



CITY of CALABASAS

Community Development Department
Planning Division
100 Civic Center Way
Calabasas, CA 91302-3172
T: 818.224.1600
F: 818.225.7324

www.cityofcalabasas.com

June 29, 2023

NetworkConnex
Attn: Cody Blandino
858 S. Oak Park Rd Ste. 200
Covina, CA 91724

Subject: Notice of Decision for Small Wireless Facility Permit WTF1-2023-007

Dear Applicant,

The Community Development Director reviewed the staff report and other documents and materials in the project file, and, based upon the findings presented in the staff report, **APPROVED** your application for the following:

FILE NO.: WTF1-2023-007. A request for a Wireless Telecommunication Facility – Tier 1 Permit to install equipment within an existing enclosure, and remove and replace equipment within the existing shroud at the T-Mobile facility located at 23850 Park Sienna, within the Public Right-of-Way.

Your application, described above, is subject to all conditions of approval listed in the attached Exhibit A. Any decision of the Community Development Department may be appealed to the Planning Commission. Appeals must be submitted in writing to the City Clerk (per Chapter 17.74 of the Calabasas Municipal Code) within ten (10) days of the Community Development Director action.

Should you have any questions concerning this application, please contact me at (818) 224-1705 or jrackerby@cityofcalabasas.com.

Sincerely,



Jaclyn Rackerby
Planner



CITY of CALABASAS

COMMUNITY DEVELOPMENT DIRECTOR DECISION LETTER AND REPORT

FILE NO.: WTF1-2023-007

PROPOSAL: A request for a Wireless Telecommunication Facility – Tier 1 Permit to install equipment within an existing enclosure, and remove and replace equipment within the existing shroud at the T-Mobile facility located at 23850 Park Sienna, within the Public Right-of-Way.

APPLICANT: NetworkConnex

BACKGROUND:

On November 17, 2021, Synergy filed an application for Tier 1 Permit No. WTF1-2021-005 on behalf of T-Mobile to upgrade the equipment at the facility located at 23850 Park Sienna, within the Public Right-Of-Way. The existing T-Mobile facility is already designed as a 'stealth' facility, with all equipment concealed within a radome and within a screened equipment area, and the proposed modifications maintain the same stealth design.

The existing T-Mobile facility, comprising of a monopole with three antennas located within a radome and associated screened equipment area, was approved in 2008 via a Zoning Clearance Permit. The site was subsequently updated in 2012 (Zoning Clearance Permit No. 120000948), in 2013 (Zoning Clearance Permit No. 130000356), and in 2022 (Tier 1 Permit No. WTF1-2021-005) with approvals for installation of new equipment within the radome and equipment enclosure.

The proposed project includes the removal and replacement of existing equipment within the radome, and the installation of equipment within the existing enclosure. The project was reviewed by staff and by Telecom Law Firm to ensure compliance with Section 17.31.040 of the Calabasas Municipal Code.

STAFF ANALYSIS:

1. Current Site Condition: The existing wireless facility is located on Park Sienna, entirely within the Public Right-of-Way approximately 200 feet northwest of Park Antonio, on the south side of the street. The facility consists of a freestanding monopole with a radome on top that conceals the antennas. The steel monopole is textured to match light poles in the neighborhood. The equipment for the facility is located in an above ground enclosure, with a decorative concrete block wall and access gate, designed to match the adjacent Ridge gated community.

2. **Proposed Project:** The applicant is requesting permission to upgrade an existing Wireless Telecommunication Facility that qualifies for processing as a "Tier 1" Wireless facility permit, as defined in Section 17.31.040 of the Calabasas Municipal Code (CMC). The proposal includes the installation of equipment within an existing enclosure, and removing and replacing equipment within an existing radome. The existing facility is considered a 'stealth' facility and meets the stealth design criteria established by the City's wireless telecommunication facility design guidelines, and the proposed project will maintain the same stealth design.
3. **Calabasas Municipal Code Requirements:** Section 17.31.040 of the CMC regulates the construction, maintenance, and modification of 'stealth' wireless telecommunication facilities within the City of Calabasas via a Tier 1 Wireless Telecommunication Facility Permit. In accordance with Section 17.31.040(B) of the CMC, the ordinance applies to existing facilities which have been previously approved but are now or hereafter modified to meet the 'stealth' standards of Section 17.31.040(C) of the CMC. As a result, the applicant has filed for a Tier 1 Wireless Telecommunication Facility Permit to perform the requested modifications.

FINDINGS:

Section 17.31.040(F) stipulates that the Director may approve an application for a Tier 1 wireless telecommunication facility permit, only if each of the following findings can be made:

1. *The proposed wireless telecommunication facility meets the standards set forth in Sections 17.31.030 and 17.31.040;*

The project site is comprised of a freestanding monopole and equipment enclosure located at 23850 Park Sienna, within the public right-of-way, and with all equipment screened from view. The proposed project meets all the standards for wireless telecommunication facilities located within the public right-of-way, as outlined in Section 17.31.030(A)(1) of the CMC. Additionally, the proposed project meets the standards of Section 17.31.040(C)(1) for Tier 1 facilities located within a public right-of-way, including that the facility meets the stealth design criteria established by the City's Wireless Telecommunication Facility Design Guidelines. As a result, the proposed project meets this finding.

2. *The proposed wireless telecommunication facility is designed as a stealth facility consistent with the city's design guidelines for Tier 1 wireless telecommunication facilities;*

The existing facility is designed as a 'stealth' facility, with all pole-mounted equipment located within the existing radome. Additionally, the remainder of equipment associated with the facility is located within a screened equipment enclosure. Because all equipment and wiring associated with the facility is located within the radome and

screened equipment area and is therefore not visible to the public, the existing facility is designed as a stealth facility.

The proposed project involves removal and replacement of existing equipment within the radome and within the existing equipment enclosure. The 'stealth' design of the site is not being altered with the proposed project, and all screening methods utilized by the existing facility will remain in place for the proposed project. As a result, the proposed project meets this finding.

ENVIRONMENTAL REVIEW:

The City's staff has determined that the project is exempt from environmental review in accordance with Section 21084 of the California Environmental Quality Act (CEQA) and Sections 15301 Class 1 (a), 15301 Class 1 (b), 15302 Class 2 (c), and Section 15332 Class 32, of the CEQA Guidelines.

CONDITIONS OF APPROVAL:

See the attached conditions in Exhibit A.

I have read and agree to the indemnification agreement and attached conditions of approval listed in Exhibit A.

Applicant/Carrier Representative

Date

DECISION:

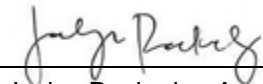
The Director or his/her designee has considered all of the evidence submitted into the administrative record including, but not limited to:

1. All applicable codes and regulations including the City of Calabasas Land Use and Development Code and the City's General Plan;
2. Plans provided by the applicant, as well as any written information; and
3. All related documents, including any necessary environmental documents in order to comply with the California Environmental Quality Act (CEQA), received and/or submitted to the Department.

After considering all of the evidence submitted into the administrative record listed above, I hereby make the following decision:

Approved

Denied



Jaclyn Rackerby, Associate Planner

June 29, 2023

Date

ATTACHMENTS:

Exhibit A: Conditions of Approval

Exhibit B: Project Plans



CITY of CALABASAS

**COMMUNITY DEVELOPMENT DIRECTOR
DECISION LETTER AND REPORT**

EXHIBIT A: CONDITIONS OF APPROVAL

FILE NO.: WTF1-2023-007

PROPOSAL: A request for a Wireless Telecommunication Facility – Tier 1 Permit to install equipment within an existing enclosure, and remove and replace equipment within the existing shroud at the T-Mobile facility located at 23850 Park Sienna, within the Public Right-of-Way.

APPLICANT: NetworkConnex

1. The City has determined that City, its employees, agents, and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney fees, litigation expenses, court costs or any other costs arising out of or in any way related to this File No. WTF1-2023-007 and the issuance of any permit or entitlement in connection therewith, or the activities conducted pursuant to this File No WTF1-2023-007 and the issuance of any permit or entitlement in connection therewith. Accordingly, to the fullest extent permitted by law, NetworkConnex (applicant) and T-Mobile (carrier), and their successors shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, related to this File No. WTF1-2023-007 and the issuance of any permit or entitlement in connection therewith, or the activities conducted pursuant to this File No. WTF1-2023-007 and the issuance of any permit or entitlement in connection therewith NetworkConnex (applicant) and T-Mobile (carrier), and their successors shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.
2. The project approved herein is depicted on those sets of drawings, elevations, etc., stamped approved by staff on the approval date. Any modifications to these plans

must be approved by the Community Development Director prior to the changes on the working drawings or in the field.

3. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the applicant or its successors to cease any development or activity not in full compliance shall be a violation of these conditions. Any violation of the conditions of approval may result in the revocation of this approval.
4. This approval shall be valid for one year and eleven days from the date of this decision letter. The permit may be extended in accordance with Section 17.64.050 of the Land Use and Development Code.
5. Prior to commencement of construction, all necessary permits shall be obtained from the Building and Safety Division and Public Works Department.
6. The project is located within a designated "Very High Fire Hazard Severity Zone". All applicable requirements of Los Angeles County Building Code must be incorporated into all plans.
7. The applicant and contractors shall implement all reasonable efforts to reuse and recycle construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment, and systems. The applicant shall provide proof of recycling quantities to get final clearance of occupancy.
8. Per the Calabasas Municipal Code Chapter 8.16, "no person shall collect and/or dispose of municipal solid waste or recyclable materials in the city without having first been issued a solid waste collection permit. Such permit shall be in addition to any business license or permit otherwise required by the City of Calabasas." Please contact the Public Works Department for a list of permitted haulers. An Encroachment Permit is required prior to placing a refuse bin/container on the street.
9. Construction Activities - Hours of construction activity shall be limited to:
 - i. 7:00 a.m. to 6:00 p.m., Monday through Friday
 - ii. 8:00 a.m. to 5:00 p.m., Saturday

Stacking of construction worker vehicles, prior to 7:00 a.m. in the morning will be restricted to areas that do not adversely affect adjacent residences or schools. The applicant or its successors shall notify the Public Works Director of the construction employee parking locations, prior to commencement of construction.

10. No additional equipment not included or specified in the stamped approved plans may be installed on the subject site under this permit.
11. Compliance With Previous Approvals. The grant or approval of a Tier 1 wireless facility permit shall be subject to the conditions of approval of the underlying permit.
12. As-Built Plans. The applicant shall submit to the director an as-built set of plans and photographs depicting the entire small wireless facility as modified, including all transmission equipment and all utilities, within ninety (90) days after the completion of construction.
13. Indemnification. To the fullest extent permitted by law, the applicant and any successors and assigns, shall defend, indemnify and hold harmless [the] city, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, related to the small wireless facility permit and the issuance of any permit or entitlement in connection therewith. The applicant shall pay such obligations as they are incurred by [the] city, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the city reasonably determines necessary to protect the city from exposure to fees, costs or liability with respect to such claim or lawsuit.
14. Compliance With Applicable Laws. The applicant shall comply with all applicable provisions of this Code, any permit issued under this Code, and all other applicable federal, state, and local laws. Any failure by the city to enforce compliance with any applicable laws shall not relieve any applicant of its obligations under this Code, any permit issued under this Code, or all other applicable laws and regulations.
15. Compliance With Approved Plans. The proposed project shall be built in compliance with the approved plans on file with the planning division.
16. Violations. The wireless facility shall be developed, maintained, and operated in full compliance with the conditions of the small wireless facility permit, any other applicable permit, and any law, statute, ordinance or other regulation applicable to any development or activity on the site. Failure of the applicant to cease any development or activity not in full compliance shall be a violation of these conditions. Any violation of this Code, the conditions of approval for the small wireless facility permit, or any other law, statute, ordinance or other regulation applicable to any development or activity on the site may result in the revocation of this permit. The remedies specified in this section shall be cumulative and the city may resort to any other remedy available at law or in equity and resort to any

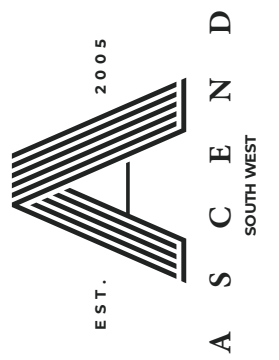
one remedy shall not cause an election precluding the use of any other remedy with respect to a violation.

17. Permittee shall ensure that all required radio frequency signage be installed and maintained at all times in good condition. All such radio frequency signage be constructed of hard materials and be UV stabilized. All radio frequency signage must comply with the sign colors, sign sizes, sign symbols, and sign panel layouts in conformance with ANSI Z535.1, ANSI Z535.2, and ANSI C95.2-2007 standards. All such radio frequency signage, or additional signage immediately adjacent to the radio frequency signage, shall provide a working local or toll-free telephone number to its network operations center that reaches a live person who can exert transmitter power-down control over this site as required by the FCC.
18. In the event that the FCC changes any of radio frequency signage requirements that are applicable to the project site approved herein or ANSI Z535.1, ANSI Z535.2, and ANSI C95.2 standards that are applicable to the project site approved herein are changed, Permittee, within 30 days of each such change, at its own cost and expense, shall replace the signage at the project site to comply with the then current standards.



T-Mobile West LLC
 4100 Guardian Street
 Suite 101
 Simi Valley, CA 93063

PHOTOGRAPHIC VISUALIZATIONS CREATED BY



www.ascendsouthwest.com



A NETWORKCONNEX COMPANY

T-Mobile

SV11189D
 23850 PARK SIENNA
 CALABASAS, CA 91302



GEODETIC COORDINATES
 34 08 36.79N/118 38 22.61W

This photo simulation is being provided as a conceptual representation of the proposed wireless facility.
 For exact dimensions and design, please refer to the submitted plans.
 Ascend South West is not Responsible for Post Simulation Production Design Changes, Scaling Error, Omissions, Color Discrepancies, Material Variances or any Construction Related Concern.



Existing Conditions



Proposed Site Build

View: 1
Revision Date: 01/12/22





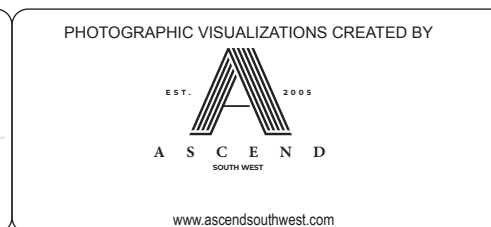
Existing Conditions



Proposed T-Mobile Site Modifications
(no visible change)

Proposed Site Build

View: 2
Revision Date: 01/12/22



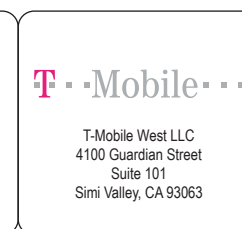


Existing Conditions



Proposed Site Build

View: 3
Revision Date: 01/12/22



Proposed T-Mobile Site Modifications
(no visible change)



Existing Conditions

Proposed Site Build

View: 4
Revision Date: 01/12/22

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