since the original application or last report, as applicable, and if it has, a full written description of that change.
  
20. Noise.
  - a. The facility shall be operated in such a manner so as to minimize any possible disruption caused by noise.
  - b. The facility is not approved for a backup generator. In the event of an emergency that results in a loss of power to the facility, a temporary emergency backup generator may be employed and shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 7:00 PM and 7:00 AM. The temporary emergency backup generator shall be promptly removed from the premises once the emergency is terminated.
  - c. At no time shall equipment noise from the facility exceed an exterior noise level of fifty-five (55) dBA three (3) feet from the source of the noise and such equipment noise shall at no time be audible at the property line of any property zoned residential or improved with a residential use.
  - d. Any equipment that may emit noise that would be audible from beyond three (3) feet from the source of the noise shall be enclosed or equipped with noise attenuation devices to the extent necessary to ensure compliance with applicable noise limitations under this permit and the Agoura Hills Municipal Code.
  
21. Features designed to make the facility resistant to, and minimize opportunities for, unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous situations, visual blight or attractive nuisances shall not be removed by permittee and shall be maintained in good condition. In the event the facility, because of its location and/or accessibility, becomes an attractive nuisance, the Director of Planning and Community Development may require the

provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism.

22. Modification. In the event Permittee desires to modify the facility, Permittee shall apply for and obtain all permits or permit amendments required by the Agoura Hills Municipal Code prior to making any modification to the facility. At a minimum, any application for modification to the facility shall use the blending, stealthing, screening, and camouflaging designs approved by this permit unless a more effective screen, concealment or camouflage design is proposed by the permittee or required by the Agoura Hills Municipal Code, or the pole is redesigned or replaced such that it necessitates a new screen, concealment or camouflage design that is consistent with the redesigned or replaced pole. Additionally, to the extent feasible, when the facility is modified existing equipment shall be replaced with equipment that reduces visual, noise and other impacts, including, but not limited to, undergrounding the equipment and replacing larger, more visually intrusive facilities with smaller, less visually intrusive facilities. "Modification" means a change to an existing wireless telecommunications facility that involves any of the following: collocation, expansion, alteration, enlargement, intensification, reduction, or augmentation, including, but not limited to, changes in size, shape, color, visual design, or exterior material. "Modification" does not include repair, replacement or maintenance if those actions do not involve a change to the existing facility involving any of the following: collocation, expansion, alteration, enlargement, intensification, reduction, or augmentation.
23. The facility, including, but not limited to, antennas, accessory equipment, walls, shields, cabinets, screens, camouflage, and the facility site, shall be maintained in good condition, including ensuring the facility is reasonably free of:
- a. General dirt and grease;
  - b. Chipped, faded, peeling, and cracked paint;
  - c. Rust and corrosion;
  - d. Cracks, dents, and discoloration;
  - e. Missing, discolored or damaged screening or other camouflage;
  - f. Graffiti, bills, stickers, advertisements, litter and debris;
  - g. Broken and misshapen structural parts; and
  - h. Any damage from any cause.

The permittee shall replace its facility, or part thereof, after obtaining all required permits, if maintenance or repair is not sufficient to return the facility to the condition it was in at the time of installation. The permittee shall routinely

inspect the facility and site to ensure compliance with the standards set forth in the Agoura Hills Municipal Code and these conditions of approval.

24. Graffiti shall be removed from a facility as soon as practicable, and in no instance more than twenty-four (24) hours from the time of notification by the City, unless a provision of the Agoura Hills Municipal Code provides a shorter time period for removal.
25. In the event the facility ceases to provide wireless telecommunications services for ninety (90) or more consecutive days, the facility shall be considered abandoned and shall be promptly removed as provided in these conditions of approval and the Agoura Hills Municipal Code. If there are two (2) or more users of a single facility, then this provision shall not become effective until all users cease using the facility.
26. Permittee shall notify the City in writing of its intent to abandon or cease use of the facility within ten (10) days of ceasing or abandoning use. Additionally, the Permittee shall provide written notice to the Director of any discontinuation of operations of thirty (30) days or more.
27. Failure to inform the Director of cessation or discontinuation of operations of the facility as required by these conditions of approval shall constitute a violation of the conditions of approval and be grounds for:
  - a. Prosecution;
  - b. Revocation or modification of the permit;
  - c. Calling of any bond or other assurance required by the Agoura Hills Municipal Code or conditions of approval of the permit;
  - d. Removal of the facility by the City in accordance with the procedures established under the Agoura Hills Municipal Code for abatement of a public nuisance at the permittee's expense; and/or
  - e. Any other remedies permitted under the Agoura Hills Municipal Code.
28. Upon the expiration date of the permit, including any extensions, earlier termination or revocation of the permit or abandonment of the facility, the permittee shall remove the facility and restore the site to its natural condition except for retaining the landscaping improvements and any other improvements at the discretion of the City. Removal shall be in accordance with proper health and safety requirements and all ordinances, rules, and regulations of the City. The facility shall be removed from the property, at no cost or expense to the City. To the extent the facility is attached to or placed on property that is not owned or controlled by the City, the owner of such non-City property shall be independently responsible for the expense of timely removal and restoration.



29. Failure of the permittee, the non-City property owner, or both to promptly remove the facility and restore the property within thirty (30) days after expiration of this permit, earlier termination or revocation of this permit, or abandonment of the facility, shall be a violation of the Agoura Hills Municipal Code, and shall be grounds for:
  - a. Prosecution;
  - b. Calling of any bond or other assurance required by the Agoura Hills Municipal Code or conditions of approval of permit;
  - c. Removal of the facility by the City in accordance with the procedures established under the Agoura Hills Municipal Code for abatement of a public nuisance at the permittee and/or property owner's expense; and/or
  - d. Any other remedies permitted under the Agoura Hills Municipal Code.
30. Summary Removal. In the event the director or city engineer determines that the condition or placement of a wireless telecommunications facility or wireless telecommunications collocation facility located in the public right-of-way constitutes a dangerous condition, obstruction of the public right-of-way, or an imminent threat to public safety, or determines other exigent circumstances require immediate corrective action (collectively, "exigent circumstances"), the director or city engineer may cause the facility to be removed summarily and immediately without advance notice or a hearing, in accordance with the Agoura Hills Municipal Code, or the director or city engineer may take any other action permitted under applicable law.
31. The facility shall comply at all times with any and all applicable local, state, and federal laws, regulations and guidelines. Any violation of these conditions of approval or the Agoura Hills Municipal Code may be subject to the citations, penalties and fines as set forth in the Agoura Hills Municipal Code, other available remedies and/or revocation or modification of this permit at the discretion of the City Attorney and City Prosecutor.
32. The wireless telecommunications facility shall be subject to such conditions, changes or limitations as are from time to time deemed necessary by the city engineer for the purpose of: (a) protecting the public health, safety, and welfare; (b) preventing interference with pedestrian and vehicular traffic; and/or (c) preventing damage to the public right-of-way or any property adjacent to it. The City may modify the permit to reflect such conditions, changes or limitations by following the same notice and public hearing procedures as are applicable to the grant of a wireless telecommunications facility permit for similarly located facilities, except the permittee shall be given notice by personal service or by registered or certified mail at the last address provided to the City by the permittee.

33. The permittee shall not transfer the permit to any person prior to completion of construction of the facility covered by the permit.
34. The permittee shall not move, alter, temporarily relocate, change, or interfere with any existing structure, improvement or property without the prior written consent of the owner of that structure, improvement or property. No structure, improvement or property owned by the city shall be moved to accommodate a wireless telecommunications facility unless the city determines that such movement will not adversely affect the city or any surrounding businesses or residents, and the permittee pays all costs and expenses related to the relocation of the city's structure, improvement or property. Prior to commencement of any work pursuant to an encroachment permit issued for any facility within the public right-of-way, the permittee shall provide the city with documentation establishing to the city's satisfaction that the permittee has the legal right to use or interfere with any other structure, improvement or property within the public right-of-way to be affected by applicant's facilities.
35. The permittee shall assume full liability for damage or injury caused to any property or person by the facility.
36. The permittee shall repair, at its sole cost and expense, any damage including, but not limited to subsidence, cracking, erosion, collapse, weakening, or loss of lateral support to city streets, sidewalks, walks, curbs, gutters, trees, parkways, street lights, traffic signals, improvements of any kind or nature, or utility lines and systems, underground utility line and systems, or sewer systems and sewer lines that result from any activities performed in connection with the installation and/or maintenance of a wireless telecommunications facility in the public right-of-way. The permittee shall restore such areas, structures and systems to the condition in which they existed prior to the installation or maintenance that necessitated the repairs. In the event the permittee fails to complete such repair within the number of days stated on a written notice by the city engineer, the city engineer shall cause such repair to be completed at permittee's sole cost and expense.
37. Insurance. The permittee shall obtain, pay for and maintain, in full force and effect until the facility approved by the permit is removed in its entirety from the public right-of-way, an insurance policy or policies of public liability insurance, with minimum limits of Two Million Dollars (\$2,000,000) for each occurrence and Four Million Dollars (\$4,000,000) in the aggregate, that fully protects the city from claims and suits for bodily injury and property damage. The insurance must name the city and its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers as additional named insureds, be issued by an insurer admitted in the State of California with a rating of at least a A:VII in the latest edition of A.M. Best's Insurance Guide, and include an endorsement providing that the policies cannot be canceled or reduced except with thirty (30) days prior written notice to the city. The insurance provided by permittee shall be primary to any coverage available to the city, and any insurance or self-insurance maintained by the city and its elected

and appointed council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers shall be excess of permittee's insurance and shall not contribute with it. The policies of insurance required by this permit shall include provisions for waiver of subrogation. In accepting the benefits of this permit, permittee hereby waives all rights of subrogation against the city and its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers. The insurance must afford coverage for the permittee's and the wireless provider's use, operation and activity, vehicles, equipment, facility, representatives, agents and employees, as determined by the city's risk manager. Before issuance of any building permit for the facility, the permittee shall furnish the city risk manager certificates of insurance and endorsements, in the form satisfactory to the city attorney or the risk manager, evidencing the coverage required by the city.

38. Indemnification. To the fullest extent permitted by law, the permittee, and every permittee and person in a shared permit, jointly and severally, shall defend, indemnify, protect and hold the city and its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers harmless from and against all claims, suits, demands, actions, losses, liabilities, judgments, settlements, costs (including, but not limited to, attorney's fees, interest and expert witness fees), or damages claimed by third parties against the city for any bodily or personal injury, and for property damage sustained by any person, arising out of, resulting from, or are in any way related to the wireless telecommunications facility, or to any work done by or use of the public right-of-way by the permittee, owner or operator of the wireless telecommunications facility, or their agents, excepting only liability arising out of the sole negligence or willful misconduct of the city and its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers.
39. Permittee shall also defend, indemnify, protect and hold harmless city, its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees, and volunteers from and against any and all claims, actions, or proceeding against the city, and its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees, and volunteers to attack, set aside, void or annul, an approval of the city, planning commission or city council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys' fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The city shall promptly notify the permittee of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at permittee's expense.

40. Should any utility company offer electrical service that does not require the use of a meter cabinet, the permittee shall at its sole cost and expense remove the meter cabinet and any related foundation within thirty (30) days of such service being offered and reasonably restore the area to its prior condition.
41. Relocation. The permittee shall modify, remove, or relocate its facility, or portion thereof, without cost or expense to city, if and when made necessary by (i) any public improvement project, including, but not limited to, the construction, maintenance, or operation of any underground or above ground facilities including but not limited to sewers, storm drains, conduits, gas, water, electric or other utility systems, or pipes owned by city or any other public agency, (ii) any abandonment of any street, sidewalk or other public facility, (iii) any change of grade, alignment or width of any street, sidewalk or other public facility, or (iv) a determination by the director that the wireless telecommunications facility has become incompatible with public health, safety or welfare or the public's use of the public right-of-way. Such modification, removal, or relocation of the facility shall be completed within ninety (90) days of notification by city unless exigencies dictate a shorter period for removal or relocation. Modification or relocation of the facility shall require submittal, review and approval of a modified permit pursuant to the Code. The permittee shall be entitled, on permittee's election, to either a pro-rata refund of fees paid for the original permit or to a new permit, without additional fee, at a location as close to the original location as the standards set forth in the Code allow. In the event the facility is not modified, removed, or relocated within said period of time, city may cause the same to be done at the sole cost and expense of permittee. Further, due to exigent circumstances as provided in the Code, the city may modify, remove, or relocate wireless telecommunications facilities without prior notice to permittee provided permittee is notified within a reasonable period thereafter.
42. This Conditional Use Permit (Case No. 14-CUP-004) does not confer any exclusive right, privilege, license or franchise to occupy or use the public right-of-way of the city for delivery of telecommunications services or any other purposes and shall not be construed as any warranty of title. In the performance and exercise of its rights and obligations under this Conditional Use Permit, the permittee shall not place any facilities that will deny access to, or otherwise interfere with, any public utility, easement, or right-of-way located on the site, without the express written approval of the owner or owners of the affected property or properties, except as authorized by applicable laws. The permittee shall allow the city reasonable access to, and maintenance of, all utilities and existing public improvements within or adjacent to the site, including, but not limited to, poles, pavement, trees, public utilities, lighting and public signage.
43. A right-of-way agreement between the permittee and the City must be in effect at all times the permittee has its wireless telecommunications facility in the public right-of-way, which agreement shall establish the particular terms and provisions under which the right to occupy city-owned property or the public right-of-way,

or both, shall be used or maintained. Permittee entered into a right-of-way use agreement with the city on October 26, 2005 (the "2005 ROW Agreement"). To the extent that any of these conditions of approval conflict with permittee's 2005 ROW Agreement with the City, the 2005 ROW Agreement shall control until such time as the current term of the 2005 ROW Agreement expires. At the expiration of the 2005 ROW Agreement, the permittee is required to enter into a successor agreement that includes, but is not limited to, the terms listed in Section 9661.8 of the Agoura Hills Municipal Code, and which is consistent with these conditions of approvals.

END



**CROWN CASTLE NG WEST LLC**

**SITE: REYES ADOBE/THOUSAND OAKS**

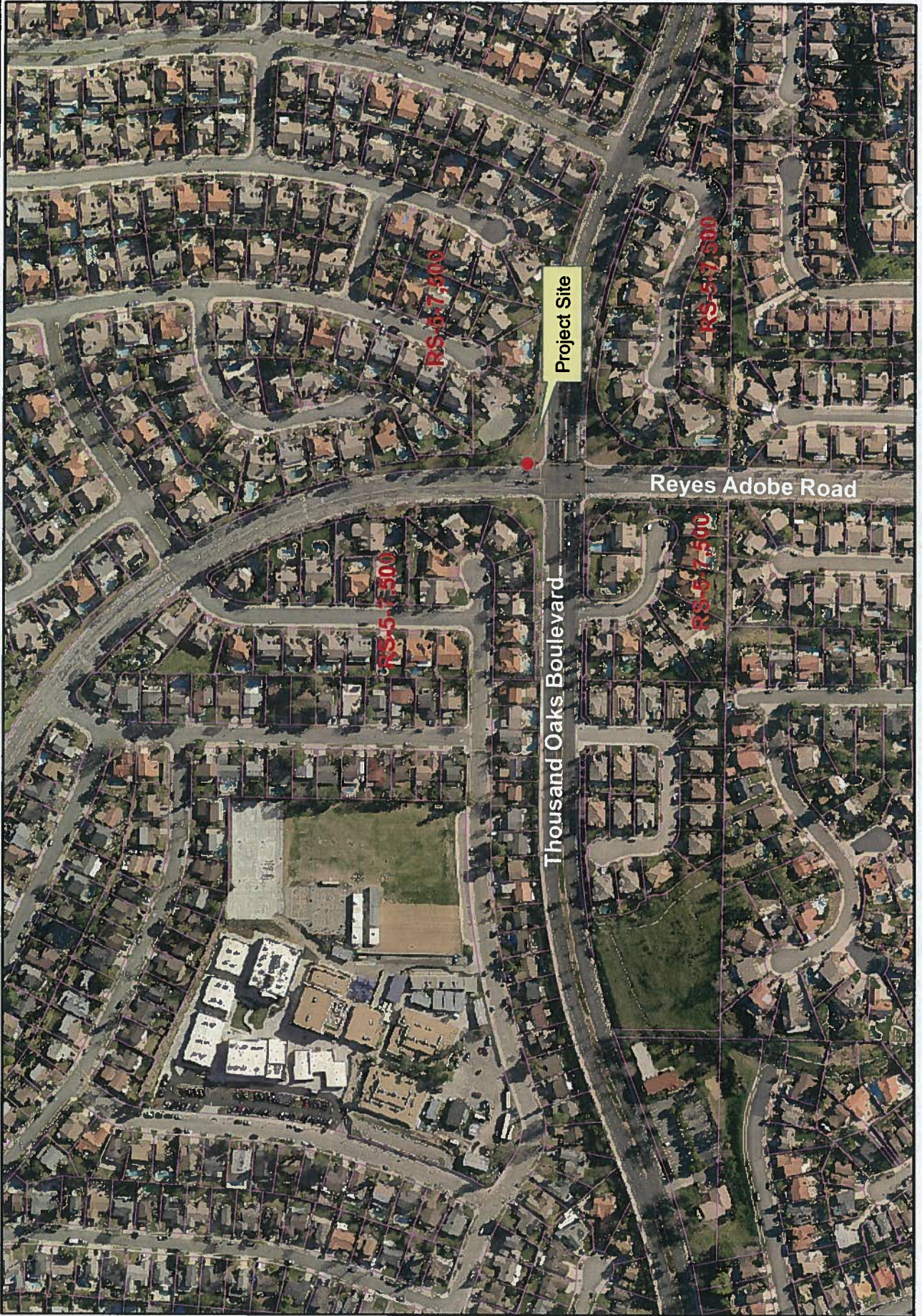
**EXHIBIT A**



# City of Agoura Hills

CONDITIONAL USE PERMIT CASE NO. 14-CUP-004

Vicinity/Zoning  
Map





**CROWN CASTLE NG WEST LLC**

**SITE: REYES ADOBE/THOUSAND OAKS**

**EXHIBIT B**





**CROWN CASTLE NG WEST LLC**

**SITE: REYES ADOBE/THOUSAND OAKS**

**EXHIBIT C**





REV.	DATE/APP.	REVISION DESCRIPTION
0	07/20/14	ISSUED FOR PERMIT
1	07/24/14	ISSUED FOR PERMIT
2	08/27/14	ISSUED FOR PERMIT

ENGINEER/ARCHITECT/PLANNER

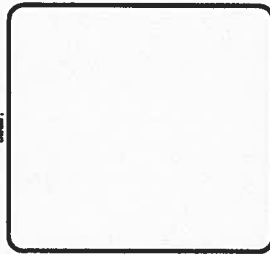


EDG  
COUNSELL DESIGN GROUP, LLC  
10000 W. CENTRAL EXPRESSWAY, SUITE 100  
DENVER, CO 80231  
303.750.7400 FAX: 303.750.7401

OWNER



CROWN CASTLE  
NG WEST, LLC



SEE INFO

TDOK14m1  
MPC1048CA-TDOK14m1

SEE ADDRESS THOUSAND OAKS BLVD 145  
FROM ADJACENT TO 3025 THOUSAND OAKS BLVD  
ADJACENT TO 3025 THOUSAND OAKS BLVD  
ADJACENT TO 3025 THOUSAND OAKS BLVD  
ADJACENT TO 3025 THOUSAND OAKS BLVD

SHEET TITLE

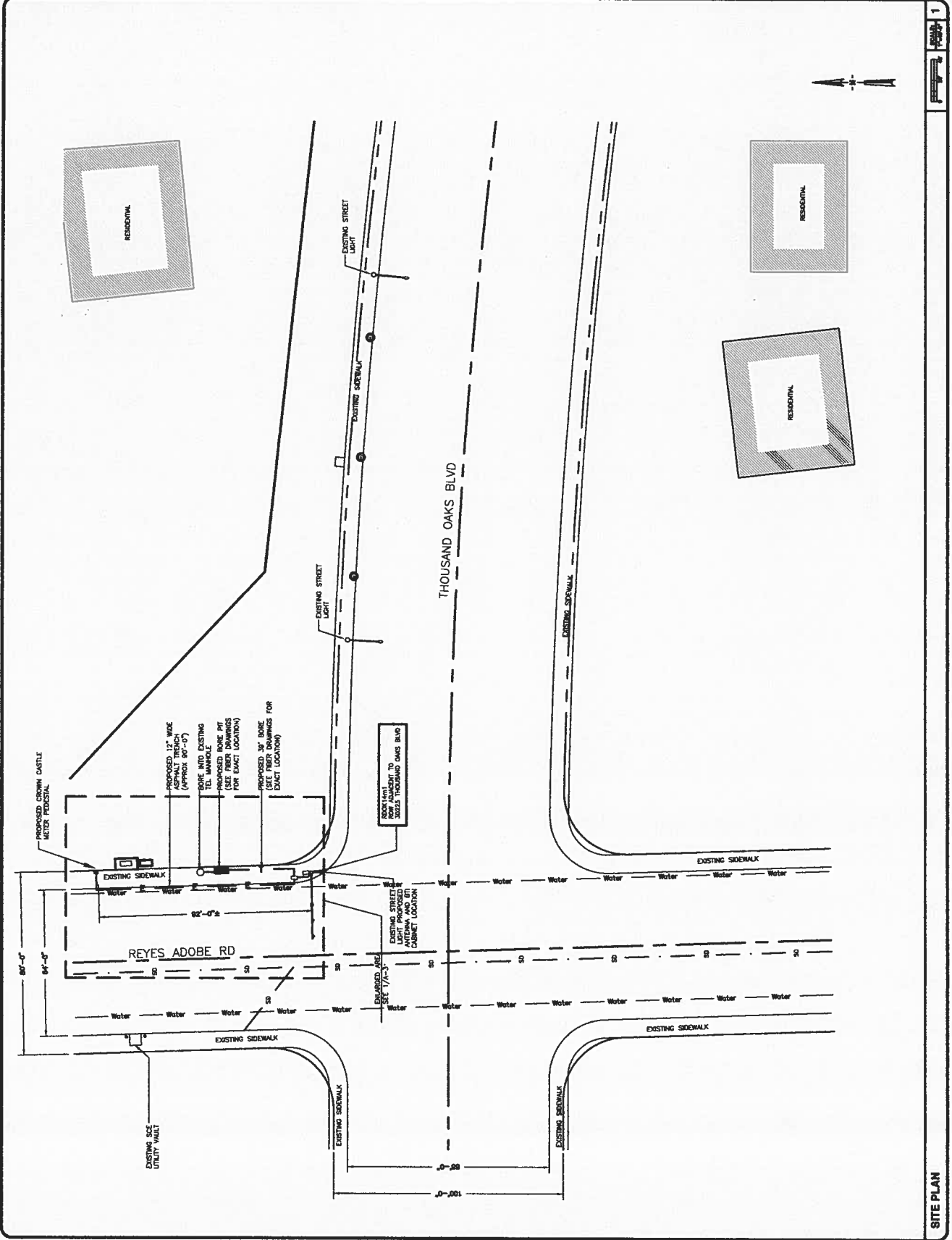
SEE PLAN AND  
ELEVATION

DRAWING INFO

DRAWN BY: PC  
DATE: 07/24/14

SHEET NUMBER

A-1



SITE PLAN

REV	DATE/APP	REVISION DESCRIPTION
0	07/20/14	ISSUED FOR PERMIT
1	07/20/14	ISSUED FOR PERMIT
2	07/22/14	ISSUED FOR PERMIT

ENGINEER/CONSULTANT



CHIEF ENGINEER  
**EDG**  
 CONSULTING ENGINEERS, LLC  
 1400 S. UNIVERSITY AVENUE, SUITE 100  
 ANAHEIM, CALIFORNIA 92801  
 PHONE: 714.944.1111 FAX: 714.944.1112

CLIENT



**CROWN CASTLE**  
 NG WEST, LLC

COMP.

SITE INFO

SITE NAME: **TDOK14m1**  
 MPC1048CA - TDOK14m1

SITE ADDRESS: 7000 S. STATE ST. SUITE 100  
 ANAHEIM, CA 92801  
 PHONE: 714.944.1111

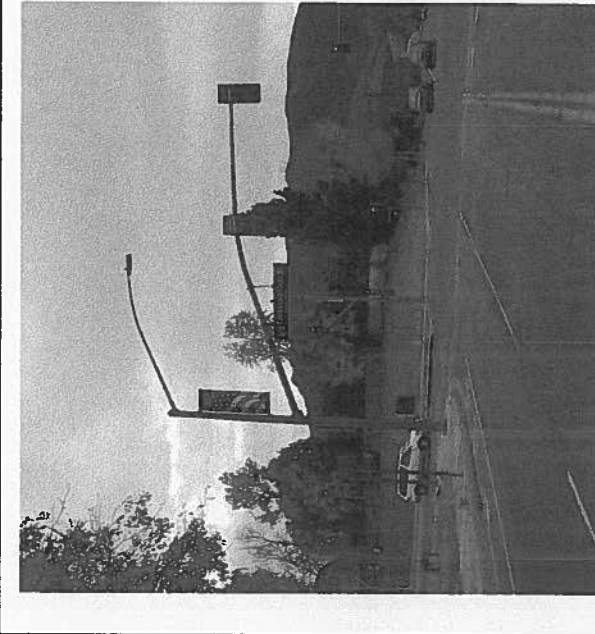
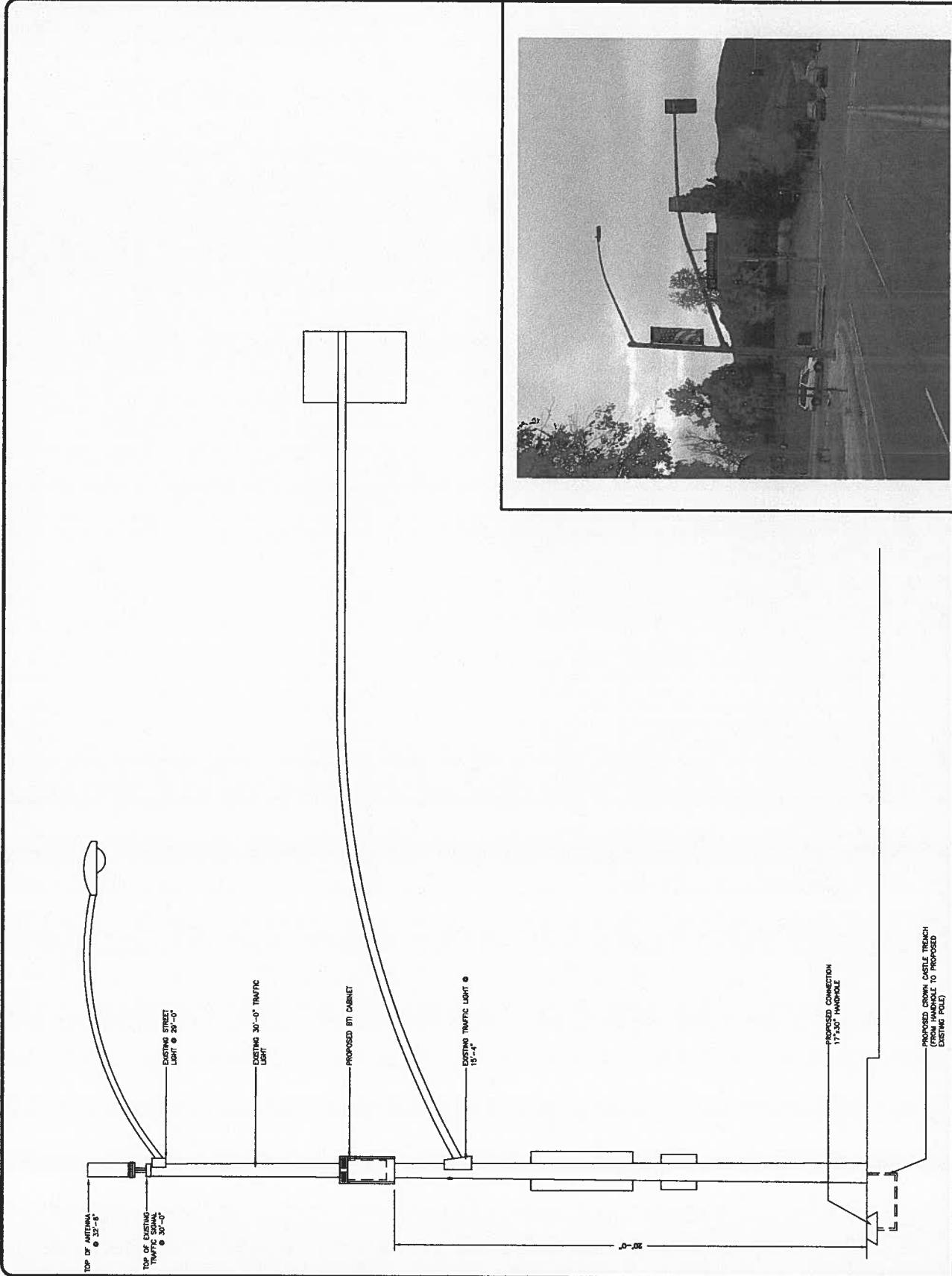
SHEET TITLE

**ELEVATION**

DATE	DATE
07/20/14	07/20/14
REVISED FOR	REVISED FOR
PERMIT	PERMIT

SHEET NUMBER

**A-2**



ELEVATION LOOKING SOUTH

1

REV	DATE/PRN	REVISION DESCRIPTION
0	07/20/14	ISSUED FOR PERMIT
1	07/28/14	ISSUED FOR PERMITS
2	08/27/14	ISSUED FOR PERMITS

Old Engineer

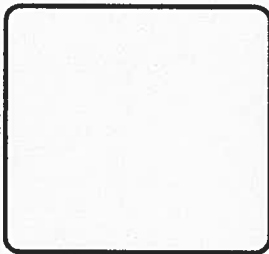


**EDG**  
**ENGINEERING DESIGN GROUP, LLC**  
 2400 LAKWOOD AVENUE / SUITE 100 / FORT LAUDERDALE, FL 33309  
 (954) 344-0000 / FAX: (954) 344-0001

OWNER



**CROWN CASTLE**  
 NG WEST, LLC



SITE INFO

SITE NAME: **TDOI4m1**  
 MPC1048CA - TDOI4m1

SITE ADDRESS: THOMAS BRIDGE PARK 857 GARD HS  
 800 ALABAMA TO JERRY THOMPSON GARD BLVD  
 ANDERSON HILLS, CA 95007  
 LOTS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

SHEET TITLE

**REVISIONS**

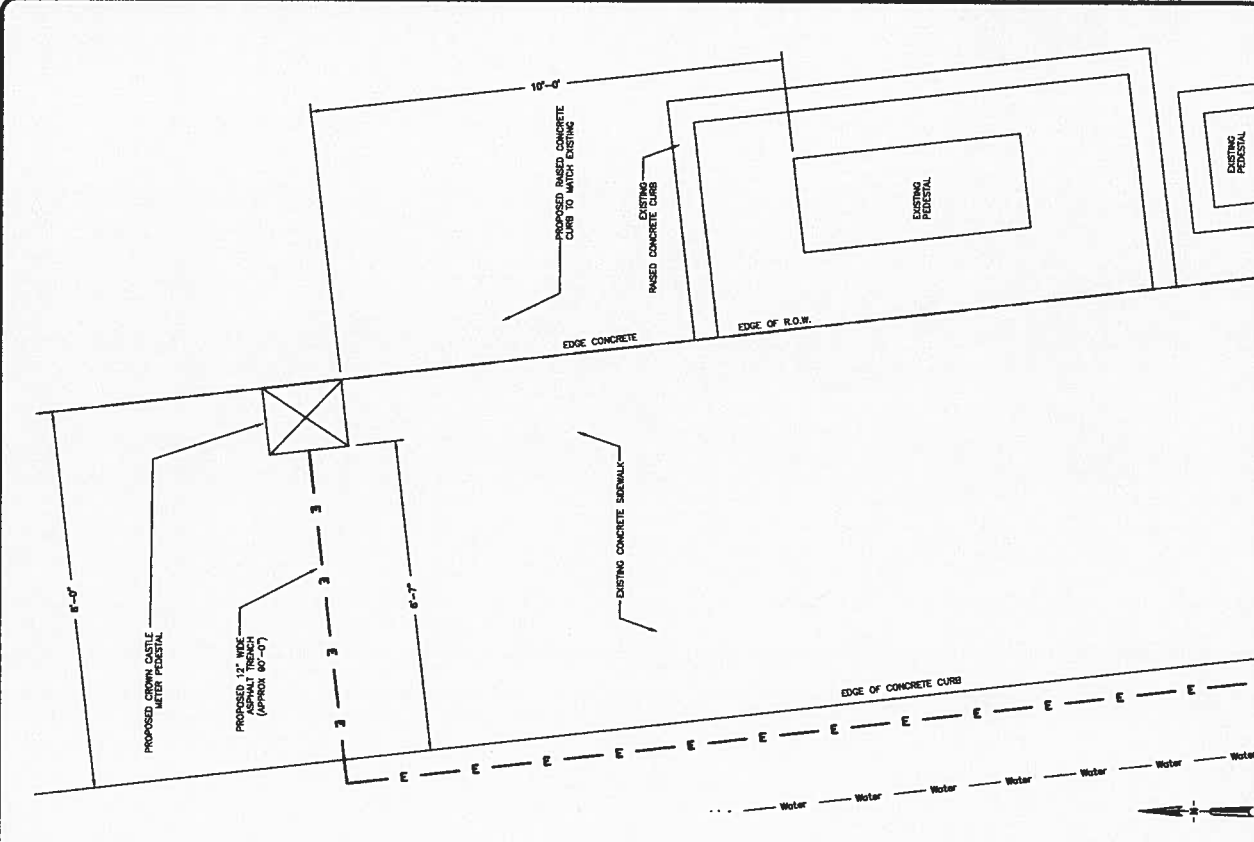
DESIGNED BY:

DRAWN BY: **PC**

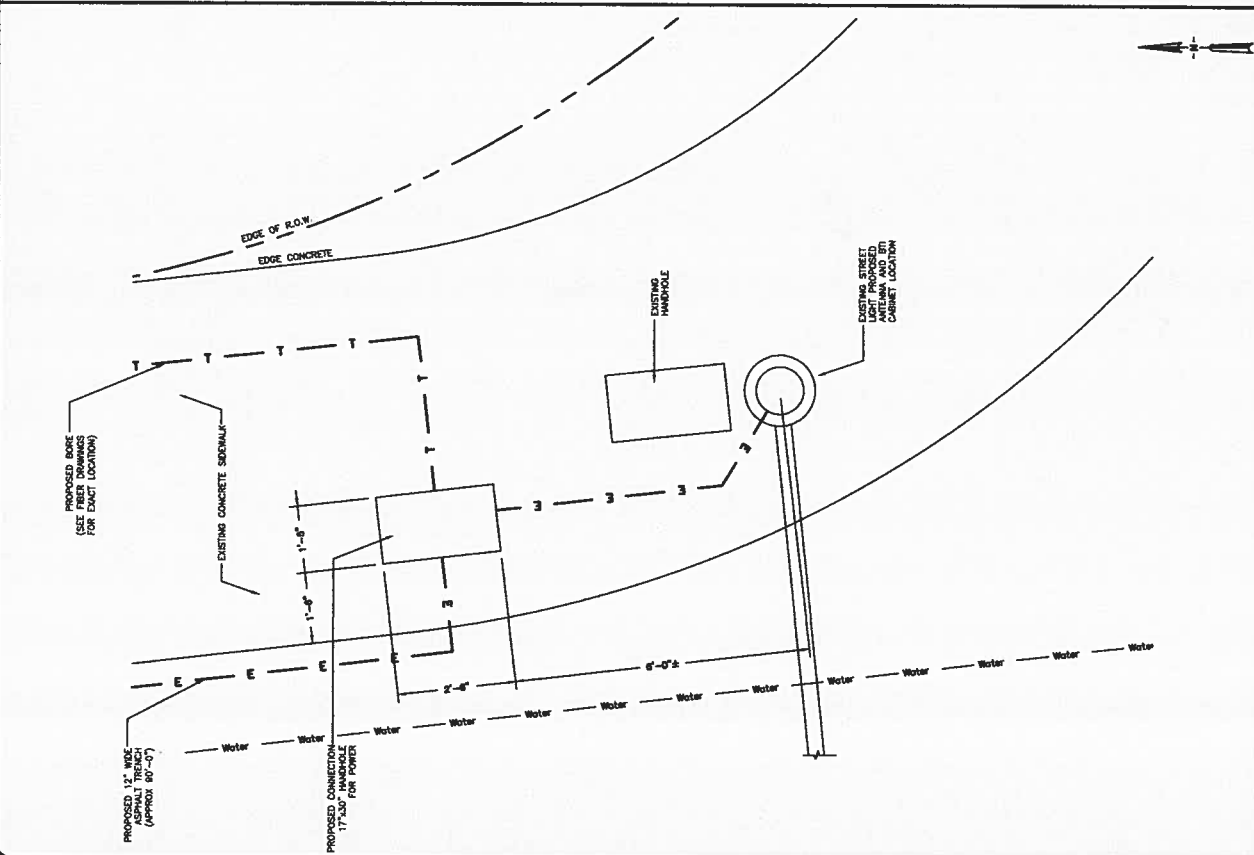
DATE: **07/24/14**

SHEET NUMBER:

**A-3**



1 METER LOCATION



2 ANTENNA LOCATION



REV	DATE/REV	REVISION DESCRIPTION
0	07/20/14	ISSUED FOR PERMIT
1	07/20/14	ISSUED FOR PERMIT
2	08/27/14	ISSUED FOR PERMIT

EDG  
 CONSULTING ENGINEERS, LLC  
 2405 HANCOCK PARKWAY, FORT LAUDERDALE, FL 33309  
 954-351-1234  
 954-351-1234 FAX

CROWN  
 CASTLE  
 NG WEST, LLC

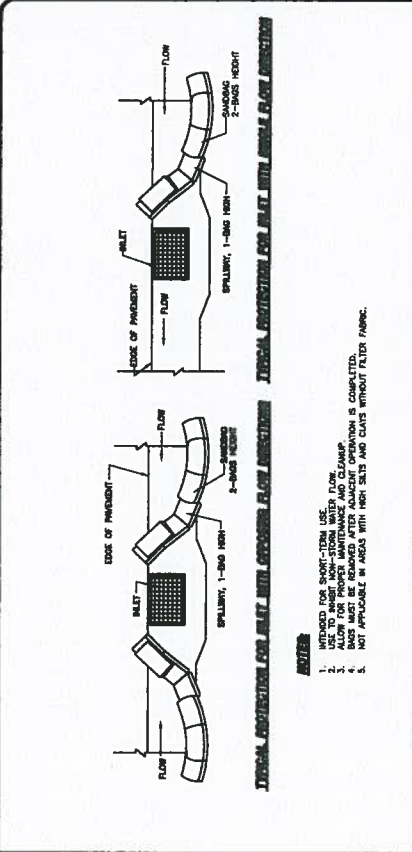
SCMP

SITE INFO  
 TDK14m1  
 MPC1048CA - TDK14m1  
 SITE ADDRESS: TRINITY BROS PHASE 027 GRD 015  
 NEW ALUMINUM TO STEEL TRANSFORMERS GARD BLVD  
 FORT LAUDERDALE, FL 33309

SHEET TITLE  
 DETAILS

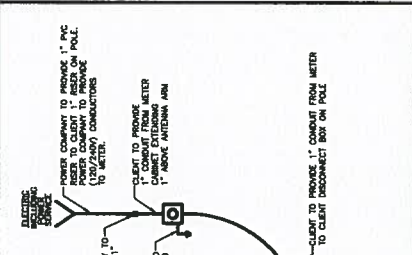
DRAWING INFO  
 DATE: 07/20/14  
 DRAWN BY: PC  
 SHEET NUMBER: D-1

D-1



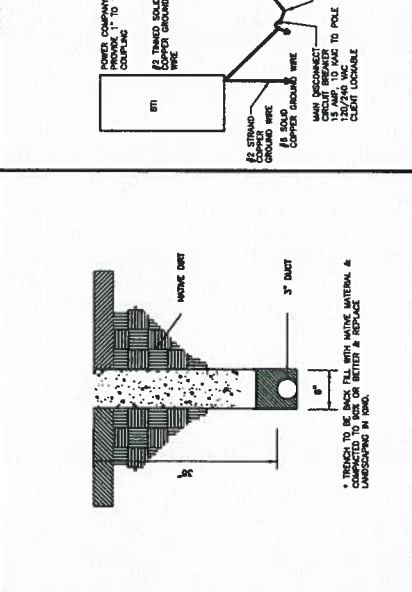
**TRENCH DETAIL**

NOTES  
 1. INTERLOCK FOR SHORT-TERM USE.  
 2. ALLOW FOR PROPER MAINTENANCE AND CLEANUP.  
 3. BMS MUST BE REMOVED AFTER ADJACENT OPERATION IS COMPLETED.  
 4. NOT APPLICABLE IN AREAS WITH HIGH SETS AND CURBS WITHOUT FLOOR FINISH.



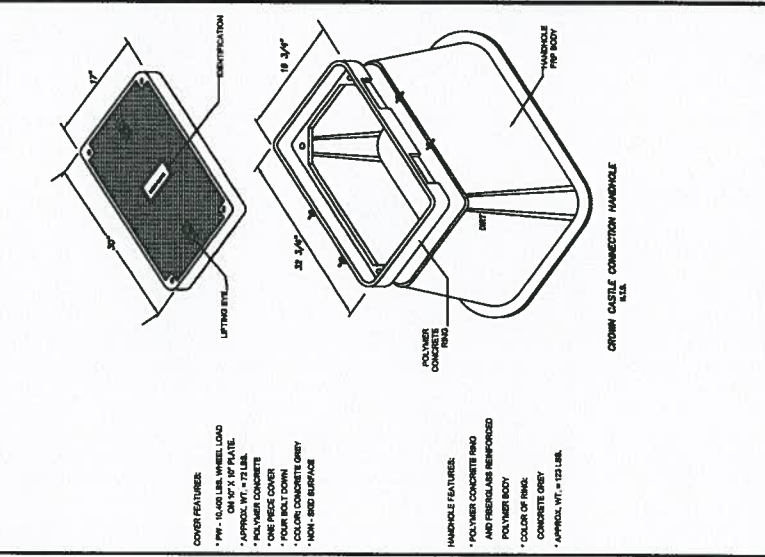
**ELECTRIC SINGLE LINE DIAGRAM**

NOTES

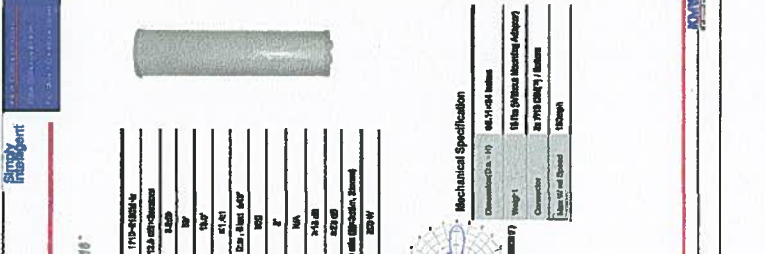


**TRENCH DETAIL**

NOTES



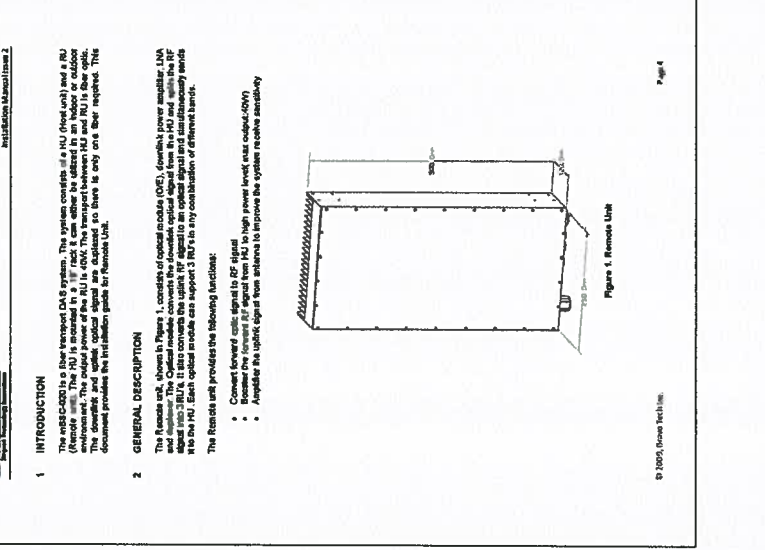
**CROWN CASTLE CONNECTION HANDHOLE DETAIL**



**STORM DRAIN INLET PROTECTION**



**ELECTRIC SINGLE LINE DIAGRAM**



**BTU SPECIFICATIONS**

REV	DATE/REV	REVISION DESCRIPTION
0	07/20/14	ISSUED FOR PERMIT
1	07/20/14	ISSUED FOR PERMIT
2	08/27/14	ISSUED FOR PERMIT

EDG  
 CONSULTING ENGINEERS, LLC  
 2405 HANCOCK PARKWAY, FORT LAUDERDALE, FL 33309  
 954-351-1234  
 954-351-1234 FAX

CROWN  
 CASTLE  
 NG WEST, LLC

SCMP

SITE INFO  
 TDK14m1  
 MPC1048CA - TDK14m1  
 SITE ADDRESS: TRINITY BROS PHASE 027 GRD 015  
 NEW ALUMINUM TO STEEL TRANSFORMERS GARD BLVD  
 FORT LAUDERDALE, FL 33309

SHEET TITLE  
 DETAILS

DRAWING INFO  
 DATE: 07/20/14  
 DRAWN BY: PC  
 SHEET NUMBER: D-1

D-1

TRENCH DETAIL

STORM DRAIN INLET PROTECTION


ELECTRIC SINGLE LINE DIAGRAM

BTU SPECIFICATIONS



REV	DATE/REV	REVISION DESCRIPTION
0	07/27/14	ISSUED FOR REVIEW
1	07/28/14	ISSUED FOR PERMITS
2	08/27/14	ISSUED FOR PERMITS

ENGINEER, ARCHITECT/PLANNER


**EDG**  
 ENGINEERING DESIGN GROUP, LLC  
 CONSULTING ENGINEERS ARCHITECTS PLANNERS  
 2401 ALABAMA PARKWAY, SUITE 1000, FORT WORTH, TX 76104  
 PHONE: 817.339.0000 FAX: 817.339.0007

CLIENT


**CROWN CASTLE**  
 NG WEST, LLC

STAMP

SITE INFO

**TDOK14m1**  
 MPC1048CA-TDOK14m1  
 SITE ADDRESS: THOMAS BRIDG PAVILION EXT. GRID 145  
 NEW ADJACENT TO JAZZ WALKWAY GRID 8100  
 FORT WORTH, TEXAS 76104  
 LANS - 7/18/2017

SHEET TITLE

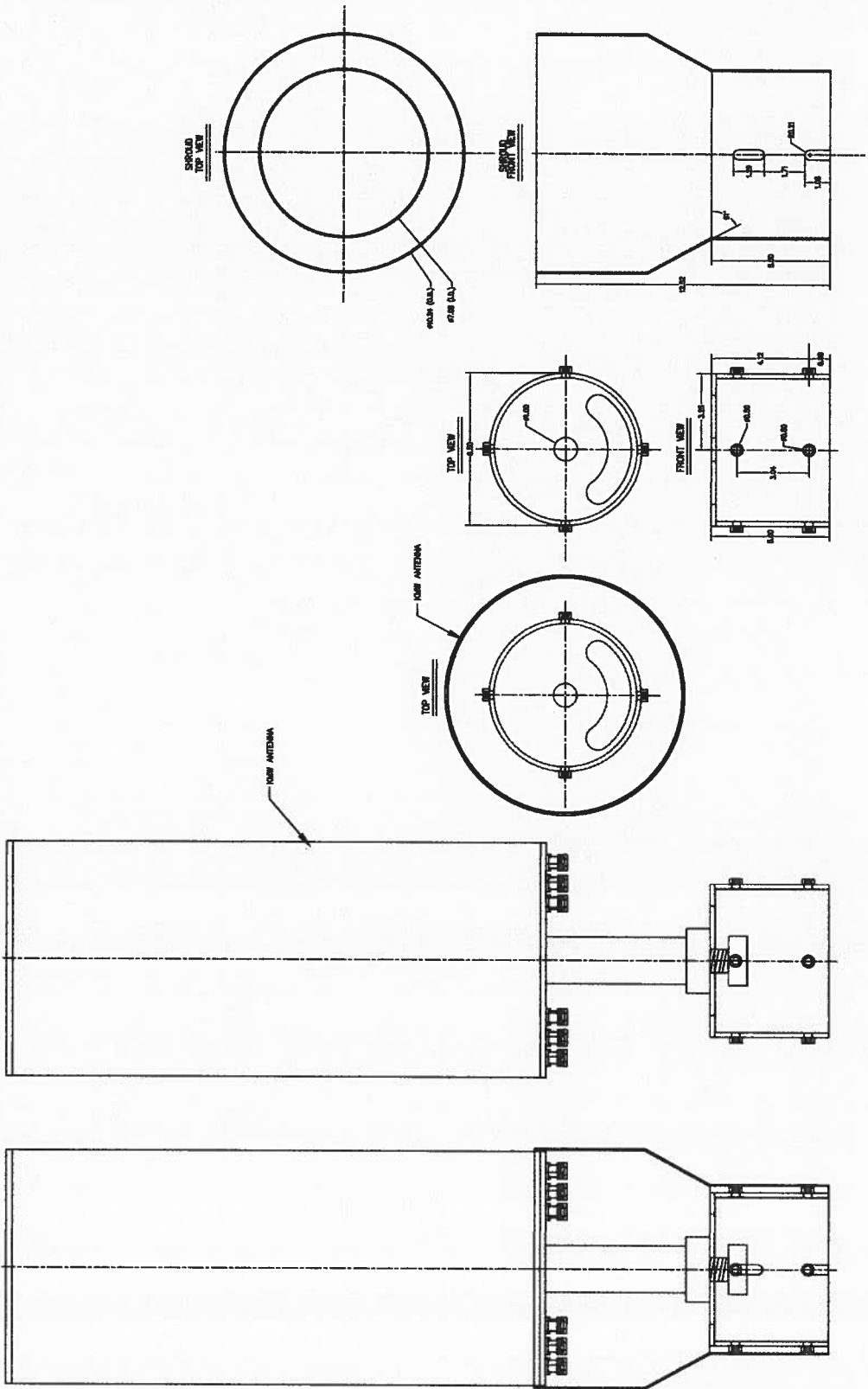
**DETAILS**

DRW. NAME:	DATE:
DRAWN BY:	07/28/14

SHEET NUMBER

**D-2**

- RED HIDDEN LINES Represents any line of an object that is hidden in a particular view.
- BLUE BOLD LINES Represents any line of an object that is visible in a particular view.
- BLACK HIDDEN LINES Represents items that are "not modeled in 3D".



REV	DATE/PR	REVISION DESCRIPTION
0	07/20/14	ISSUED FOR PERMIT
1	07/20/14	ISSUED FOR PERMIT
2	08/22/14	ISSUED FOR PERMIT


  
**EDG**
  
 CONSULTING ENGINEERS, LLC
   
 2400 LINDSEY AVENUE SUITE 1000
   
 FARMINGTON, CT 06030
   
 PHONE: 860.634.1100
   
 FAX: 860.634.1101
   
 WWW.EDG-CT.COM


  
**CROWN CASTLE**
  
 NG WEST, LLC
   
 10000 W. CENTURY BLVD. SUITE 1000
   
 WESTLAND, MI 48090
   
 PHONE: 734.771.1100
   
 FAX: 734.771.1101
   
 WWW.CROWNCASTLE.COM

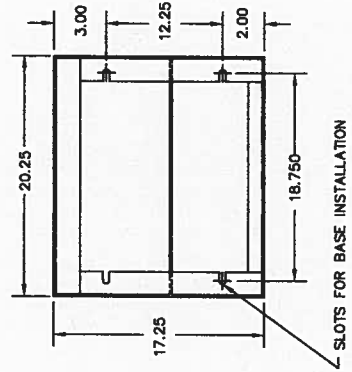
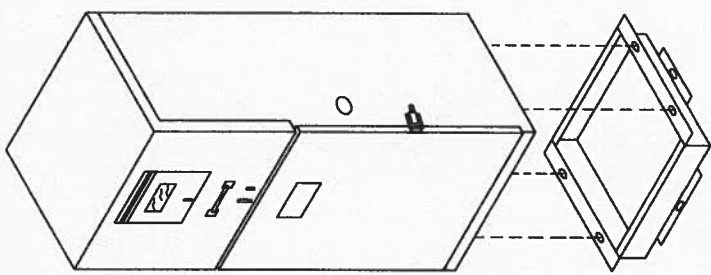
DRAWING NO. **TDOK14m1**
  
 PROJECT NO. **MPC1048CA-TDOK14m1**
  
 DATE: **07/20/14**
  
 DRAWN BY: **PC**
  
 CHECKED BY: **PC**
  
 SHEET NUMBER: **D-3**

SITE INFO:
   
**TDOK14m1**
  
**MPC1048CA-TDOK14m1**
  
 SITE ADDRESS: **THOMAS BOND PARK EXT UNIT 145**
  
**NEW JARVISVILLE TO JONES BRIDGING OVER BLVD**
  
**ADJACENT TO NEW JARVISVILLE OVER BLVD**
  
**ADJACENT TO NEW JARVISVILLE OVER BLVD**
  
**ADJACENT TO NEW JARVISVILLE OVER BLVD**

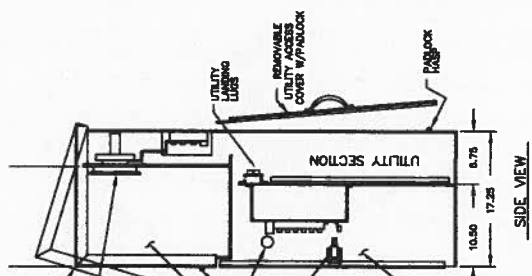
SHEET TITLE:
   
**DETAILS**

DRAWING NO.
   
 DATE:
   
 DRAWN BY:
   
 CHECKED BY:
   
 SHEET NUMBER:

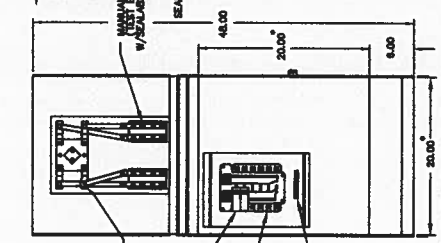
**D-3**



**BOTTOM VIEW**  
**MOUNTING SLOT DETAIL**



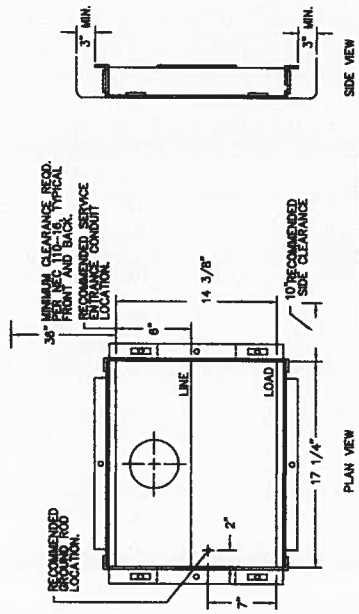
**SIDE VIEW**



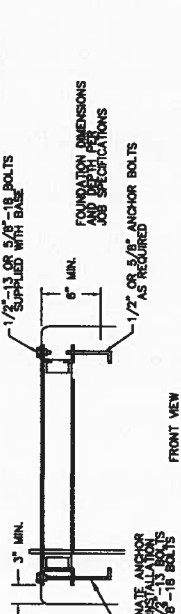
**FRONT VIEW**

\* CUSTOMER EQUIPMENT AREA 20.00 X 20.00 X 6.25  
 LESS DOOR, REARFRONT, AND COVER

**BASE DETAIL**



**PLAN VIEW**



**FRONT VIEW**


MEQP-1 10/00

**CROWN CASTLE NG WEST LLC**

**SITE: REYES ADOBE/THOUSAND OAKS**

**EXHIBIT D**

**TDOK14m1**  
**ROW at NE corner of Reyes Adobe Rd**  
**& E. Thousand Oaks Blvd**  
 Existing Traffic Signal  
 Thousand Oaks, CA


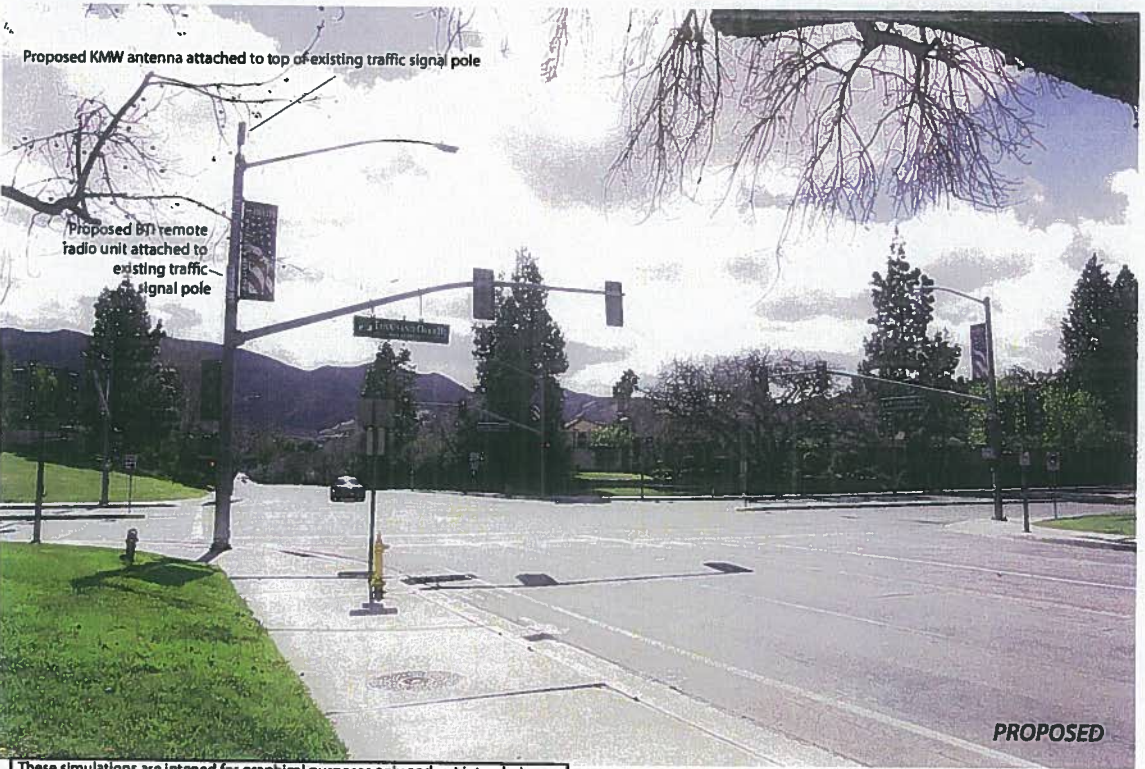
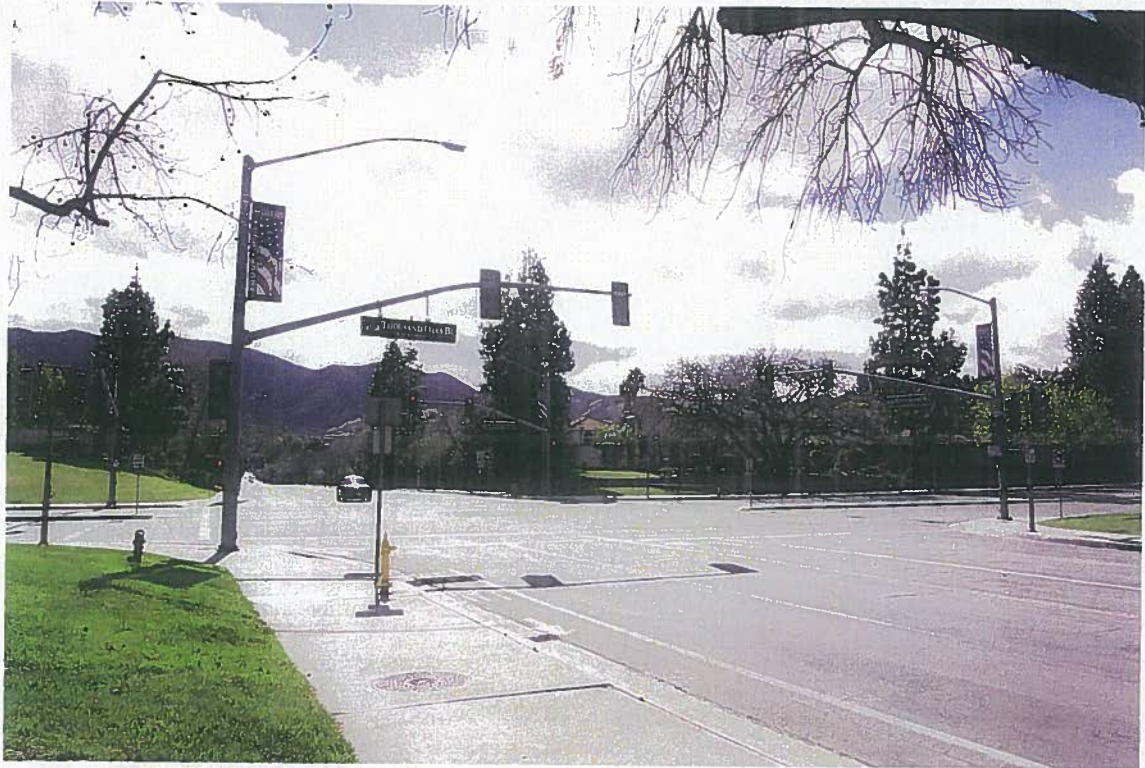



These simulations are intended for graphical purposes only and not intended to be part of or to replace the information provided on the construction drawings

*Photosimulation of proposed DAS communications node: Looking northwest along Thousand Oaks Blvd.*



**TDOK14m1**  
**ROW at NE corner of Reyes Adobe Rd**  
**& E. Thousand Oaks Blvd**  
 Existing Traffic Signal  
 Thousand Oaks, CA

These simulations are intended for graphical purposes only and not intended to be part of or to replace the information provided on the construction drawings

*Photosimulation of proposed DAS communications node: Looking south along Reyes Adobe Rd.*



**CROWN CASTLE NG WEST LLC**

**SITE: REYES ADOBE/THOUSAND OAKS**

**EXHIBIT E**



# 'SIGNIFICANT' GAP IN COVERAGE – SUMMARY STATEMENT

PROPOSAL TO INSTALL DAS COMMUNICATIONS  
NODE ON AN EXISTING TRAFFIC SIGNAL POLE  
IN THE PUBLIC RIGHT-OF-WAY

**TDOK14m1**

Public Right-of-Way at NE Corner of Thousand Oaks Blvd / Reyes Adobe Road  
Agoura Hills Oaks, CA

Prepared for:

**City of Agoura Hills**  
Department of Planning and Community Development  
30001 Ladyface Court  
Agoura Hills, CA 91301

Prepared by:

**Crown Castle NG West LLC**  
2125 Wright Avenue, Suite C-9  
La Verne, CA 91750

Contact:

Carver Chiu, Government Relations Manager  
(949) 290-9678

May 15, 2014



## SIGNIFICANT GAP IN COVERAGE – SUMMARY STATEMENT

### **Crown Castle NG West LLC – City of Agoura Hills**

Project: Proposed DAS Installation on Existing Traffic Signal Pole

Location: Public Right-of-Way at NE corner of Thousand Oaks Blvd / Reyes Adobe Rd (LAD015-12 / TDOK14m1)

Crown Castle NG West LLC (Crown Castle) proposes to install a DAS installation on an existing traffic signal pole within the public right-of-way at the northeast corner of Thousand Oaks Boulevard and Reyes Adobe Road. This proposed DAS facility (LAD015-12), together with two other proposed DAS node installations along Thousand Oaks Boulevard (LAD015-09 and LAD015-13), are intended to collectively address an existing coverage 'gap' in the MetroPCS communications network within the City of Agoura Hills. The following information is provided to help substantiate this coverage gap as required in the Supplemental Application for Wireless Telecommunications Facilities:

- a. At present, MetroPCS has limited coverage within the City of Agoura Hills. The existing MetroPCS wireless network is largely centered along US Highway 101 with coverage near the eastern edge of the City along Agoura Rd, Cheseboro Rd, and Colony Drive (and areas in between), as well as some coverage near the western edge of the City along Agoura Rd and north into the Lake Lindero community. These areas are denoted in 'Green' and 'Yellow' in **Exhibit A – Existing Coverage and Service Levels in the MetroPCS Wireless Network, City of Agoura Hills**. This coverage is currently provided by one (1) previously approved and constructed 'Macro' installation and one (1) previously approved and constructed 'DAS' facility as identified below:
  - Existing Macro Site (LA0011) – Building Rooftop, 28030 Dorothy Drive
  - Existing DAS Installation (LAD015-01) – Wood Utility Pole, 30851 Agoura Rd

MetroPCS has in effect little or no coverage to the balance of the City, including the core business/professional areas along Highway 101, and the residential communities generally situated north of Highway 101 between Lindero Canyon Road and Kanan Road. For illustrative purposes, this gap in coverage is denoted in general terms by the "red" and "white" areas situated within the dashed line in **Exhibit B – Gaps in the MetroPCS Wireless Network, City of Agoura Hills**.

- b. Based on the general description above, the approximate size of the existing coverage gap is +/- 3.0 square miles (2.0 mi x 1.5 mi).
- c. The attached coverage maps graphically display two important data sets related to the MetroPCS wireless network in Agoura Hills – 1) The geographic area affected by existing and proposed wireless facilities in the MetroPCS network, and 2) The relative levels of service (strength of the radio-frequency signal) associated with existing and proposed wireless facilities in the MetroPCS network. More specifically, the coverage maps illustrate the following levels of service:
  - In-Building (Green) >-85 dBm
  - In-Vehicle (Yellow) >-95 dBm
  - Outdoor (Red) >-102 dBm

Each level is characterized by a minimum signal strength. Within the wireless industry, the key to network coverage is having a signal level strong enough to allow users/customers to maintain contact with the network so they can make and maintain calls. Signal level (the strength of the radio signal being registered on the devices of users/customers) is measured in negative decibels per milliwatt or "dBm". The smaller the dBm number, the weaker the signal and corresponding coverage. For example, a signal strength of -100 dBm is weaker than a signal strength of -80 dBm.

As a general rule, a minimum signal level of -85 dBm is required for optimal In-Building coverage and a minimum signal level of -95 dBm is necessary for adequate In-Vehicle coverage. With this in mind, and looking at the "existing" coverage and service levels associated with the MetroPCS wireless network in Agoura Hills, it is evident that a "significant gap" exists where current service levels consistently fall below the -95 dBm threshold for In-Vehicle coverage. Users in these areas would therefore experience an intolerably high percentage of blocked and dropped calls for outside use; with a further decline in signal strength as the user transitions into existing buildings and homes. MetroPCS seeks to provide sufficient signal strength to ensure that customers in the affected areas have adequate signal for mobile and outdoor use, as well as reliable In-Building coverage, particularly for those customers no longer using landline phone service or who may want to abandon their residential landline service. Customers must be able to count on a level of service commensurate with the accessibility and reliability afforded by their landlines. Such considerations are relevant to a determination of significant gap.

- d. The courts have determined that a significant gap exists when a wireless provider "is prevented from filling a significant gap in *its own* service coverage." (*MetroPCS, Inc. v. City and County of San Francisco* (9<sup>th</sup> Cir. 2005) 400 F.3d 715, 733 (emphasis in original)). Moreover, the courts have upheld the use of signal strengths that allow in-building coverage as a proper benchmark for determining whether a significant gap in coverage exists. (See, e.g., *MetroPCS, Inc. v. City and County of San Francisco* (N.D.Cal. 2006) 2006 U.S. Dist. LEXIS 43985 ["careful reading of existing cases that contain a significant gap analysis persuades the court that any analysis should include consideration of a wireless carrier's in-building coverage."].) Accordingly, the definition of "significant gap," as used in this analysis, derives from current case law defining the term in the context of section 332(c)(7)(B)(i)(II). In this case, existing service levels in the Service Area fall well below the minimum standard even for In-Vehicle *or* Outdoor coverage, let alone In-Building coverage. (See Exhibit A – Existing Coverage and Service Levels in the MetroPCS Wireless Network, City of Agoura Hills), and Exhibit B – Gaps in the MetroPCS Wireless Network, City of Agoura Hills). In short, as noted above, the level of service in the affected Service Area is inadequate or virtually non-existent.

The need to address the existing coverage deficiencies in the MetroPCS network is underscored by the ever increasing numbers of wireless customers choosing to drop their landline telephone service in favor of wireless communications for their phone service. As of June 2013, 2 out of every 5 American households (nearly 40 percent) had come to rely solely on mobile phones and that number continues to grow. (Stephen J. Blumberg, Ph.D., and Julian V. Luke, *Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, January-June 2013*. National Center for Health Statistics. December 2013. Available from: [www.cdc.gov/nchs/nhis.htm](http://www.cdc.gov/nchs/nhis.htm)). In addition, the following is noteworthy: 1) smart phone devices, featuring mobile internet services and streaming video, are now ubiquitous with 90% of US adults owning a cell phone, and more than two-thirds (68%) of these cell phone owners indicating that they use their mobile device to go online according to a recent Pew Research Survey (Susannah Fox and Lee Rainie, *Pew Research Internet Project: The Web at 25 in the U.S.* Pew Research Center. February 27, 2014. Available from [www.pewinternet.org/2014/02/27/the-web-at-25-in-the-u-s](http://www.pewinternet.org/2014/02/27/the-web-at-25-in-the-u-s)); 2) mobile social networking has become commonplace; and 3) the number of 911 calls made from wireless phones has increased to about 70 percent of all 911 calls and the percentage is growing (Federal Communications Commission. April 2013. Available at [www.fcc.gov/guides/wireless-911-services](http://www.fcc.gov/guides/wireless-911-services)). As more and more Americans abandon landlines in favor of mobile phones, and choose to utilize smart phones, tablets and other smart devices for their personal and professional needs, reliable In-Building coverage has become a necessity. These are some of the reasons courts now recognize that a "significant gap" can exist on the basis of inadequate In-Building coverage. (See, e.g., *MetroPCS, Inc. v. City and County of San Francisco, supra*, 2006 U.S. Dist. LEXIS 43985; *T-Mobile Central, LLC (Voicestream Kansas City, Inc.) v. Unified Government of Wyandotte County* (D.Kans. 2007) 528 F.Supp.2d 1128.)

- e. Without speaking for other commercial wireless providers or the industry as a whole, it is reasonable to suggest that the terminology and definition used above to describe the 'significant' gap in coverage covered by this application is generally consistent with the terminology used by the industry and other carriers to describe similar network needs and objectives.
- f. The subject application represents the first proposed Crown Castle DAS communications facility to undergo formal Land Use Review and an application for a discretionary permit. However, as noted, MetroPCS did obtain prior City approval to construct, operate and maintain a 'Macro' wireless communications facility at 28030 Dorothy Drive. It is reasonable to suggest that the terminology and definition used above to describe the

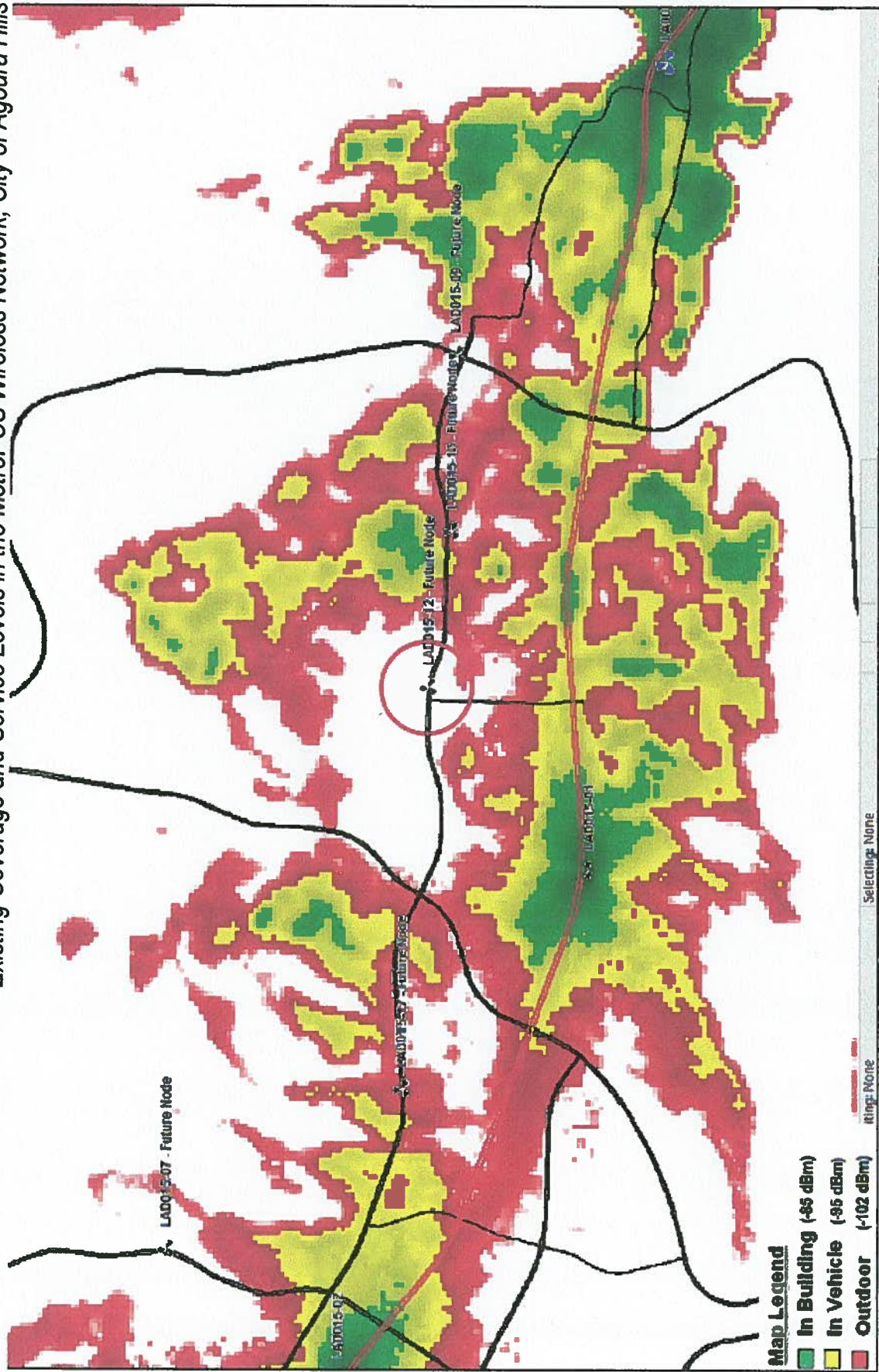


"significant gap" in coverage covered by this application is generally consistent with that used by MetroPCS in connection with their prior application.

- g. The following information is provided as further clarification in accordance with Section 4.12(g) of the Supplemental Application for Wireless Telecommunications Facilities.
1. The coverage gap described and shown in **Exhibit B** encompasses several commuter highways and arterial roadways, including US Highway 101, Thousand Oaks Boulevard, Kanan Road, Reyes Adobe Road, and Lindero Canyon Road.
  2. The affected area includes large commercial/retail and professional/office developments along Highway 101, as well as residential neighborhoods and public/community-serving facilities situated north of Highway 101 between Kanan Road and Lindero Canyon Road.
  3. As shown in **Exhibit C – Predicted MetroPCS Coverage from the Proposed DAS Installation LAD015-12/TDOK14m1**, the proposed DAS installation is expected to provide In-Building and In-Vehicle service quality to users across a broad swath of the targeted area. This expanded coverage encompasses new coverage where none exists, as well as improved service levels where some coverage may be present, but at levels inadequate for reliable wireless calls and network connections.
  4. As shown in **Exhibit C**, the proposed DAS installation will provide important coverage to areas along the major arterials of Thousand Oaks Boulevard and Reyes Adobe Road, and to various commercial and residential areas situated both north and south of Thousand Oaks Boulevard, and east and west of Reyes Adobe Road. In addition, the proposed DAS installation is capable of providing some bonus coverage to areas further south across Highway 101.
  5. Anticipated coverage from the proposed DAS installation is derived from drive-test data gathered from standard industry practices/protocols and subsequently compiled, evaluated, and represented using software and modeling tools considered to be standard within the wireless communications industry.
  6. As depicted in **Exhibit D – Existing MetroPCS Coverage within the City's Commercial Areas/Districts**, the coverage gap defined and described above includes the commercial area located at the northwest (Twin Oaks Shopping Center) and southwest (Agoura Meadows) corners of Thousand Oaks Boulevard and Kanan Road, as well as the commercial area located at the four corners of Thousand Oaks Boulevard and Lake Lindero Drive. The City's other, larger commercial districts situated along Highway 101 appear to have some level of existing service.
  7. The proposed DAS installation will help ensure that MetroPCS subscribers and other wireless users within the affected area(s) have accessible and reliable emergency wireless (E-911) service.
- h. As noted above, the proposed DAS installation is expected to provide In-Building and In-Vehicle service quality to users across a broad swath of the targeted area. This expanded coverage consists predominantly of new MetroPCS coverage where none currently exists.
- i. As an important point of clarification, it should be noted that the proposed DAS installation at the northeast corner of Thousand Oaks Boulevard and Reyes Adobe Road (LAD015-12/TDOK14m1) is being pursued in concert with two (2) other DAS installations within the City (LAD015-09/TDOK11m1 and LAD015-13/TDOK15m1), as well as one (1) additional node to the west in the City of Westlake Village (LAD015-17/TDOK19m1), which are collectively intended to address the "significant gap" defined and described above. This collective DAS solution is illustrated in **Exhibit E – Predicted MetroPCS Coverage from the Proposed DAS Installation**, plus three (3) other Proposed DAS installations.

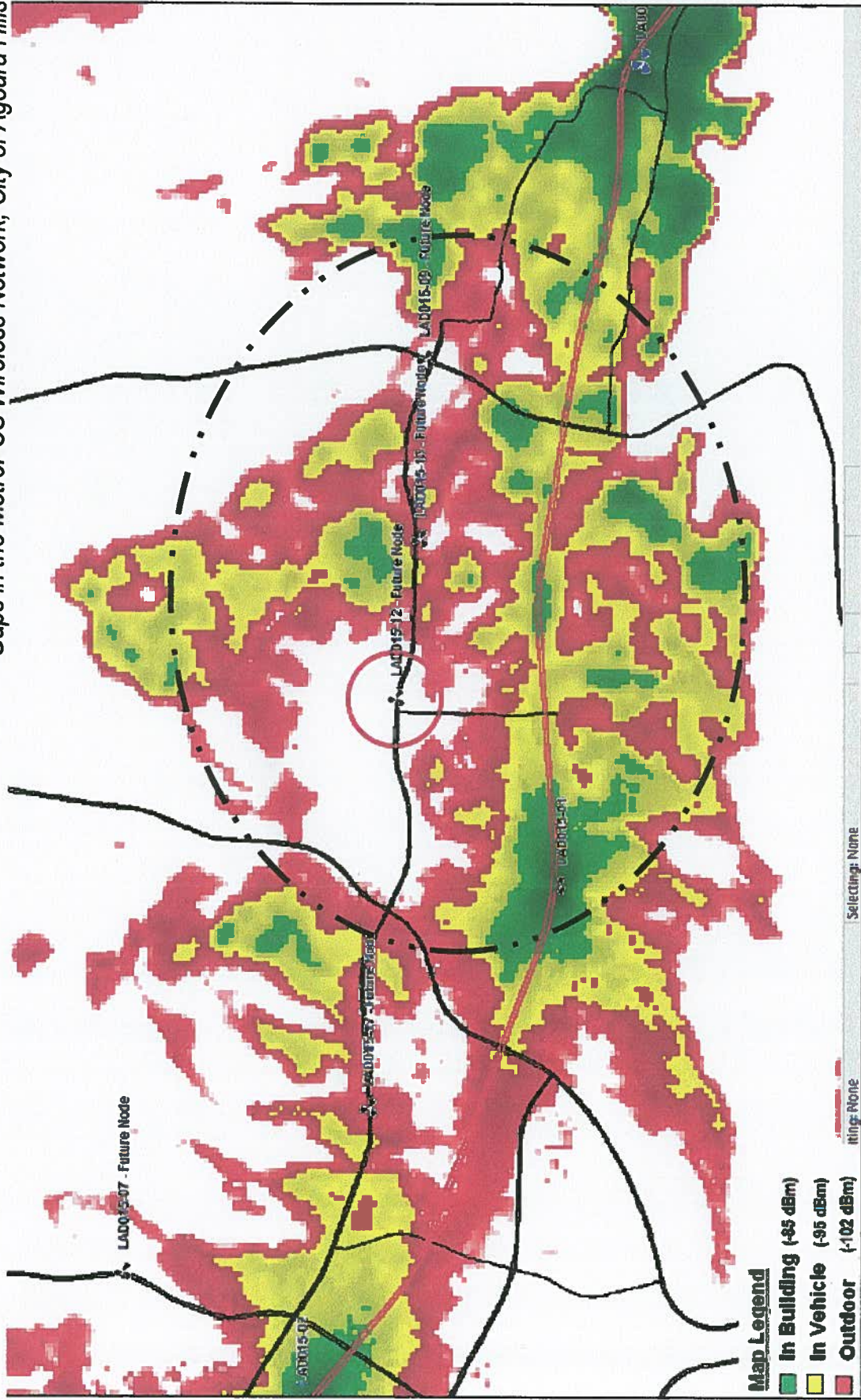


**Exhibit A – Existing Coverage and Service Levels in the MetroPCS Wireless Network, City of Agoura Hills**

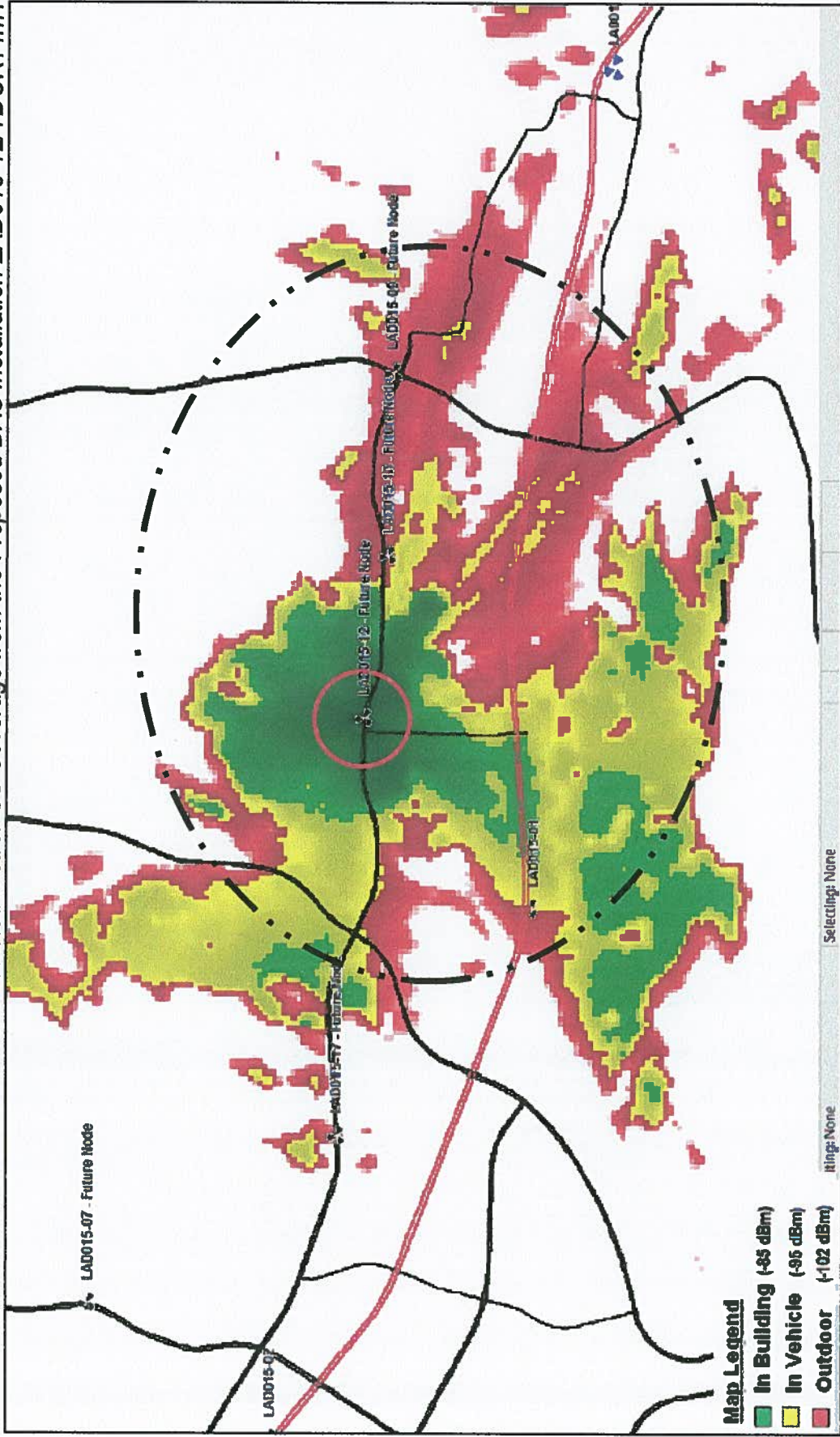




**Exhibit B -**  
**Gaps in the MetroPCS Wireless Network, City of Agoura Hills**

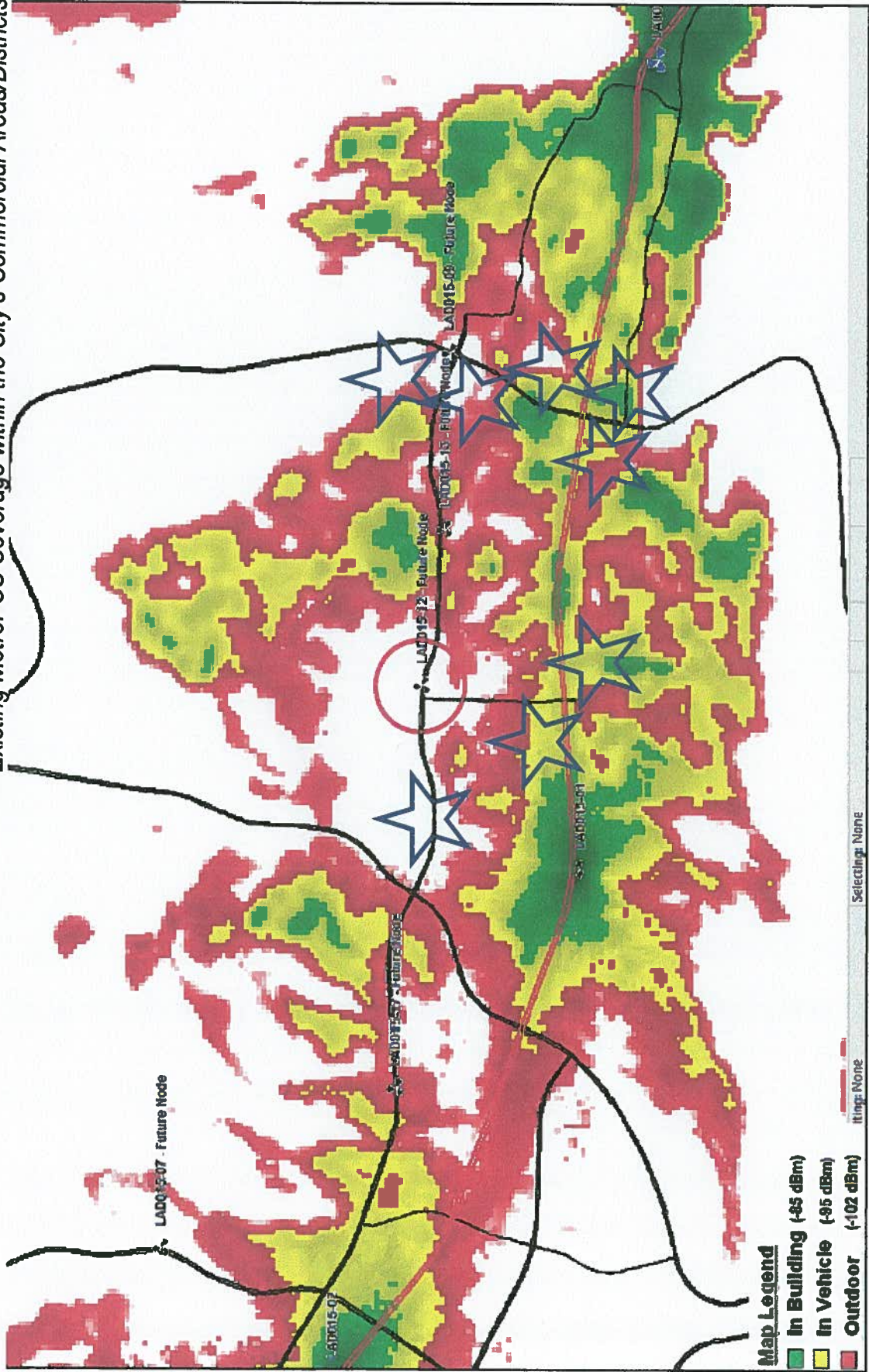


**Exhibit C -- Predicted MetroPCS Coverage from the Proposed DAS Installation LAD015-12/TDOK14m1**



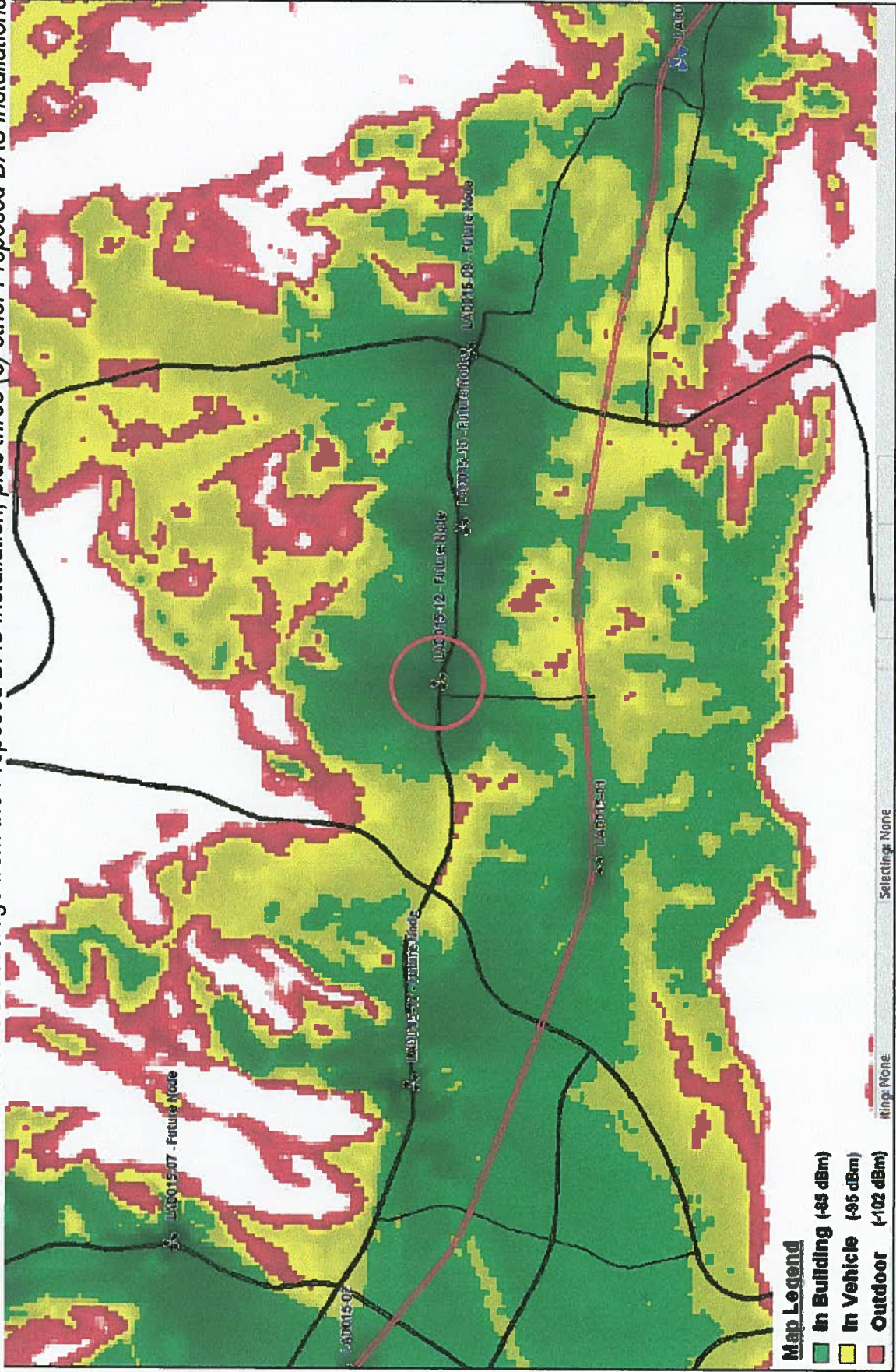


**Exhibit D – Existing MetroPCS Coverage within the City's Commercial Areas/Districts**





**Exhibit E – Predicted MetroPCS Coverage from the Proposed DAS Installation, plus three (3) other Proposed DAS Installations**





# 'SIGNIFICANT' GAP IN COVERAGE – STREET EXHIBIT

PROPOSAL TO INSTALL DAS COMMUNICATIONS  
NODE ON AN EXISTING TRAFFIC SIGNAL POLE  
IN THE PUBLIC RIGHT-OF-WAY

**TDOK14m1**

Public Right-of-Way at NE Corner of Thousand Oaks Blvd / Reyes Adobe Road  
Agoura Hills Oaks, CA

Prepared for:

**City of Agoura Hills**  
Department of Planning and Community Development  
30001 Ladyface Court  
Agoura Hills, CA 91301

Prepared by:

**Crown Castle NG West LLC**  
2125 Wright Avenue, Suite C-9  
La Verne, CA 91750

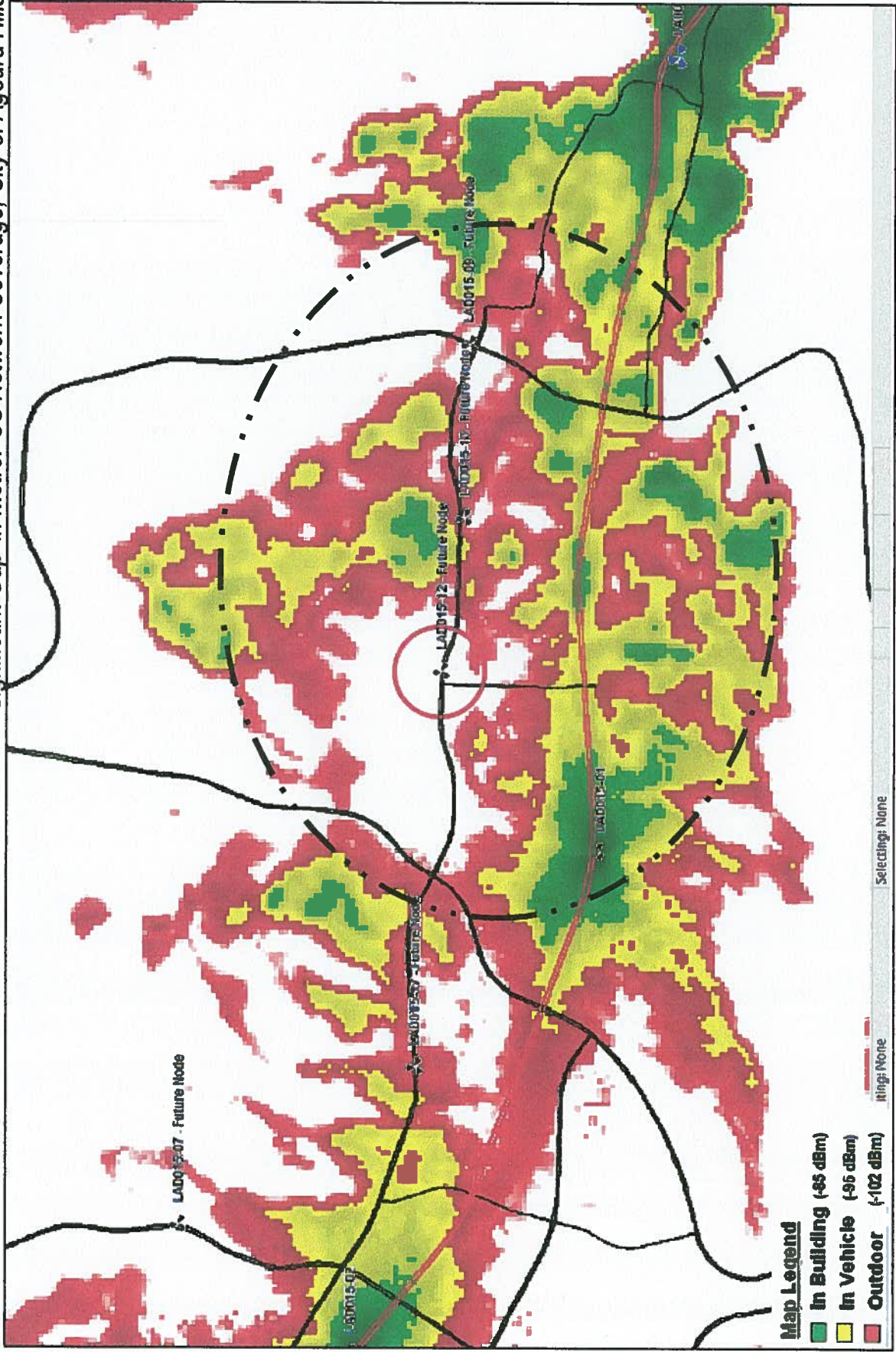
Contact:

Carver Chiu, Government Relations Manager  
(949) 290-9678

May 15, 2014



**Exhibit -**  
**'Significant Gap' in MetroPCS Network Coverage, City of Agoura Hills**





# LEAST INTRUSIVE PROJECT – SUMMARY STATEMENT

PROPOSAL TO INSTALL DAS COMMUNICATIONS  
NODE ON AN EXISTING TRAFFIC SIGNAL POLE  
IN THE PUBLIC RIGHT-OF-WAY

**TDOK14m1**

Public Right-of-Way at NE Corner of Thousand Oaks Blvd / Reyes Adobe Road  
Agoura Hills Oaks, CA

Prepared for:

**City of Agoura Hills**  
Department of Planning and Community Development  
30001 Ladyface Court  
Agoura Hills, CA 91301

Prepared by:

**Crown Castle NG West LLC**  
2125 Wright Avenue, Suite C-9  
La Verne, CA 91750

Contact:

Carver Chiu, Government Relations Manager  
(949) 290-9678

May 15, 2014





## LEAST INTRUSIVE PROJECT – SUMMARY STATEMENT

### **Crown Castle NG West LLC – City of Agoura Hills**

Project: Proposed DAS Installation on Existing Traffic Signal Pole

Location: Public Right-of-Way at NE corner of Thousand Oaks Blvd / Reyes Adobe Rd (LAD015-12 / TDOK14m1)

Crown Castle NG West LLC proposes to install a new DAS installation on an existing traffic signal pole situated within the public right-of-way at the northeast corner of Thousand Oaks Boulevard and Reyes Adobe Road. The proposed project is intended to help fill the “significant gap” in coverage identified and described in detail in Attachment 4.12, and represents the “least intrusive means” as articulated by the Ninth Circuit in *T-Mobile U.S.A., Inc. v. City of Anacortes*, *supra*, 572 F.3d 987, 995. This standard, as the court noted in that case, “requires that the provider ‘show that the manner in which it proposes to fill the significant gap in service is the **least intrusive on the values that the denial sought to serve.**” (Ibid., emphasis added.) This allows

[F]or a meaningful comparison of alternative sites before the siting application process is needlessly repeated. It also gives providers an incentive to choose the least intrusive site in their first siting applications, and it promises to ultimately identify the best solution for the community, not merely the least one remaining after a series of application denials.

(Id. At 995.)

In this case, because Crown Castle is a CLEC entitled to construct its systems in the public right-of-way (ROW), Crown's DAS networks are inherently ROW-based systems. On that basis, Crown examined those alternatives theoretically available to it in the ROW. The analysis seeks to demonstrate why the proposed DAS installation qualifies as the “least intrusive means” of filling the significant gap in service described above.

#### **1. Height of the Proposed Facilities.**

As designed, Crown proposes to place the new 24” omni-directional antenna atop an existing 30’-0” traffic signal pole, with an overall top of antenna height of 32’-6” AGL. The overall height of the streetlight mastarm and luminaire attached to the traffic signal pole measures approximately 33’-0”. As such, the proposed antenna would be situated at or below the height of the tallest point of the existing traffic signal installation. The height of the antenna is the lowest reasonable height for meeting required network objectives, while concurrently meeting public safety requirements and preserving City utilization of the underlying pole.

#### **2. Location of the Proposed Facilities.**

The location of the proposed DAS installation in the subject application, along with the location of two other proposed DAS installations within the City of Agoura Hills and one other proposed DAS installation in the neighboring City of Westlake Village, have been selected for the purpose of providing minimum signal-strength and coverage thresholds within the areas described in Attachment 4.12. These locations were selected to maximize the RF coverage of each proposed DAS node and to minimize the potential interference/overlap between nodes and macro facilities comprising the MetroPCS network. There are inherent constraints with Crown Castle's low-profile DAS system which consists of fiber-fed 20W-40W amplifiers, 24” to 48” antennas, and generally lower antenna centerlines (typically less than 32’ AGL, compared to macro sites where antennas are in excess of 40’ AGL). Despite the small form factor of the nodes, and the limitations associated with a lower-profile (underlay) system, Crown seeks to maximize the coverage of each node location and thereby reduce the overall number of facilities required to meet the coverage needs of the network. Accordingly, each location has been chosen to help provide an effective signal relay between nodes and macro facilities, so that ubiquitous In-Building and In-Vehicle coverage is provided throughout the project area with the least number of additional node locations. Further, by locating the proposed DAS facility on an existing traffic signal pole, the additional

communications/utility equipment remains compatible with existing uses, comparable in scale to existing utility facilities, and within the existing development envelope/footprint of the existing utility facilities.



**EXISTING RF COVERAGE WITHIN THE  
CITY OF AGOURA HILLS FROM  
METROPCS ON-AIR SITES  
(without Proposed DAS Node LAD015-12 / TDOK14m1)**

**PROPOSAL TO INSTALL DAS COMMUNICATIONS  
NODE ON AN EXISTING TRAFFIC SIGNAL POLE  
IN THE PUBLIC RIGHT-OF-WAY**

**TDOK14m1**

**Public Right-of-Way at NE Corner of Thousand Oaks Blvd / Reyes Adobe Road  
Agoura Hills Oaks, CA**

Prepared for:

**City of Agoura Hills**  
Department of Planning and Community Development  
30001 Ladyface Court  
Agoura Hills, CA 91301

Prepared by:

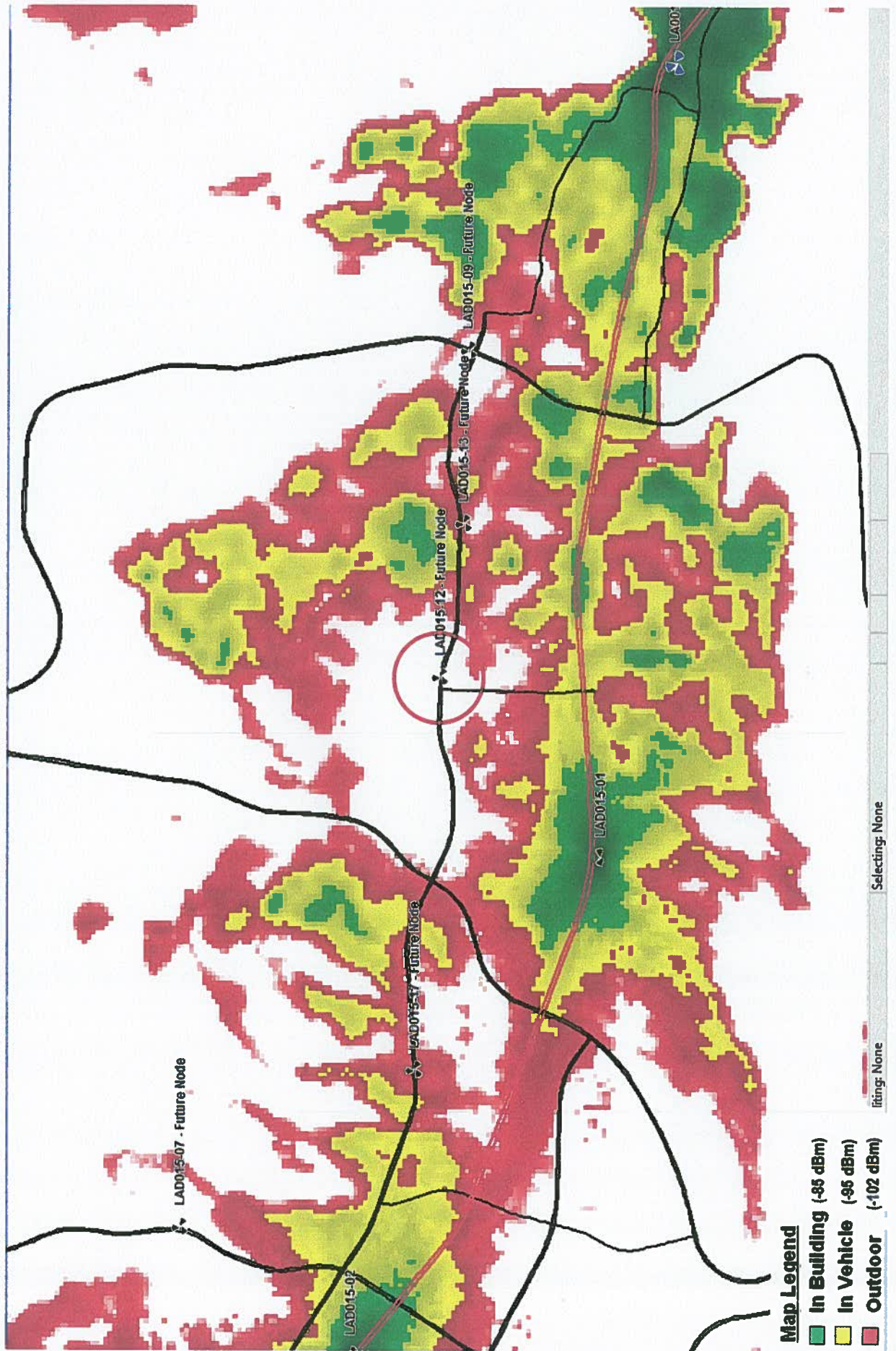
**Crown Castle NG West LLC**  
2125 Wright Avenue, Suite C-9  
La Verne, CA 91750

Contact:

**Carver Chiu, Government Relations Manager**  
(949) 290-9678

May 15, 2014

# Prediction on surrounding On-Air site w/out LAD015-12 (TDOK14)







**PREDICTED RF COVERAGE FROM  
PROPOSED DAS NODE ONLY  
(LAD015-12 / TDOK14m1)**

**PROPOSAL TO INSTALL DAS COMMUNICATIONS  
NODE ON AN EXISTING TRAFFIC SIGNAL POLE  
IN THE PUBLIC RIGHT-OF-WAY**

**TDOK14m1**

**Public Right-of-Way at NE Corner of Thousand Oaks Blvd / Reyes Adobe Road  
Agoura Hills Oaks, CA**

Prepared for:

**City of Agoura Hills**  
Department of Planning and Community Development  
30001 Ladyface Court  
Agoura Hills, CA 91301

Prepared by:

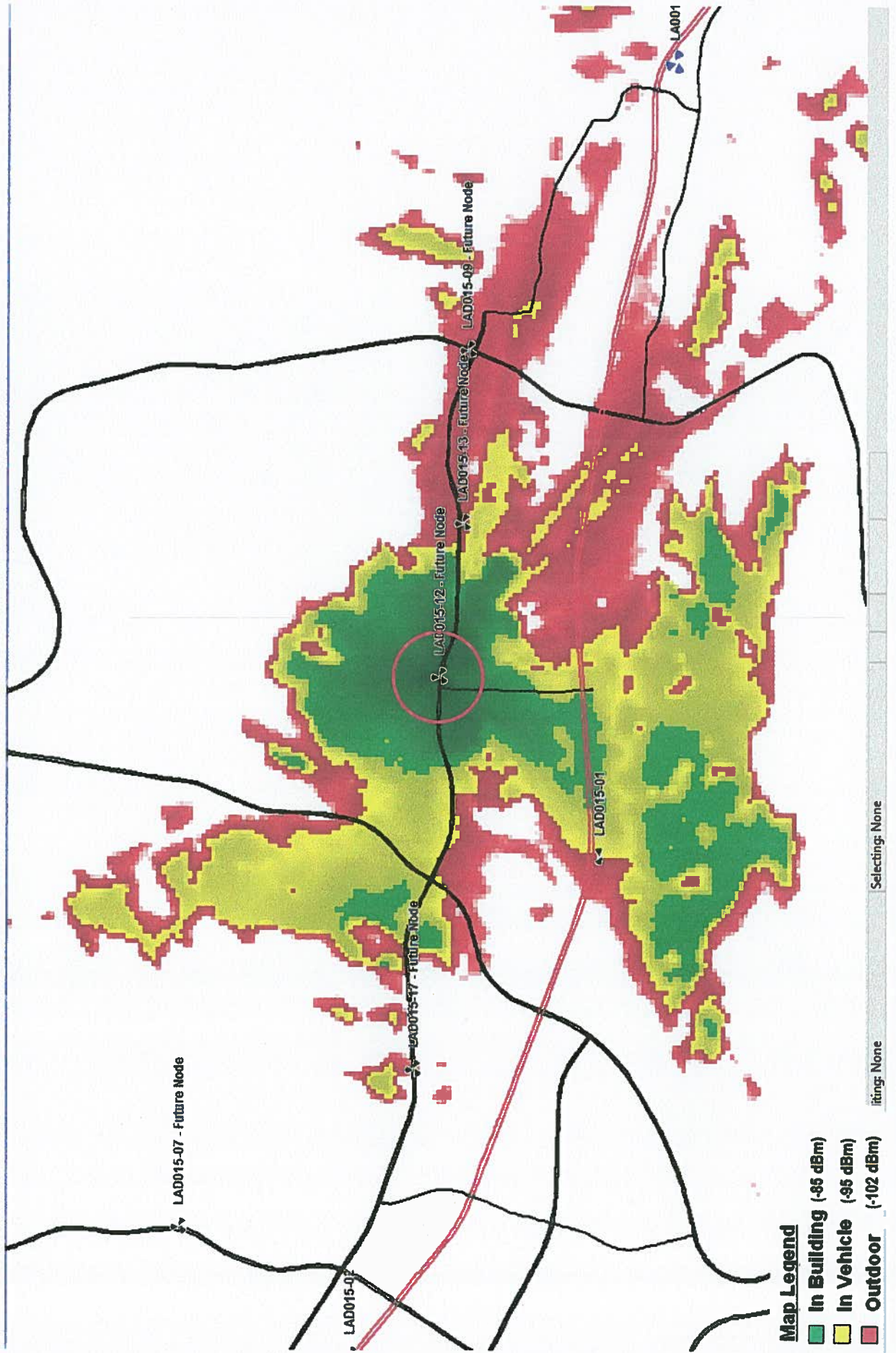
**Crown Castle NG West LLC**  
2125 Wright Avenue, Suite C-9  
La Verne, CA 91750

Contact:

**Carver Chiu, Government Relations Manager**  
**(949) 290-9678**

May 15, 2014

# LAD015-12 (TDOK14) Site Prediction





**PREDICTED RF COVERAGE WITHIN THE  
CITY OF AGOURA HILLS FROM  
METROPCS ON-AIR SITES  
(with Proposed DAS Node LAD015-12 / TDOK14m1)**

**PROPOSAL TO INSTALL DAS COMMUNICATIONS  
NODE ON AN EXISTING TRAFFIC SIGNAL POLE  
IN THE PUBLIC RIGHT-OF-WAY**

**TDOK14m1**

**Public Right-of-Way at NE Corner of Thousand Oaks Blvd / Reyes Adobe Road  
Agoura Hills Oaks, CA**

Prepared for:

**City of Agoura Hills**  
Department of Planning and Community Development  
30001 Ladyface Court  
Agoura Hills, CA 91301

Prepared by:

**Crown Castle NG West LLC**  
2125 Wright Avenue, Suite C-9  
La Verne, CA 91750

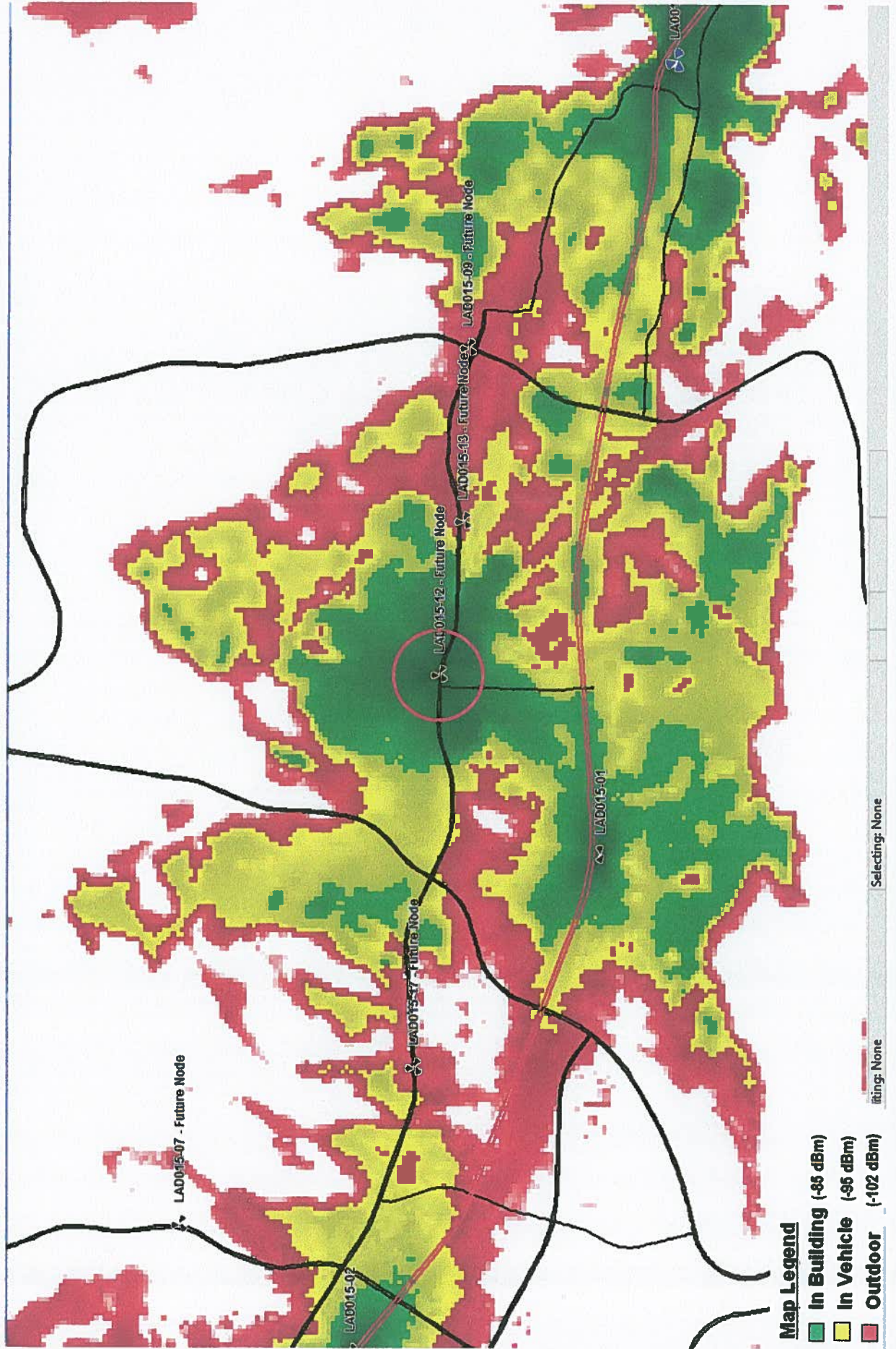
Contact:

**Carver Chiu, Government Relations Manager**  
**(949) 290-9678**

May 15, 2014



# Prediction on surrounding On-Air site w/ LAD015-12 (TDOK14)







**PREDICTED RF COVERAGE WITHIN THE  
CITY OF AGOURA HILLS FROM  
METROPCS ON-AIR SITES**

**(with Proposed DAS Node LAD015-12 / TDOK14m1, plus  
other Proposed DAS Nodes along Thousand Oaks Blvd)**

**PROPOSAL TO INSTALL DAS COMMUNICATIONS  
NODE ON AN EXISTING TRAFFIC SIGNAL POLE  
IN THE PUBLIC RIGHT-OF-WAY**

**TDOK14m1**

**Public Right-of-Way at NE Corner of Thousand Oaks Blvd / Reyes Adobe Road  
Agoura Hills Oaks, CA**

Prepared for:

**City of Agoura Hills**  
Department of Planning and Community Development  
30001 Ladyface Court  
Agoura Hills, CA 91301

Prepared by:

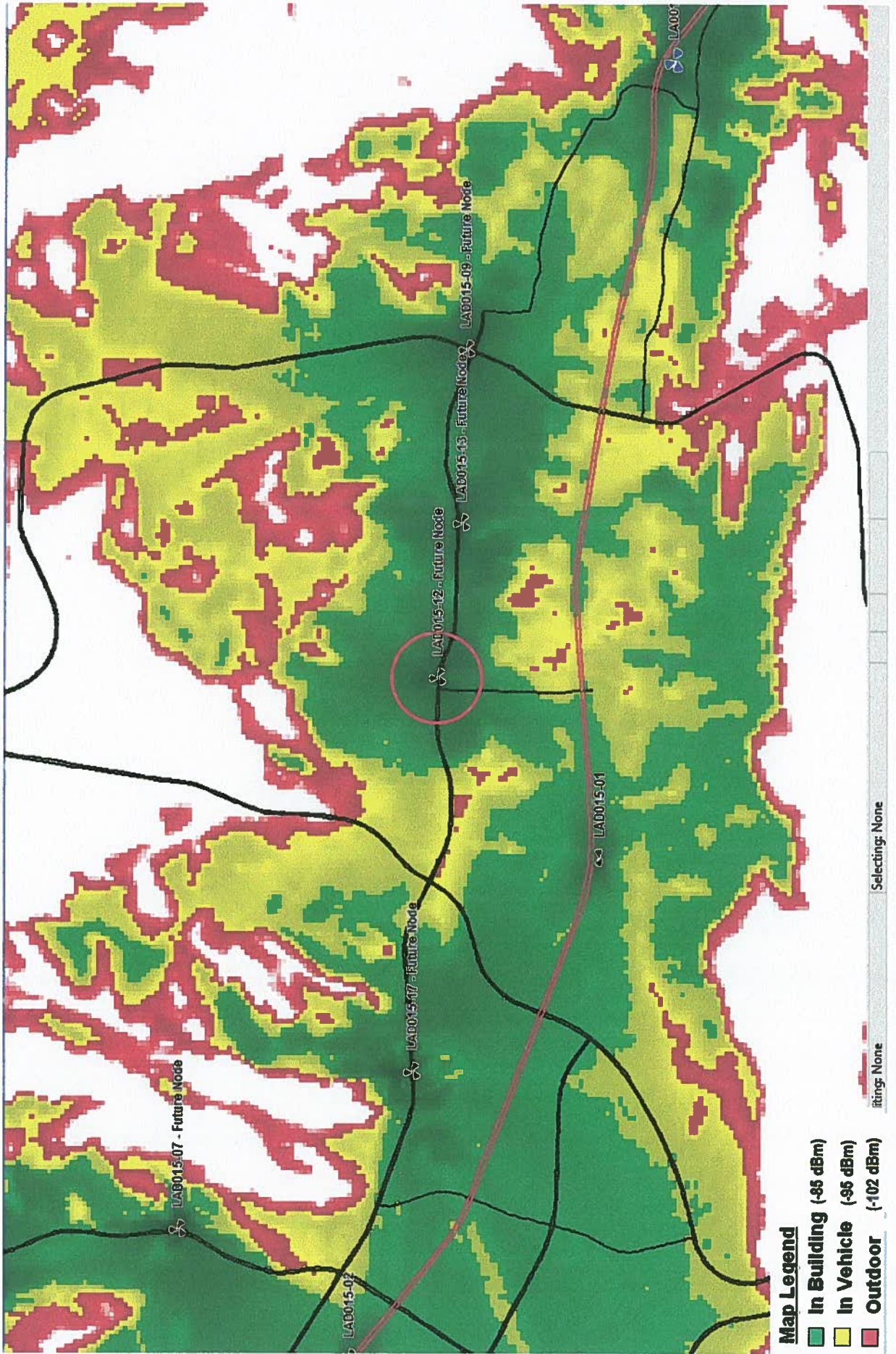
**Crown Castle NG West LLC**  
2125 Wright Avenue, Suite C-9  
La Verne, CA 91750

Contact:

**Carver Chiu, Government Relations Manager**  
(949) 290-9678

May 15, 2014

# Prediction on surrounding On-Air & Future Node site w/ LAD015-12 (TDOK14)





**'APPENDIX A' FORM**  
**("A Local Government Official's Guide to Transmitting  
Antenna RF Emission Safety: Rules, Procedures, and  
Practical Guidance")**

**PROPOSAL TO INSTALL DAS COMMUNICATIONS  
NODE ON AN EXISTING TRAFFIC SIGNAL POLE  
IN THE PUBLIC RIGHT-OF-WAY**

**TDOK14m1**

**Public Right-of-Way at NE Corner of Thousand Oaks Blvd / Reyes Adobe Road  
Agoura Hills Oaks, CA**

Prepared for:

**City of Agoura Hills**  
Department of Planning and Community Development  
30001 Ladyface Court  
Agoura Hills, CA 91301

Prepared by:

**Crown Castle NG West LLC**  
2125 Wright Avenue, Suite C-9  
La Verne, CA 91750

Contact:

**Carver Chiu, Government Relations Manager**  
**(949) 290-9678**

May 15, 2014



**APPENDIX A**

*Optional Checklist for Determination  
Of Whether a Facility is Categorically Excluded*

**Optional Checklist for Local Government  
To Determine Whether a Facility is Categorically Excluded**

Purpose: The FCC has determined that many wireless facilities are unlikely to cause human exposures in excess of RF exposure guidelines. Operators of those facilities are exempt from routinely having to determine their compliance. These facilities are termed "categorically excluded." Section 1.1307(b)(1) of the Commission's rules defines those categorically excluded facilities. This checklist will assist state and local government agencies in identifying those wireless facilities that are categorically excluded, and thus are highly unlikely to cause exposure in excess of the FCC's guidelines. Provision of the information identified on this checklist may also assist FCC staff in evaluating any inquiry regarding a facility's compliance with the RF exposure guidelines.

**BACKGROUND INFORMATION**

- |                                            |                                                              |
|--------------------------------------------|--------------------------------------------------------------|
| 1. Facility Operator's Legal Name:         | MetroPCS – FCC Licensee (Planned User of Crown DAS Facility) |
| 2. Facility Operator's Mailing Address:    | 350 Commerce Ave, Irvine, CA 92602                           |
| 3. Facility Operator's Contact Name/Title: | Zeke Moreno, Director of Network Operations                  |
| 4. Facility Operator's Office Telephone:   | (714) 730-3132                                               |
| 5. Facility Operator's Fax:                |                                                              |
| 6. Facility Name:                          | MPC1048CA-TDOK14m1 / LAD015-12                               |
| 7. Facility Address:                       | Public ROW / NE Corner of Thousand Oaks Blvd and Reyes Adobe |
| 8. Facility City/Community:                | Agoura Hills                                                 |
| 9. Facility State and Zip Code:            | California, 91301                                            |
| 10. Latitude:                              | 34.15585                                                     |
| 11. Longitude:                             | -118.78107                                                   |

continue



Optional Local Government Checklist (page 2)

**EVALUATION OF CATEGORICAL EXCLUSION**

12. Licensed Radio Service (see attached Table 1): Personal Communications Services
13. Structure Type (free-standing or building/roof-mounted): Free-Standing/Existing Utility Pole
14. Antenna Type [omnidirectional or directional (includes sectored)]: Omni-Directional
15. Height above ground of the lowest point of the antenna (in meters): 9.30m (30'-6")
16.  Check if all of the following are true:
- (a) This facility will be operated in the Multipoint Distribution Service, Paging and Radiotelephone Service, Cellular Radiotelephone Service, Narrowband or Broadband Personal Communications Service, Private Land Mobile Radio Services Paging Operations, Private Land Mobile Radio Service Specialized Mobile Radio, Local Multipoint Distribution Service, or service regulated under Part 74, Subpart I (see question 12).
  - (b) This facility will not be mounted on a building (see question 13).
  - (c) The lowest point of the antenna will be at least 10 meters above the ground (see question 15).

If box 16 is checked, this facility is categorically excluded and is unlikely to cause exposure in excess of the FCC's guidelines. The remainder of the checklist need not be completed. If box 16 is not checked, continue to question 17.

17. Enter the power threshold for categorical exclusion for this service from the attached Table 1 in watts ERP or EIRP\* (note:  $EIRP = (1.64) \times ERP$ ): 1000w
18. Enter the total number of channels if this will be an omnidirectional antenna, or the maximum number of channels in any sector if this will be a sectored antenna: 3  
3.5w
19. Enter the ERP or EIRP per channel (using the same units as in question 17): 3.5w
20. Multiply answer 18 by answer 19: 10.5w
21. Is the answer to question 20 less than or equal to the value from question 17 (yes or no)?

YES

If the answer to question 21 is YES, this facility is categorically excluded. It is unlikely to cause exposure in excess of the FCC's guidelines.

If the answer to question 21 is NO, this facility is not categorically excluded. Further investigation may be appropriate to verify whether the facility may cause exposure in excess of the FCC's guidelines.

\*"ERP" means "effective radiated power" and "EIRP" means "effective isotropic radiated power"



**TABLE 1: TRANSMITTERS, FACILITIES AND OPERATIONS SUBJECT TO ROUTINE ENVIRONMENTAL EVALUATION**

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
<p>Experimental Radio Services (part 5)</p>	<p>power &gt; 100 W ERP (164 W EIRP)</p>
<p>Multipoint Distribution Service (subpart K of part 21)</p>	<p><u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna &lt; 10 m <u>and</u> power &gt; 1640 W EIRP <u>building-mounted antennas</u>: power &gt; 1640 W EIRP</p>
<p>Paging and Radiotelephone Service (subpart E of part 22)</p>	<p><u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna &lt; 10 m <u>and</u> power &gt; 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u>: power &gt; 1000 W ERP (1640 W EIRP)</p>
<p>Cellular Radiotelephone Service (subpart H of part 22)</p>	<p><u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna &lt; 10 m <u>and</u> total power of all channels &gt; 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u>: total power of all channels &gt; 1000 W ERP (1640 W EIRP)</p>

TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
<p>Personal Communications Services (part 24)</p>	<p>(1) Narrowband PCS (subpart D):  <u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna &lt; 10 m <u>and</u> total power of all channels &gt; 1000 W ERP (1640 W EIRP)  <u>building-mounted antennas</u>: total power of all channels &gt; 1000 W ERP (1640 W EIRP)</p> <p>(2) Broadband PCS (subpart E):  <u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna &lt; 10 m <u>and</u> total power of all channels &gt; 2000 W ERP (3280 W EIRP)  <u>building-mounted antennas</u>: total power of all channels &gt; 2000 W ERP (3280 W EIRP)</p>
<p>Satellite Communications (part 25)</p>	<p>all included</p>
<p>General Wireless Communications Service (part 26)</p>	<p>total power of all channels &gt; 1640 W EIRP</p>
<p>Wireless Communications Service (part 27)</p>	<p>total power of all channels &gt; 1640 W EIRP</p>
<p>Radio Broadcast Services (part 73)</p>	<p>all included</p>

TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
<p>Experimental, auxiliary, and special broadcast and other program distributional services (part 74)</p>	<p>subparts A, G, L: power &gt; 100 W ERP</p> <p>subpart I:  <u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna &lt; 10 m <u>and</u> power &gt; 1640 W EIRP  <u>building-mounted antennas</u>: power &gt; 1640 W EIRP</p>
<p>Stations in the Maritime Services (part 80)</p>	<p>ship earth stations only</p>
<p>Private Land Mobile Radio Services Paging Operations (part 90)</p>	<p><u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna &lt; 10 m <u>and</u> power &gt; 1000 W ERP (1640 W EIRP)  <u>building-mounted antennas</u>: power &gt; 1000 W ERP (1640 W EIRP)</p>
<p>Private Land Mobile Radio Services Specialized Mobile Radio (part 90)</p>	<p><u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna &lt; 10 m <u>and</u> total power of all channels &gt; 1000 W ERP (1640 W EIRP)  <u>building-mounted antennas</u>: total power of all channels &gt; 1000 W ERP (1640 W EIRP)</p>



TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
Amateur Radio Service (part 97)	transmitter output power > levels specified in § 97.13(c)(1) of this chapter
Local Multipoint Distribution Service (subpart L of part 101)	<p><u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna &lt; 10 m <u>and</u> power &gt; 1640 W EIRP</p> <p><u>building-mounted antennas</u>: power &gt; 1640 W EIRP</p> <p>LMDS licensees are required to attach a label to subscriber transceiver antennas that: (1) provides adequate notice regarding potential radiofrequency safety hazards, <i>e.g.</i>, information regarding the safe minimum separation distance required between users and transceiver antennas; and (2) references the applicable FCC-adopted limits for radiofrequency exposure specified in § 1.1310 of this chapter.</p>