

Development Review Committee 1020 East Pioneer Road Draper, UT 84020

STAFF REPORT

May 13, 2025

To: Jennifer Jastremsky, Zoning Administrator

Approved

From: Todd A. Draper, AICP, Planning Manager 801-576-6335, todd.draper@draperutah.gov

Re: <u>T-Mobile Antenna Upgrade – Permitted Use Permit Request</u>

Date

Application No.:	2025-0052-USE
Applicant:	Chyna Gudgel, representing Crown Castle and T-Mobile
Project Location:	1661 E. 13200 S.
Current Zoning:	RA1 (Residential Agricultural), &
	RA2 (Residential Agricultural) Zones
Acreage:	5.25 Acres (Approximately 228,690 ft ²)
Request:	Request for approval of a Permitted Use Permit in the RA1 zone regarding equipment upgrades to an existing T-Mobile wireless facility.

SUMMARY AND BACKGROUND

This application is a request for approval of a Permitted Use Permit for approximately 5.25 acres located on the west side of Highland Drive at approximately 1661 E. 13200 S. (Exhibits B & C). The property is currently split zoned RA1 and RA2. The applicant is requesting that a Permitted Use Permit be approved to allow for an equipment upgraded to the existing wireless facility.

The property is owned by the Glad Revocable Trust. The property has an existing singlefamily home that was built in 1983 located on it and the property is used primarily as a residence. The one-hundred foot (100') tall monopole was approved by the Planning Commission in February 1993 through the Conditional Use Permitting process. Numerous carriers have and continue to co-locate on the monopole. Numerous upgrades to the T-



Mobile equipment have been approved over the years, most recently under file USE-000598-2019 in May of 2019.

ANALYSIS

General Plan and Zoning.

Table 1	General Plan and Zoning Designations	Exhibit
Existing Land Use	Residential Low/Medium Density	Exhibit D
Current Zoning	RA1, RA2	Exhibit E
Proposed Use	Residential/Wireless Telecommunications Facility	
Adjacent Zoning		
East	RA2	
West	RA2	
North	RA2	
South	RA2	

The Residential Low/Medium land use designation is characterized as follows:

Residential	Low-Medium	Density
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LAND USE DESCRIPTION	ИС				
CHARACTERISTICS	 Very large lot single-family neighborhoods or ranchettes allows for enhancement of Draper's rural character 				
		gned clustered housing with uth Mountain projects being the			
		es and cultivated vegetation is I care is required in order to preserve reas			
	Equestrian uses and	privileges may exist in certain areas			
LAND USE MIX	Primary • Single-family detached homes	Secondary Parks Open space Churches Schools			
DENSITY	 Density range: up to Reduction for non-bit 	2 dwelling units per acre uildable areas			
COMPATIBLE ZONING	 Residential Agricult Residential Agricult Single-family Resid Master Planned Cordinates 	tural (RA2) ential Hillside (RH)			
OTHER CRITERIA	allowed only with co	vithin equestrian areas may be mpliance to specified performance t mitigation measures			
	single-family resident retention areas, lots t	ns around existing low-density ces may consist of open space/ that are pie-shaped or otherwise sized lots or a combination of these re design techniques			

According to Draper City Municipal Code (DCMC) Section 9-8-020 the purpose of the RA1



and RA2 zones is to "foster low density development with little impact on its surroundings and municipal services; to generally preserve the character of the city's semirural areas; and to promote and preserve conditions favorable to large lot family life, including the keeping of limited numbers of animals and fowl. The predominant use in these zones is intended to be detached single-family dwellings, protected from encroachment by commercial and industrial uses."

<u>Site Plan Layout</u>. The overall site plan in Exhibit F shows the location of the existing tower on the west side of the property with respect to the existing residence and ancillary accessory structures on the property. An enlarged site plan is provided detailing the location of the T-Mobile equipment shelter and connection to the monopole tower.

Table 2	Site Plan Design Requi	rements	
Standard	DCMC Requirements	Proposal	Notes
Lot/Parcel Size	1.0 acre	5.25 acres	No change
Street Frontage	50-feet	Approximately 360 feet along 13200 S. and 700 feet on Highland Dr.	
Setbacks	Two feet (2') for every foot of pole height from the closest line of any property in an adjacent residential zone in which a residential use is located or may be located or may be located. The planning commission may reduce the required setback from a residential zone if practical difficulties are demonstrated by the carrier (i.e., city park location, public buildings, etc.)	Approximately 18' from the western property line.	Monopole is existing and was previously approved in the current location by the Planning Commission.

Landscaping and screening. No changes are proposed to the existing landscaping or fencing, which were approved under previous application(s).

<u>Architecture</u>. The layout plans and elevation drawings are provided in Exhibit G. The proposed plans include the following changes:



Tower:

- Remove (3) ERICSSON AIR21 KRC118023/1 B2A B4P Antennas
- Remove (3) ERICSSON AIR21 KRC118046/1 B2P B4A Antennas
- Remove (1) ERICSSON 9X18 HYBRID CABLE
- Install (3) ERICSSON AIR 6419 B41 Antennas
- Install (3) ERICSSON 4460 B25/B66 Radios
- Install (2) 1-5/8" RFS/CELWAVE HB158-21U6S24-XXM Hybrid Cables

Ground:

- Remove (1) SSC Cabinet
- Remove (2) NORTEL Cabinets
- Remove (2) DUW30, (1) CSR 7210 SAS-MXP & (6) RU22 UNITS FROM (E) RBS 6131 Cabinets
- Install (1) ERICSSON RBS 6160 V2 Cabinet W/: (1) RP 6651 & (1) CSR IXRE VS (GEN2)
- Install (1) ERICSSON B160 Battery Cabinet

Federal Section 6409(a) requires that local jurisdictions expeditiously review and approve qualified applications for minor improvements and expansions within 60 days of receipt and accept certain modifications as minor irrespective of local zoning statues. Staff notes that a complete application, including the accurate property owner authorization, was received and accepted on April 16, 2025. Table 3 below outlines the federal standards and how this application aligns with them and the DCMC.

Table 3	FCC Implementation Rules	Proposed	Notes
Tower Height	Permit 10% height increase not to exceed 20'.	No change	Complies with FCC
Array Width	Up to 20' from edge of tower structure.	13'-3"	Complies with FCC
Additional Equipment	Up to 4 additional cabinets.	No new cabinets proposed.	
Site Expansion or excavation	Up to 30' from existing site.	No expansion of ground area proposed.	

Existing array mounts will remain and will be realigned. Some antennas will be relocated to new locations on the existing array. The new antennas proposed to be installed will be slightly smaller than the existing antennas that will be removed. There will be no change to the existing overall height of the array, however the overall width will be reduced slightly to approximately thirteen feet three inches (13'-3") due to the realignment of the array arms.

The original Conditional Use Permit approval for the tower limited the height of the antennas and monopole structure to one-hundred feet (100') maximum. The T-Mobile array is the second mount collocated on the monopole with an antenna centerline



elevation at eighty-three feet (83') and the top of the antennas located at an elevation of eighty-seven feet one inch (87'-1").

Lighting. No changes to the existing site lighting are proposed with this application.

<u>*Criteria For Approval*</u>. The criteria for review and potential approval of a permitted use request is found in Section 9-5-070(E) of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

E. Approval Standards: The following standards shall apply to the issuance of a permitted use permit. A permitted use shall:

- 1. Be allowed as a permitted use in the applicable zone;
- 2. Conform to development standards of the applicable zone;
- 3. Conform to applicable regulations of general applicability and regulations for specific uses set forth in this title;
- 4. Not be located on any land classified as a primary or secondary conservation area or sensitive land area, except as expressly permitted by provisions of this title;
- 5. Not be located in any protected area as shown on a natural resource inventory; and
- 6. Conform to any other applicable requirements of this code.

Wireless telecommunication facilities that qualify as an eligible facilities request are also subject to the requirements found in the electronic ode of Federal Regulations Title 47, Chapter I, Subpart A, Part 1, Subpart U, §1.6100.

(b)

Definitions.

- (3) Eligible facilities request. Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:
 - (i) Collocation of new transmission equipment;
 - (ii) Removal of transmission equipment; or
 - (iii) Replacement of transmission equipment.
- (7) Substantial change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:
 - (i) For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;



- (A) Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.
- (ii) For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
- (iii) For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
- (iv) It entails any excavation or deployment outside of the current site, except that, for towers other than towers in the public rights-of-way, it entails any excavation or deployment of transmission equipment outside of the current site by more than 30 feet in any direction. The site boundary from which the 30 feet is measured excludes any access or utility easements currently related to the site;
- (v) It would defeat the concealment elements of the eligible support structure; or
- (vi) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in §1.40001(b)(7)(i) through (iv).
- (c) Review of applications. A State or local government may not deny and shall approve any eligible facilities request for modification of an eligible support structure that does not substantially change the physical dimensions of such structure.

The proposal complies with the applicable requirements of DCMC section 9-5-070(E) for permitted use approval, DCMC Chapter 9-41 for Wireless Telecommunication Facilities, and Federal FCC regulations pertaining to eligible facilities requests.



REVIEWS

<u>Planning Division Review</u>. The Draper City Planning Division has completed their review of the Permitted Use Permit submission. Comments from this division, if any, can be found in Exhibit A.

<u>Engineering and Public Works Divisions Review</u>. The Draper City Engineering and Public Works Divisions have completed their reviews of the Permitted Use Permit submission. Comments from these divisions, if any, can be found in Exhibit A.

Building Division Review. The Draper City Building Division has completed their review of the Permitted Use Permit submission. Comments from this division, if any, can be found in Exhibit A.

<u>Fire Division Review</u>. The Draper City Fire Marshal has completed his review of the Permitted Use Permit submission. Comments from this division, if any, can be found in Exhibit A.

Noticing. Notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff finds that the application complies with the DCMC and FCC Regulations and recommends that the Zoning Administrator review the request and approve the application together with the conditions of approval listed below, based on the findings for approval listed below and the criteria for approval, as listed within the staff report.

If the Zoning Administrator approves the request, staff recommends the following condition of approval:

1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.

The findings for approval as are follows:

- 1. The proposed development plans meet the intent, goals, and objectives of the Draper City General Plan.
- 2. The proposed development plans meet the requirements and provisions of the Draper City Municipal Code.
- 3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
- 4. The proposed development conforms to the general aesthetic and physical



development of the area.

- 5. The public services in the area are adequate to support the subject development.
- 6. The proposal complies with the requirements for expansion as an eligible facility under Spectrum Act including the applicable Federal Regulations found in Title 47, Chapter I, Subpart A, Part 1, Subpart U, §1.6100 of the Electronic Code of Federal Regulations.



DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.



Draper City Public Works Department

Don Buckley DN: C=US, E=don.buckley@draper.ut.us, O=Draper City Fire Department, OU=Fire Marshal, CN=Don Buckley Date: 2025.05.21 13:50:05-06'00'

Draper City Fire Department



Draper City Building Division

Digitally signed by Todd A. Draper DN: C-US Todd A. Draper ©-Draper (Dy Planning, CN-Todd A. Draper Date: 2025 06.29 08:58:42-06:00

Draper City Planning Division

Draper City Legal Counsel

EXHIBIT A DEPARTMENT REVIEWS

REVIEWS ARE NOT MEANT TO BE AN ALL INCLUSIVE LIST OF POSSIBLE COMMENTS OR CONDITIONS.

Planning Division Review.

1. No additional Comments.

Engineering and Public Works Divisions Review.

1. No additional Comments.

Building Division Review.

1. No additional Comments.

Fire Division Review.

1. No additional Comments.

EXHIBIT B VICINITY MAP

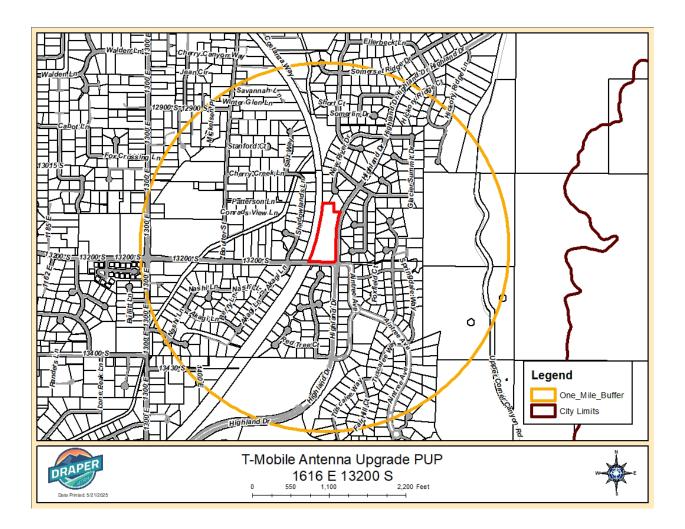


EXHIBIT C AERIAL MAP

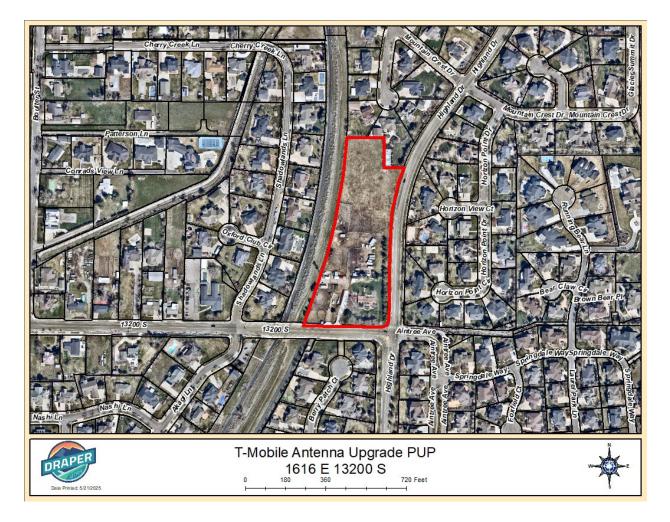


EXHIBIT D LAND USE MAP

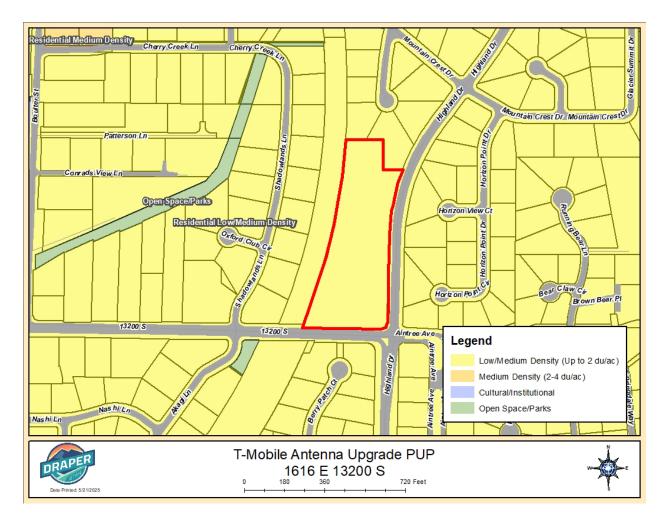


EXHIBIT E ZONING MAP

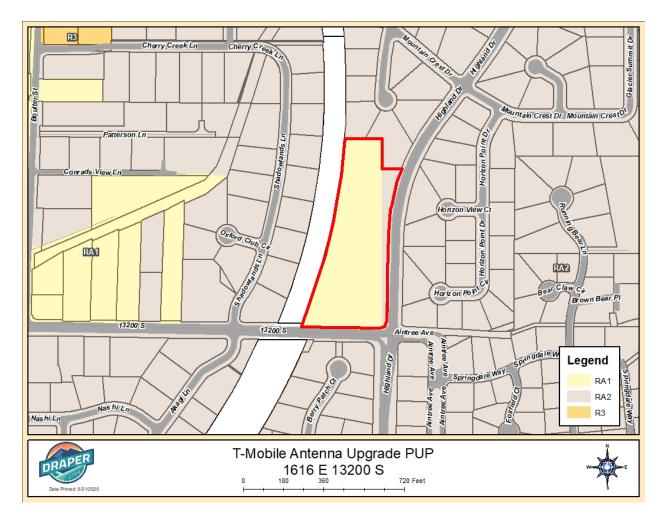
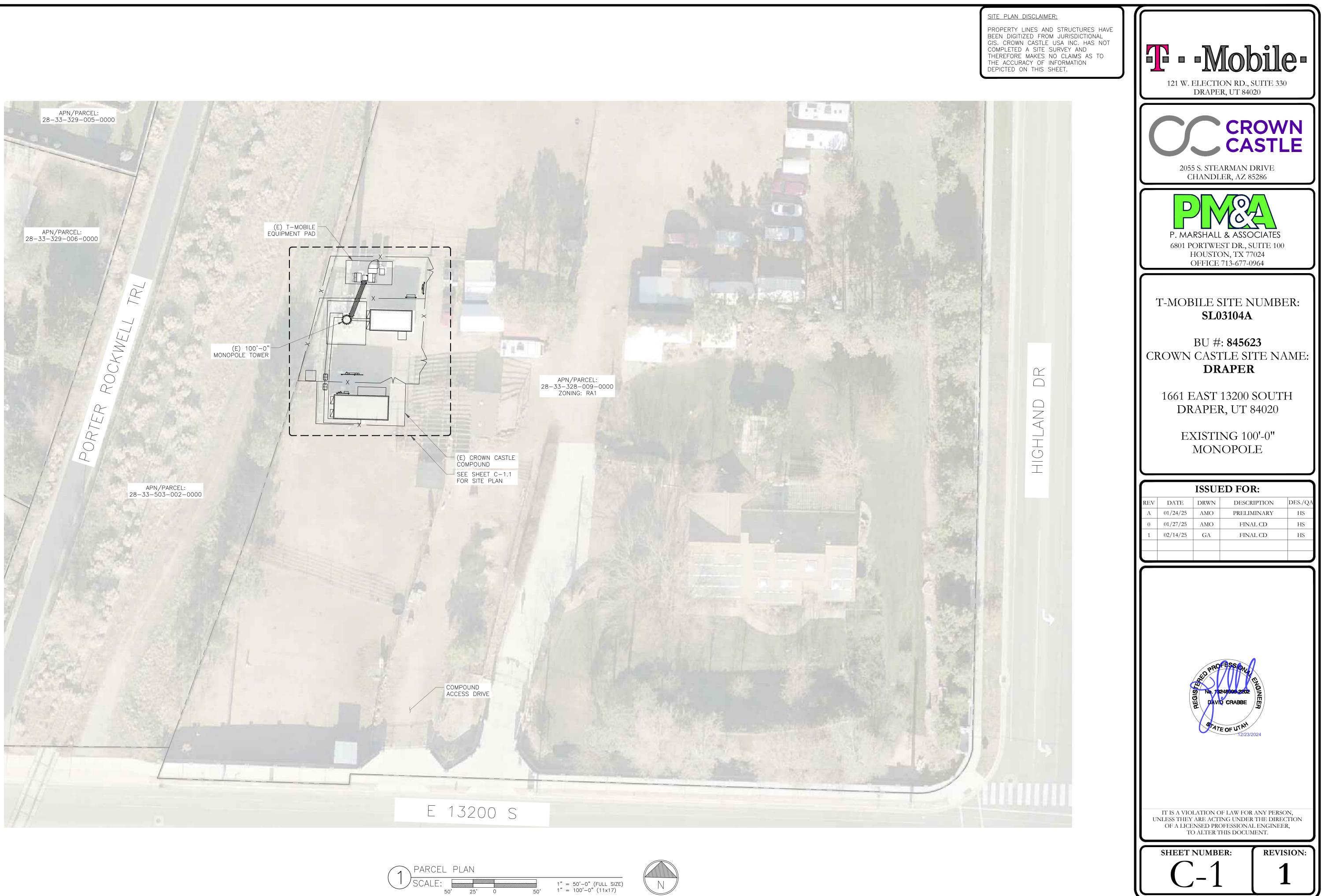
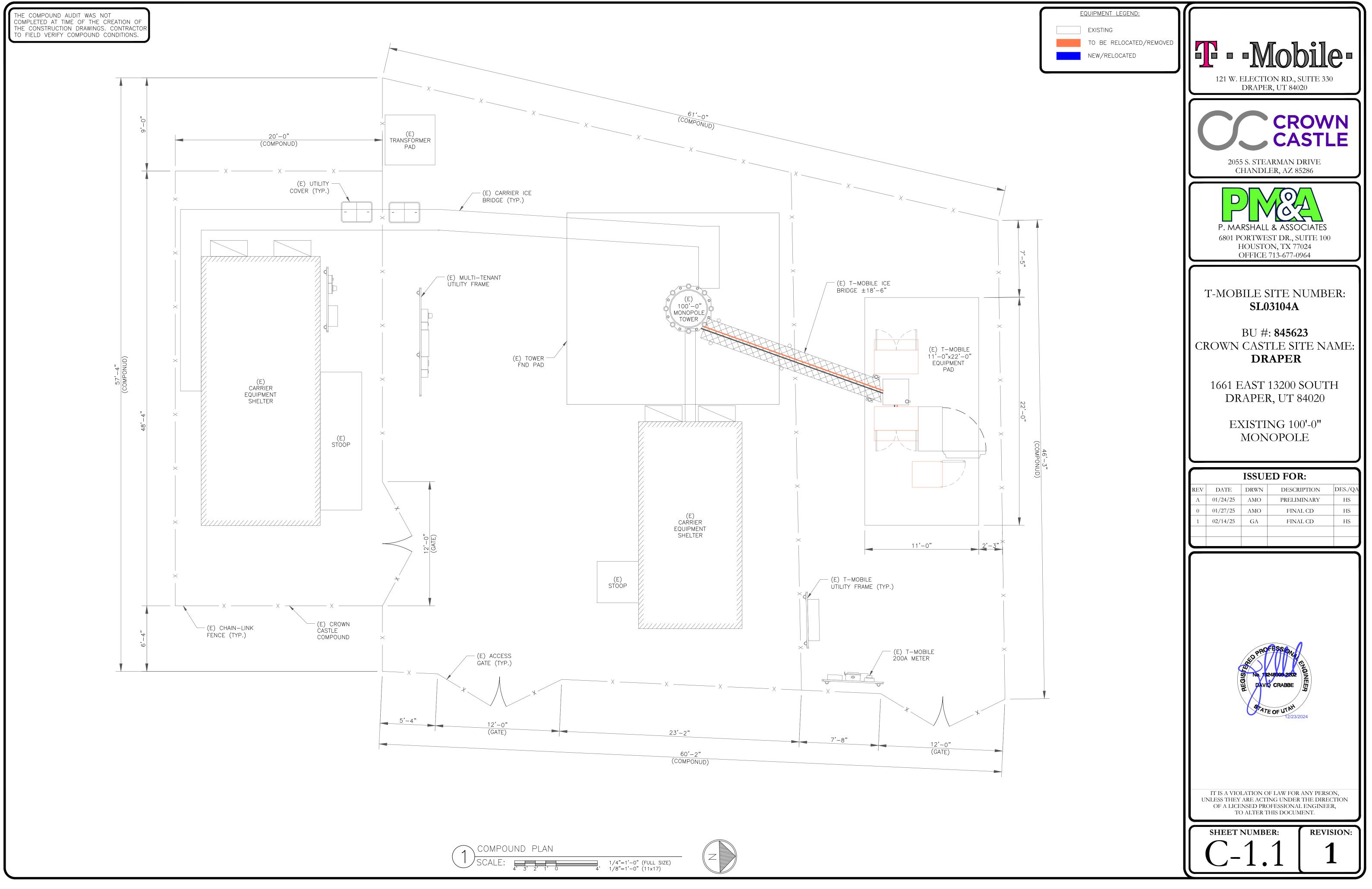


EXHIBIT F SITE PLAN



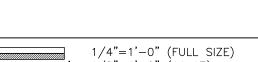




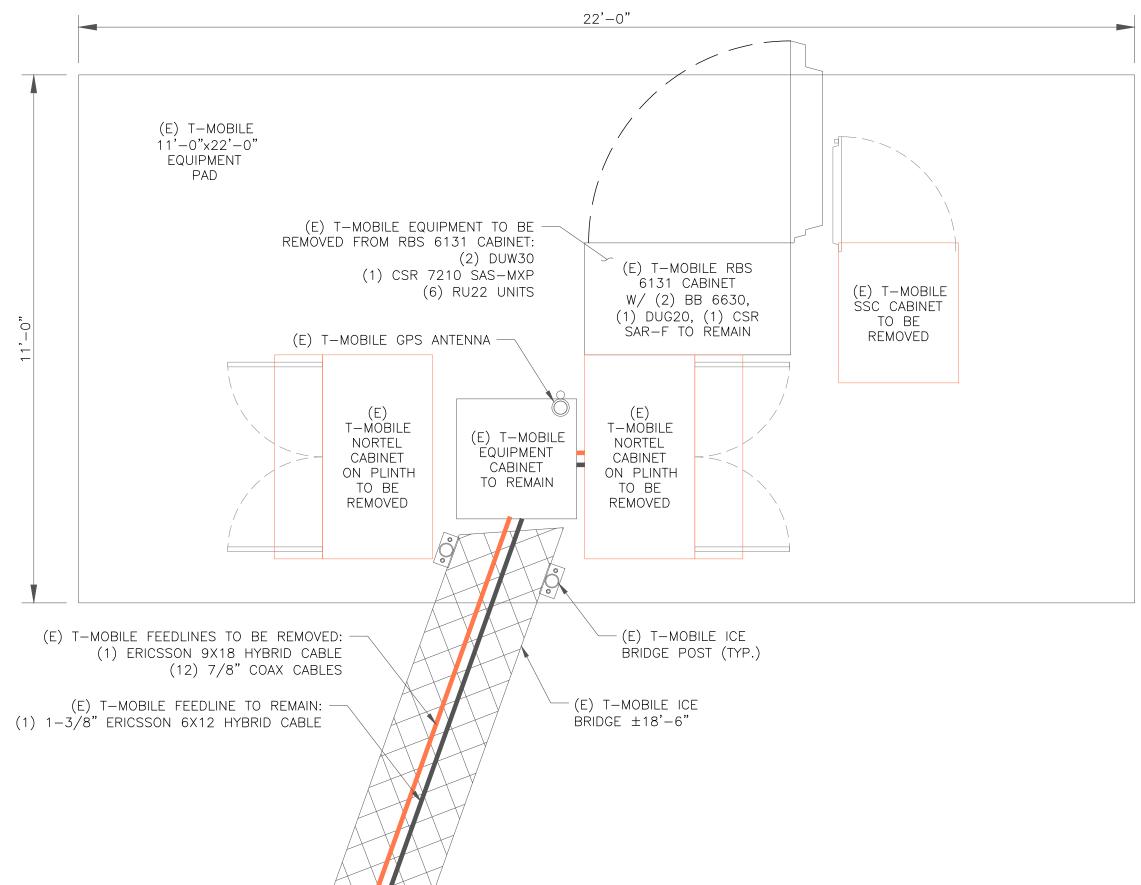




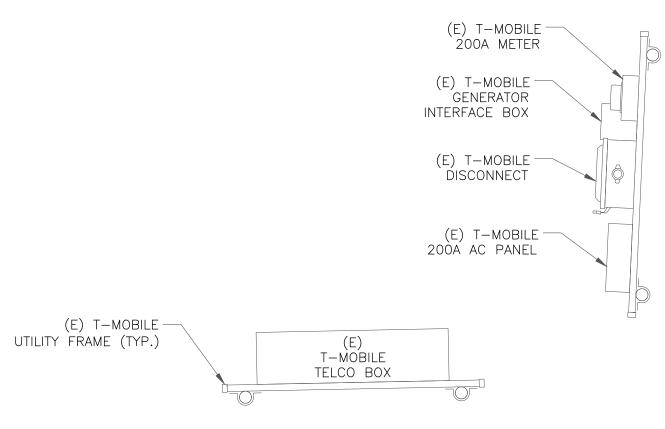






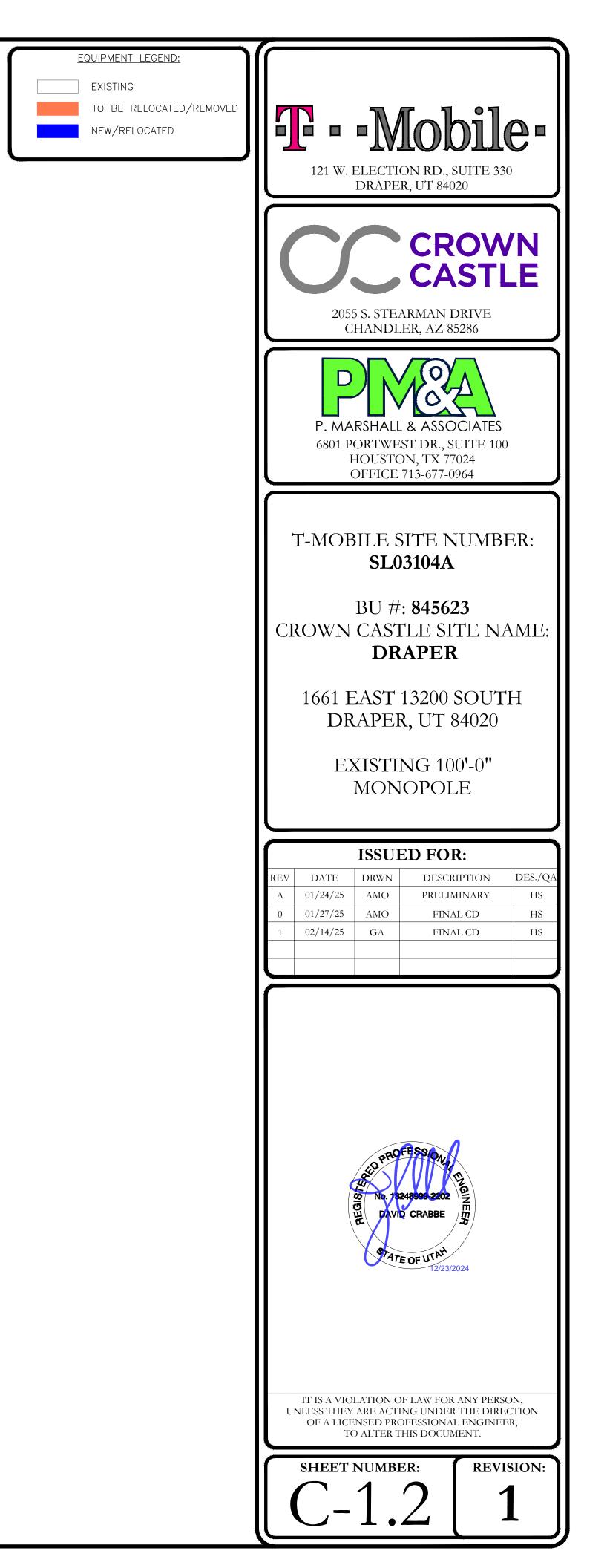


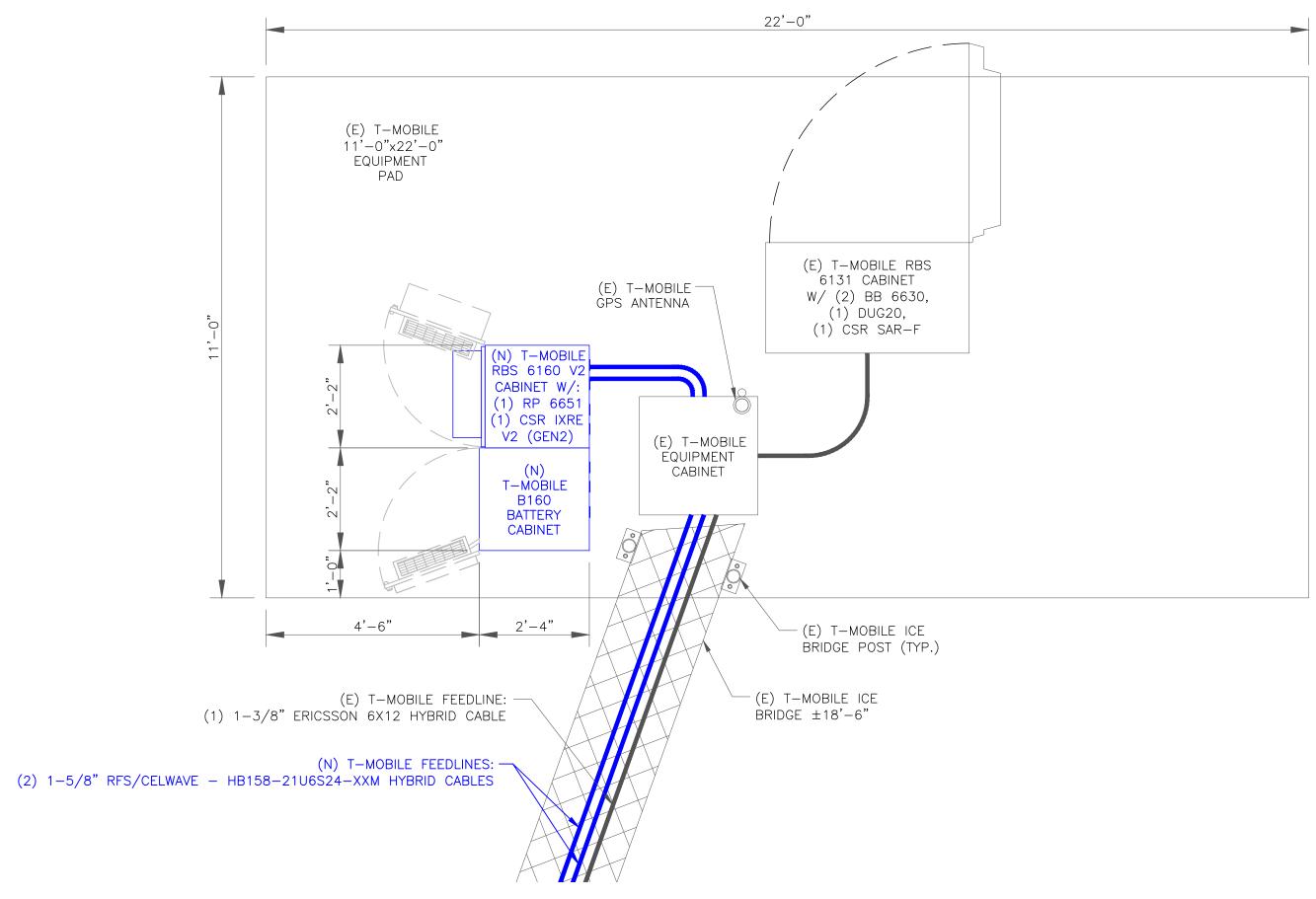




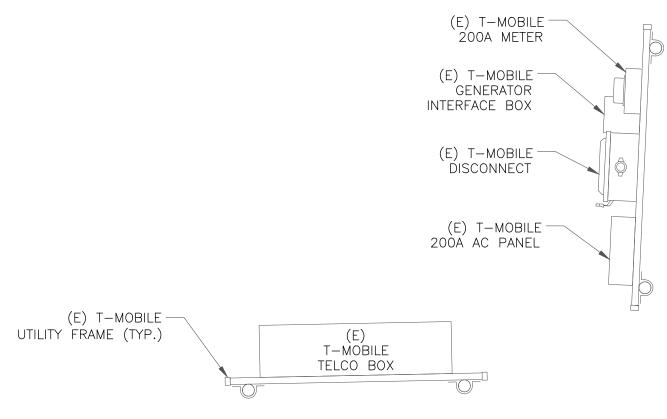
















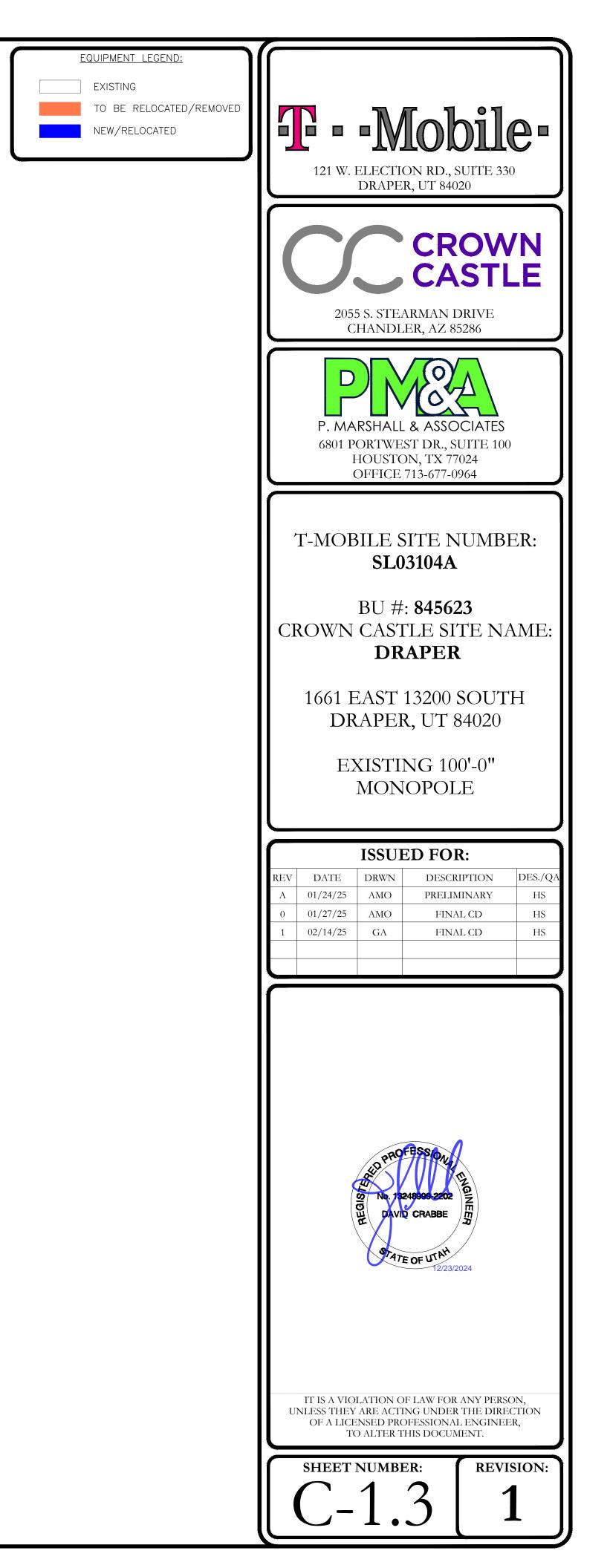
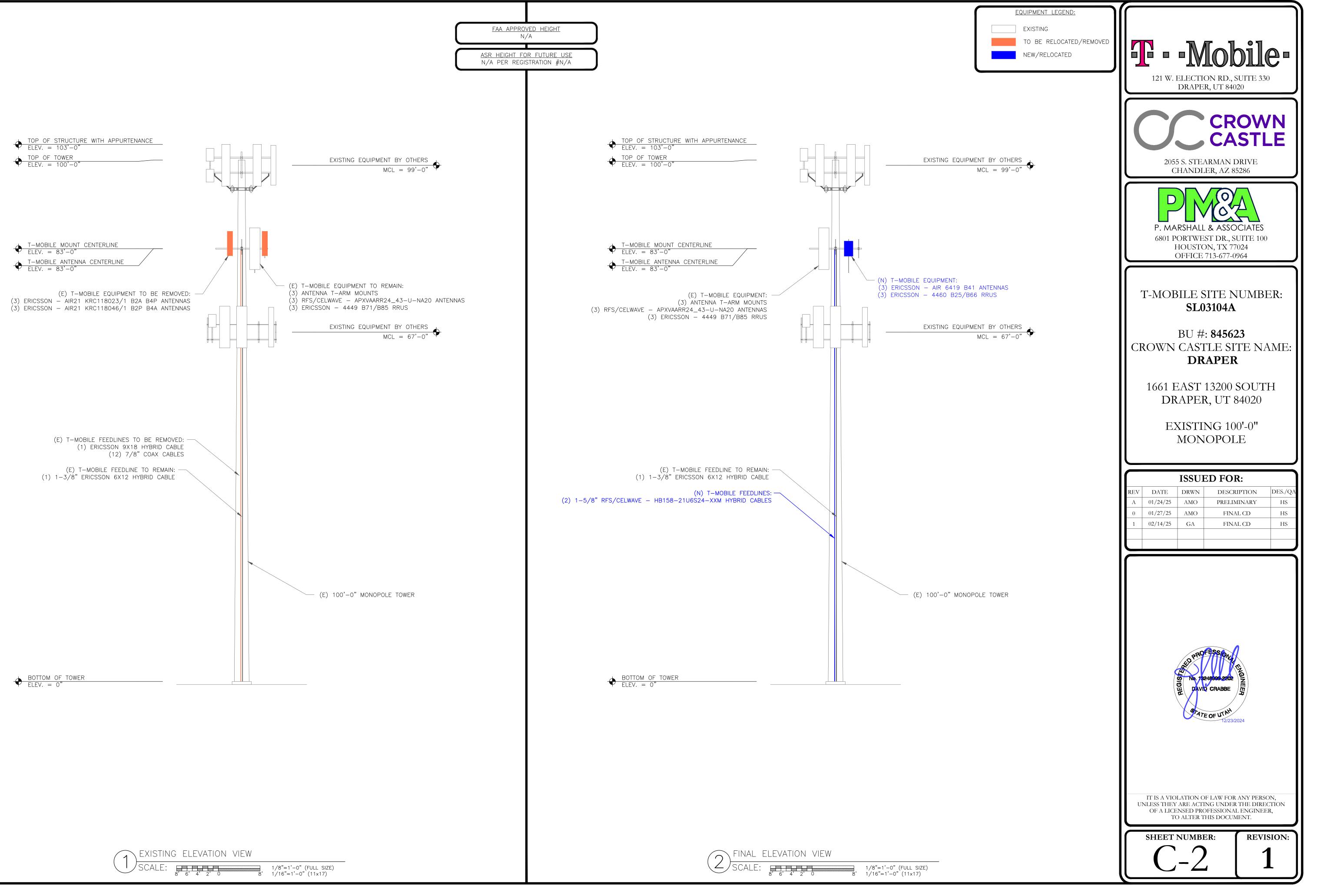
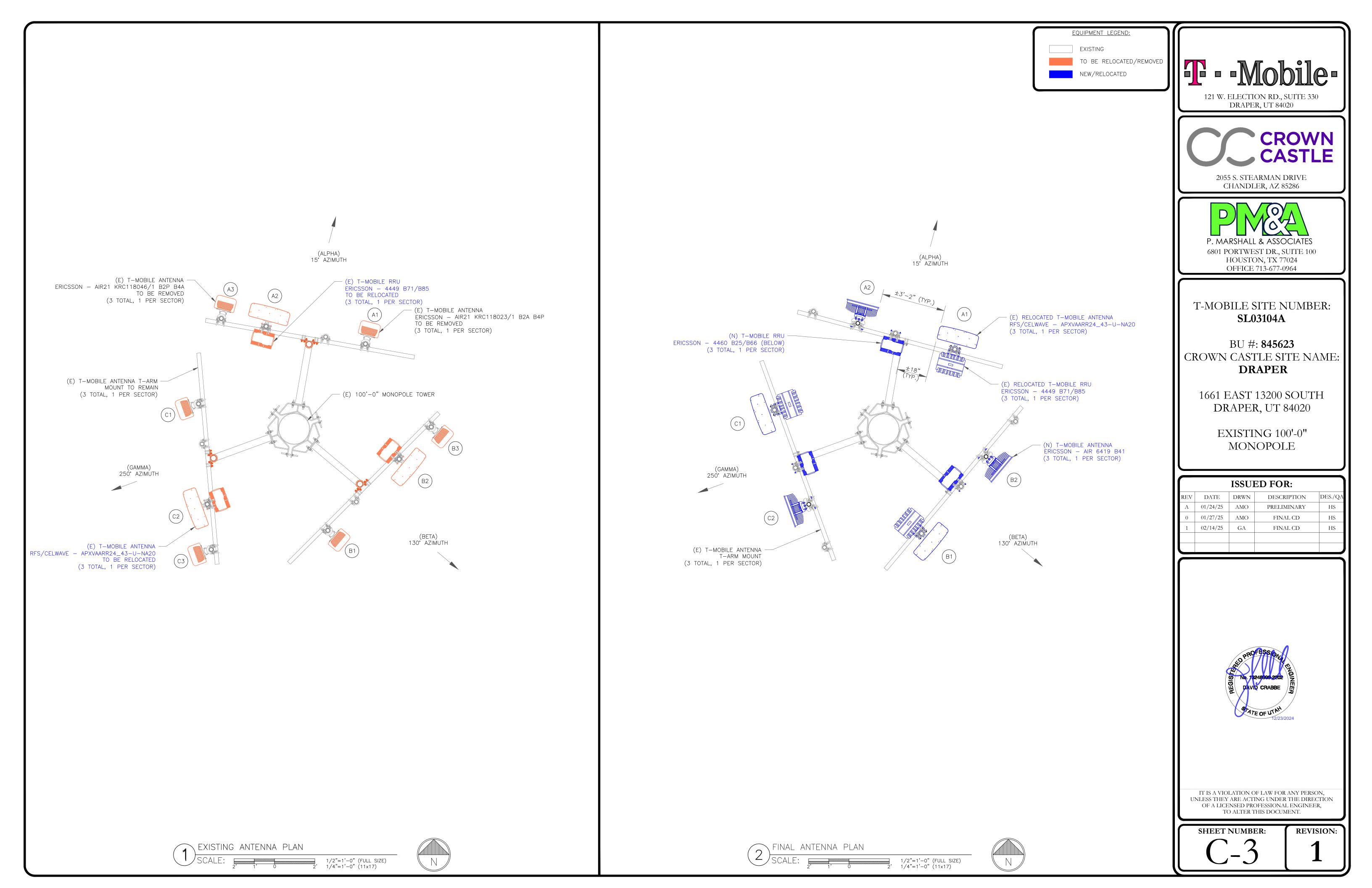


EXHIBIT G EQUIPMENT LAYOUT AND ELEVATIONS





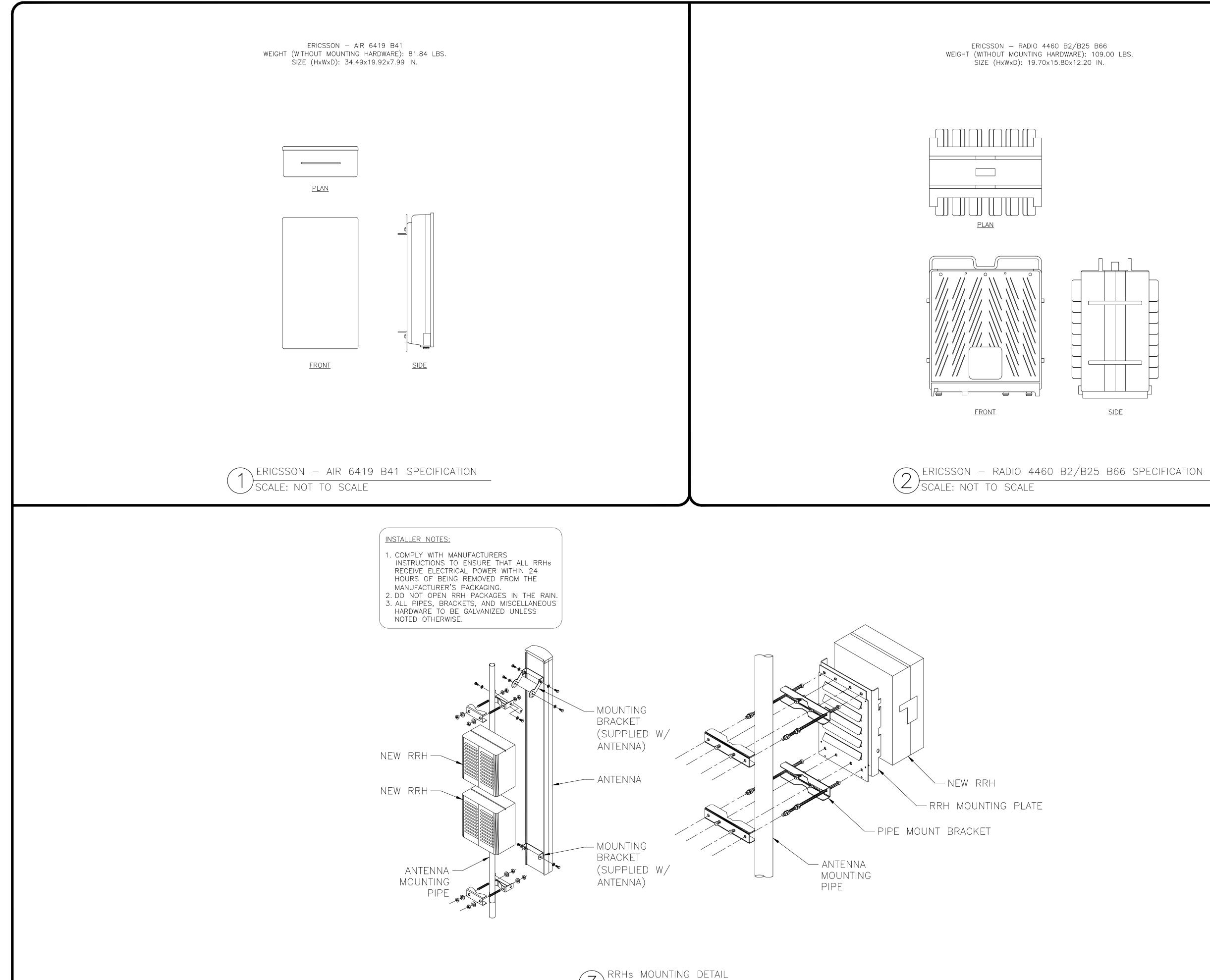
	FINAL EQUIPMENT SCHEDULE (GC TO VERIFY WITH CURRENT RFDS)																
DOCUTION		ANTENNA				RADIO		DIPLE	XER		ТМА		SURGE PROTECTION		CABLES		
POSITION	ТЕСН	STATUS/MANUFACTURER MODEL	AZIMUTH	RAD CENTER	QTY.	STATUS/MODEL	LOCATION	QTY. STATUS	LOCATION	QTY.	STATUS	QTY.	STATUS/MODEL	QTY.	STATUS/TYPE	SIZE	LENGTH
A1	L700 L600 N600 G1900 N1900	(E) RFS/CELWAVE – APXVAARR24_43-U-NA20	15°	83'-0"	1	(E) ERICSSON – 4449 B71/B85	TOWER		_	_	_	_	_	1	(N) 6X24 4AWG	1-5/8"	137'
	N1900 L2100 L1900 LAWS3				1	(N) ERICSSON — 4460 B25/B66	TOWER										107
A2	N2500	(N) ERICSSON — AIR 6419 B41	15°	83'-0"	_	_	_		_	_	_	_	_	-	SHARED 6X24 4AWG	_	_
B1	L700 L600 N600 G1900 N1900	(E) RFS/CELWAVE – APXVAARR24_43-U-NA20	130°	83'-0"	1	(E) ERICSSON – 4449 B71/B85	TOWER		_	_	_	_	_	1	(N) 6X24 4AWG	1-5/8"	137'
	N1900 L2100 L1900 LAWS3				1	(N) ERICSSON — 4460 B25/B66	TOWER									,	
B2	N2500	(N) ERICSSON — AIR 6419 B41	130°	83'-0"	_	_	_		_	_	_	_	_	_	SHARED 6X24 4AWG	_	_
	L700 L600 N600 G1900		0.5.03		1	(E) ERICSSON – 4449 B71/B85	TOWER								(5) 0740 1100	4 7 /0"	
C1	G1900 N1900 L2100 L1900 LAWS3	(E) RFS/CELWAVE – APXVAARR24_43–U–NA20	250°	83'-0"	1	(N) ERICSSON — 4460 B25/B66	TOWER		_	_	_	_	_	1	(E) 6X12 HCS	1-3/8"	133'
C2	N2500	(N) ERICSSON — AIR 6419 B41	250°	83'-0"	_	_	_		_	_	_	_	_	_	SHARED 6X12 HCS	_	_

	UNUSED	FEE	DLINE	ES
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_	_		-	_

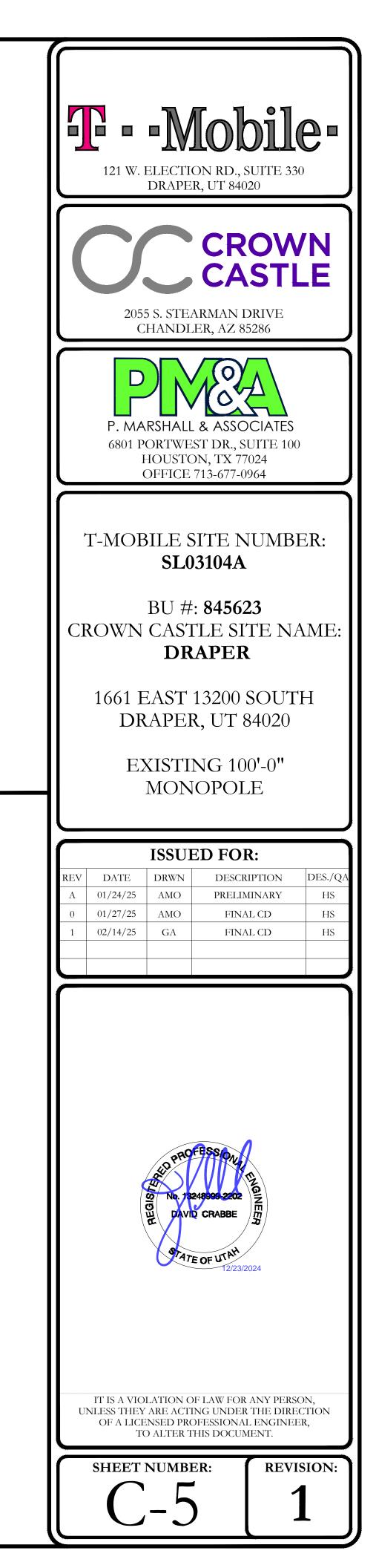
FINAL EQUIPMENT SCHEDULE

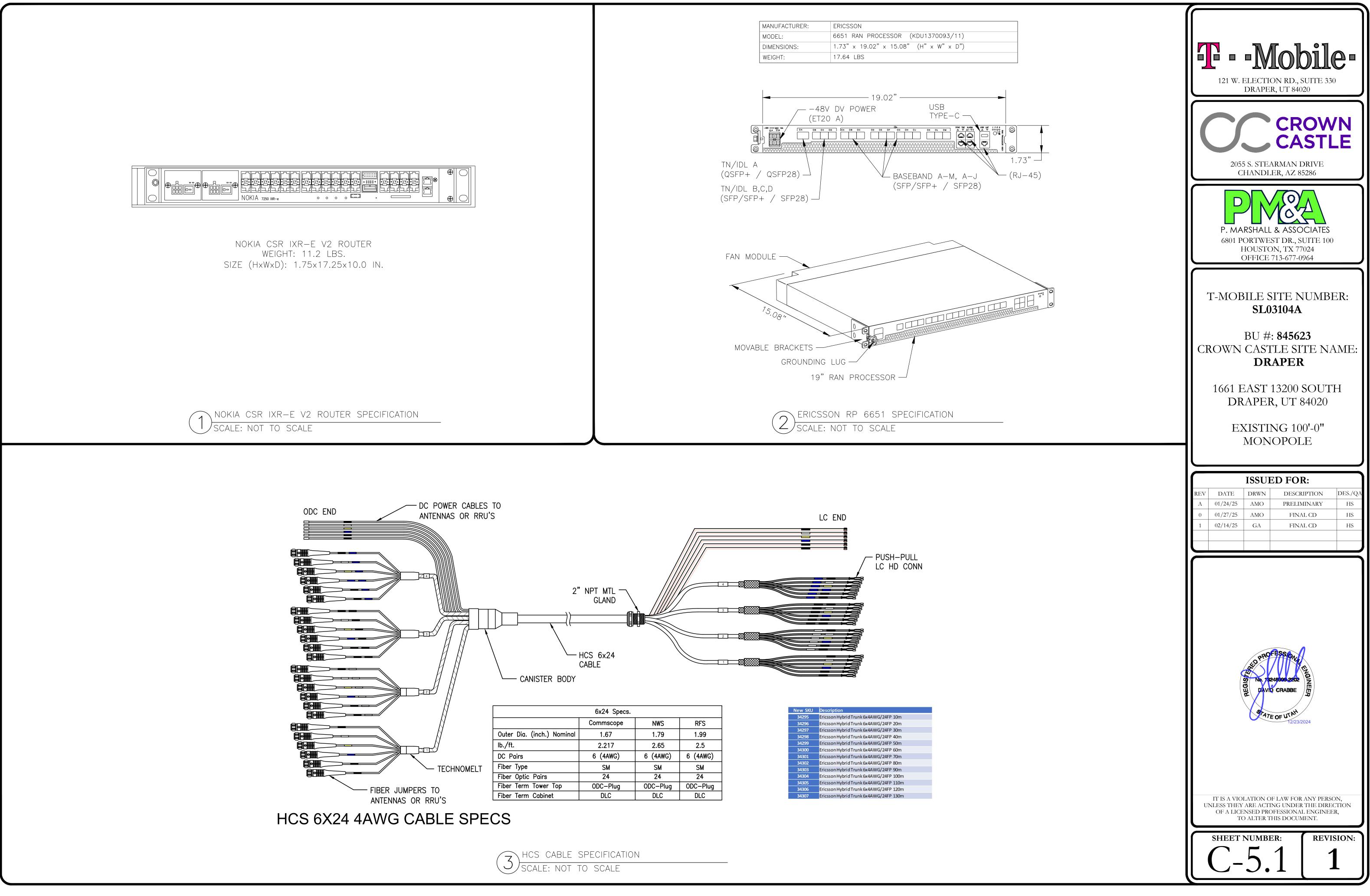
SCALE: NOT TO SCALE

		Te Mobile 121 W. ELECTION RD., SUITE 330 DRAPER, UT 84020
		2055 S. STEARMAN DRIVE CHANDLER, AZ 85286
SIZE 1-5/8"	LENGTH 137'	P. MARSHALL & ASSOCIATES 6801 PORTWEST DR., SUITE 100 HOUSTON, TX 77024 OFFICE 713-677-0964
_	_	T-MOBILE SITE NUMBER: SL03104A BU #: 845623
1-5/8"	137'	CROWN CASTLE SITE NAME: DRAPER 1661 EAST 13200 SOUTH DRAPER, UT 84020
_	_	EXISTING 100'-0" MONOPOLE
1-3/8"	133'	ISSUED FOR:REVDATEDRWNDESCRIPTIONDES./QAA01/24/25AMOPRELIMINARYHS001/27/25AMOFINAL CDHS102/14/25GAFINAL CDHS
_	_	
		TI IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.
		sheet number: C-4 1



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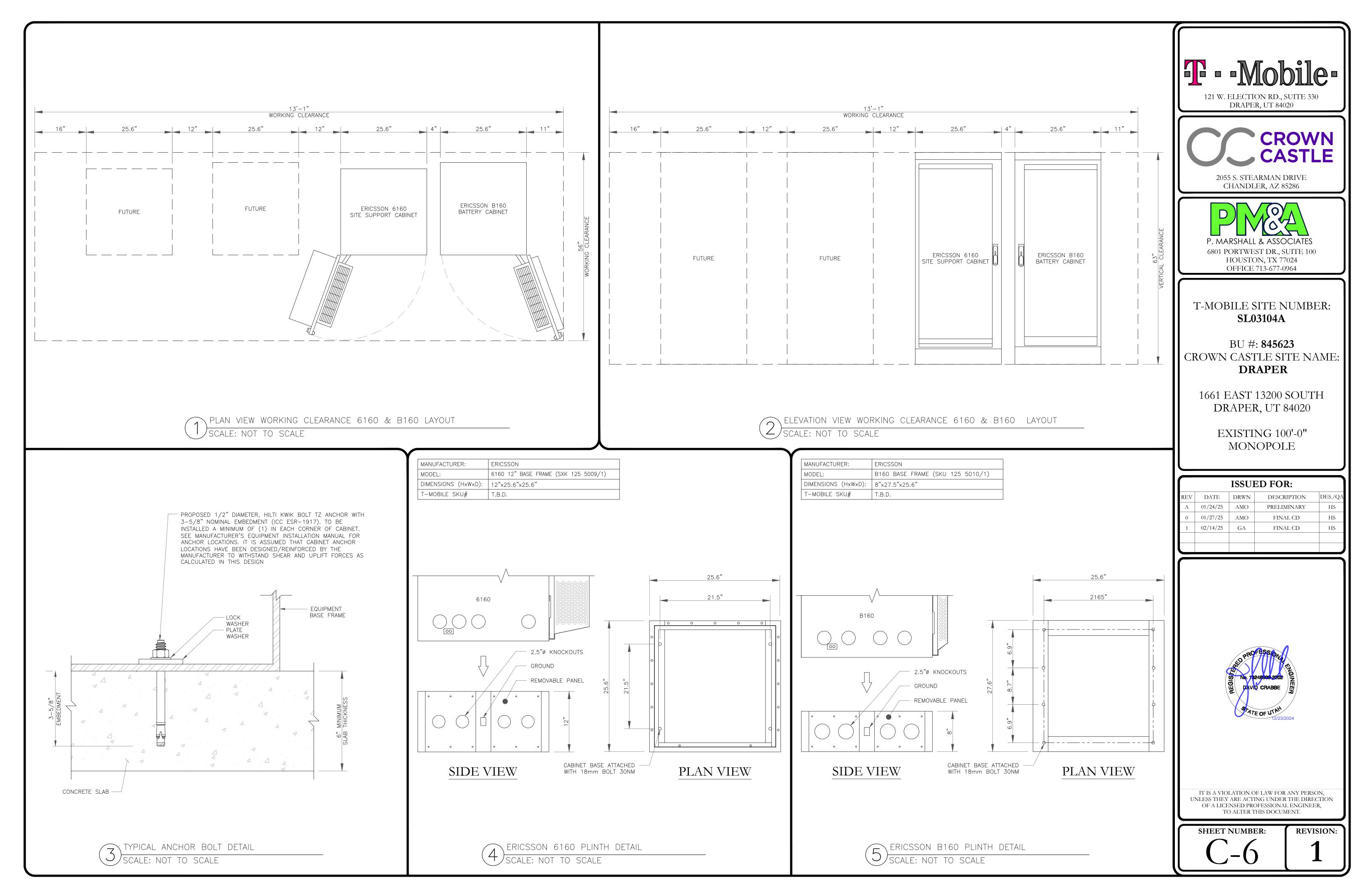




	6x24 Specs.							
Commscope NWS RFS								
Outer Dia. (inch.) Nominal	1.67	1.79	1.99					
lb./ft.	2.217	2.65	2.5					
DC Pairs	6 (4AWG)	6 (4AWG)	6 (4AWG)					
Fiber Type	SM	SM	SM					
Fiber Optic Pairs	24	24	24					
Fiber Term Tower Top	ODC-Plug	ODC-Plug	ODC-Plug					
Fiber Term Cabinet	DLC	DLC	DLC					

34296	Ericsson Hybrid Trunk 6x4AWG/24FP 20m
34297	Ericsson Hybrid Trunk 6x4AWG/24FP 30m
34298	Ericsson Hybrid Trunk 6x4AWG/24FP 40m
34299	Ericsson Hybrid Trunk 6x4AWG/24FP 50m
34300	Ericsson Hybrid Trunk 6x4AWG/24FP 60m
34301	Ericsson Hybrid Trunk 6x4AWG/24FP 70m
34302	Ericsson Hybrid Trunk 6x4AWG/24FP 80m
34303	Ericsson Hybrid Trunk 6x4AWG/24FP 90m
34304	Ericsson Hybrid Trunk 6x4AWG/24FP 100m
34305	Ericsson Hybrid Trunk 6x4AWG/24FP 110m
34306	Ericsson Hybrid Trunk 6x4AWG/24FP 120m
24207	Enimer on the height Travely ContANN/C (24ED 120m

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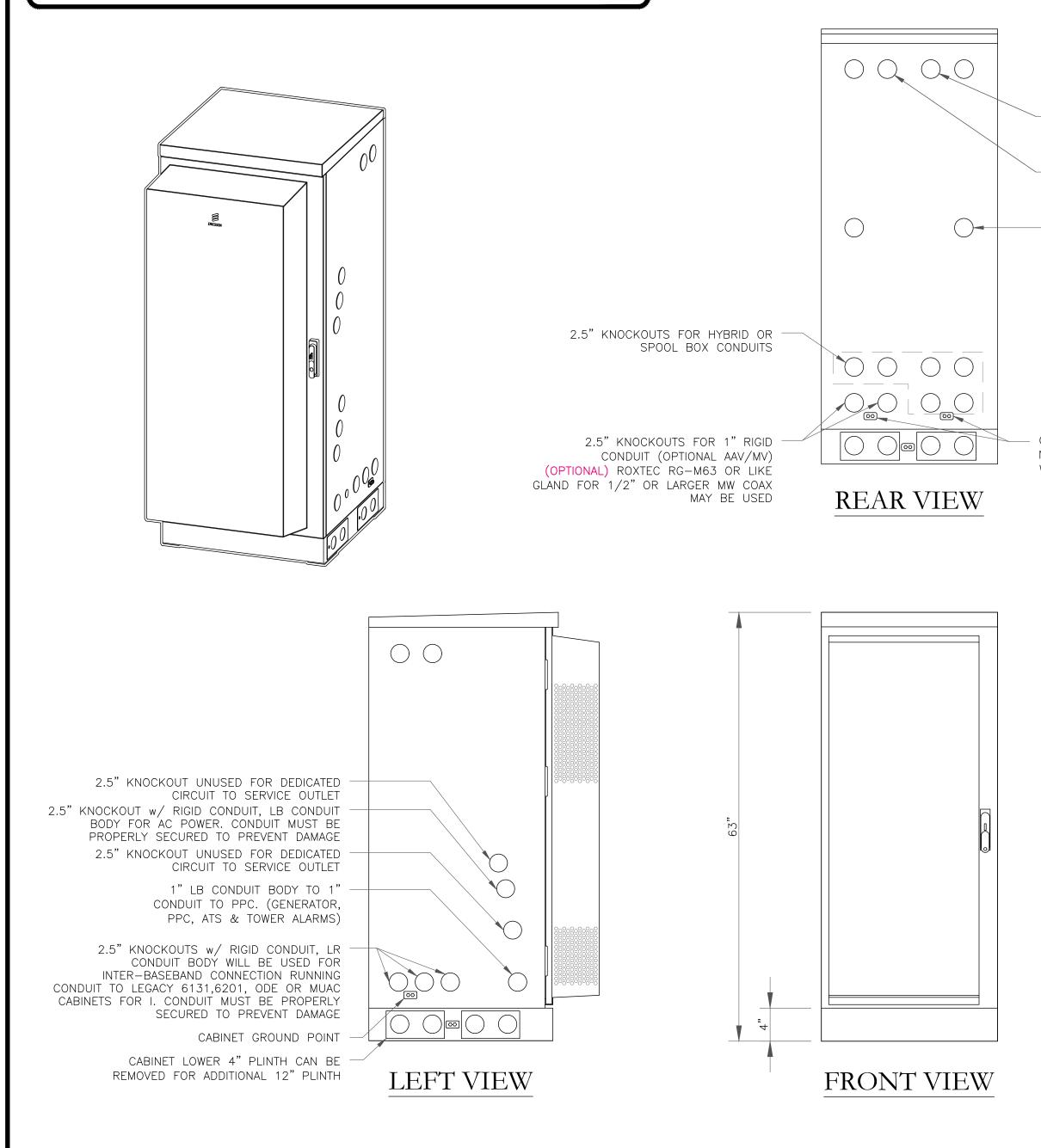
MANUFACTURER:	ERICSSON
MODEL:	(UTE6160_AC_V2) V2 CABINET
DIMENSIONS (HxWxD):	63"x25.6"x25.6"
WEIGHT:	433 LBS
SKU #:	T.B.D.

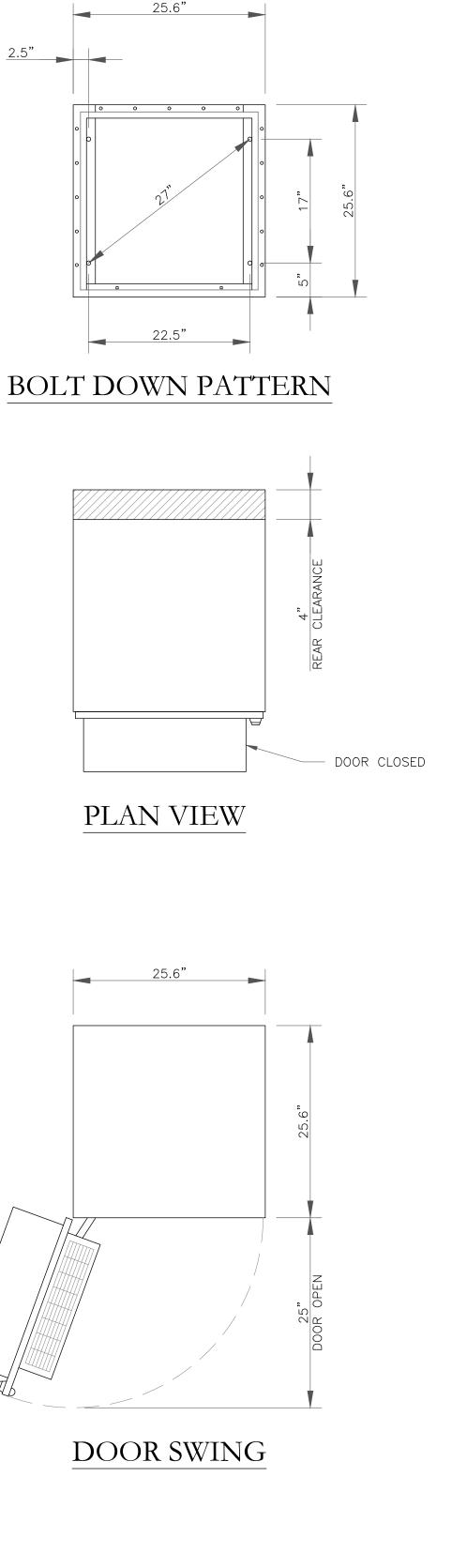
NOTE:

- CORRECT KNOCKOUT TOOL REQUIRED FOR PUNCHING KNOCKOUTS. DO NOT DRILL THROUGH KNOCKOUTS
- CONDUIT MUST BE PROPERLY SECURED TO PREVENT DAMAGE TO CABINETS AND OR CABLING

GROUNDING NOTE:

CABINET GROUNDING TO USE A SINGLE, #2 BTCW CONDUCTOR, W/ 2-HOLE, 1" C-C, LONG BARREL, WINDOW LUG, IN 3/4" LFNC TO GROUND RING. PLINTH GROUNDING IS NOT REQUIRED.



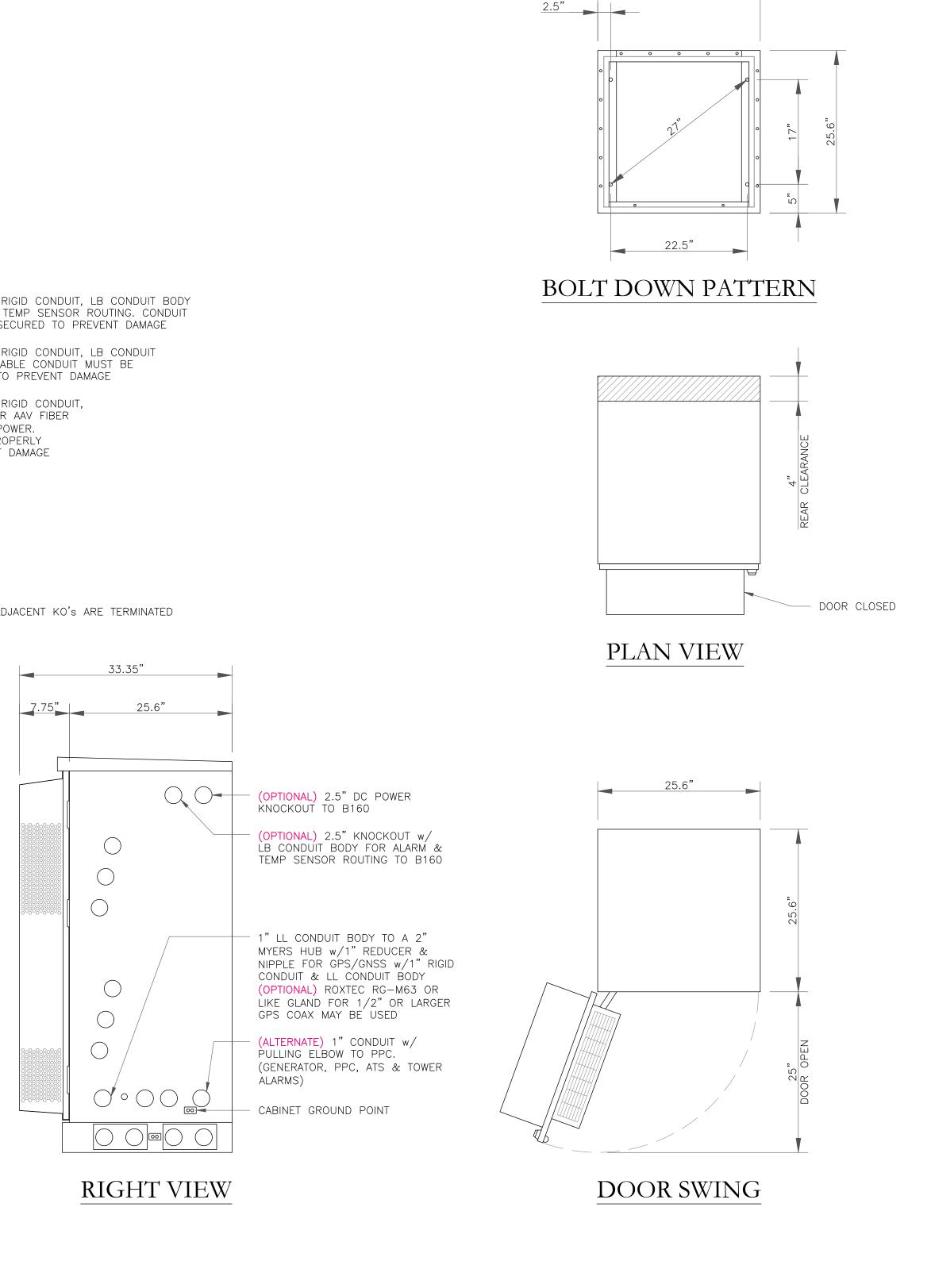


2.5" KNOCKOUTS w/ RIGID CONDUIT, LB CONDUIT BODY FOR ALARM CABLE & TEMP SENSOR ROUTING. CONDUIT MUST BE PROPERLY SECURED TO PREVENT DAMAGE

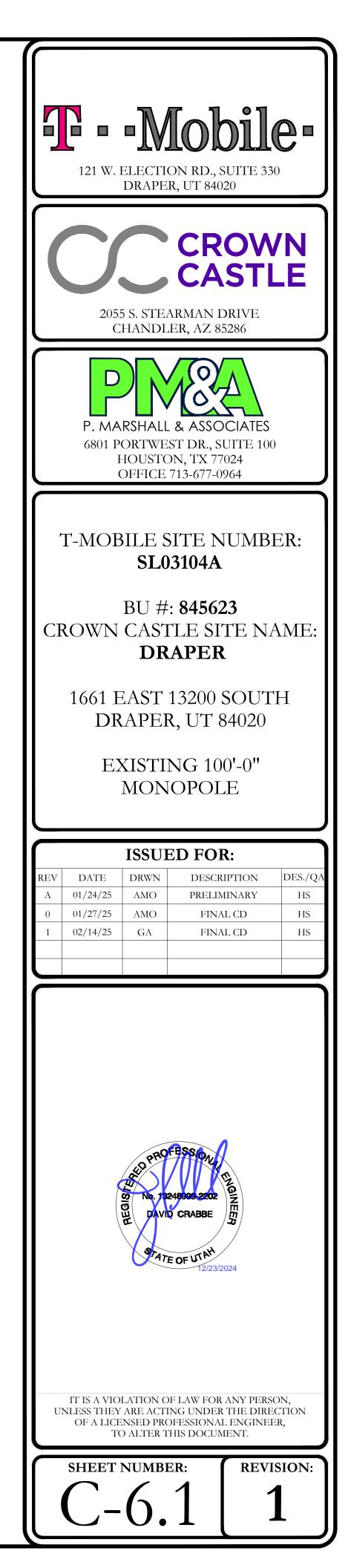
2.5" KNOCKOUTS w/ RIGID CONDUIT, LB CONDUIT BODY FOR BATTERY CABLE CONDUIT MUST BE PROPERLY SECURED TO PREVENT DAMAGE

2.5" KNOCKOUTS w/ RIGID CONDUIT, LB CONDUIT BODY FOR AAV FIBER OPTIC CABLE w/NID POWER. CONDUIT MUST BE PROPERLY SECURED TO PREVENT DAMAGE

CABINET GROUND POINTS NOT TO BE USED WHEN ADJACENT KO'S ARE TERMINATED WITH HUBS/GLANDS.



ERICSSON - 6160 V2 SITE SUPPORT CABINET SCALE: NOT TO SCALE



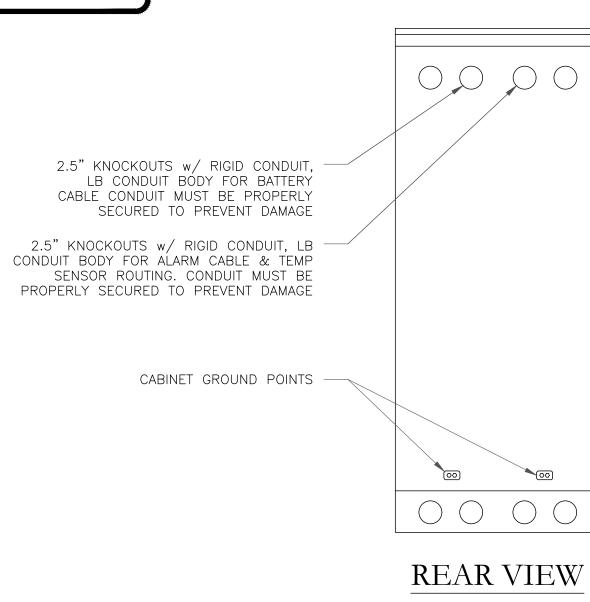
MANUFACTURER:	ERICSSON
MODEL:	B160 BATTERY CABINET
DIMENSIONS (HxWxD):	63"x25.6"x29.5"
WEIGHT:	295 LBS
SKU #:	T.B.D.

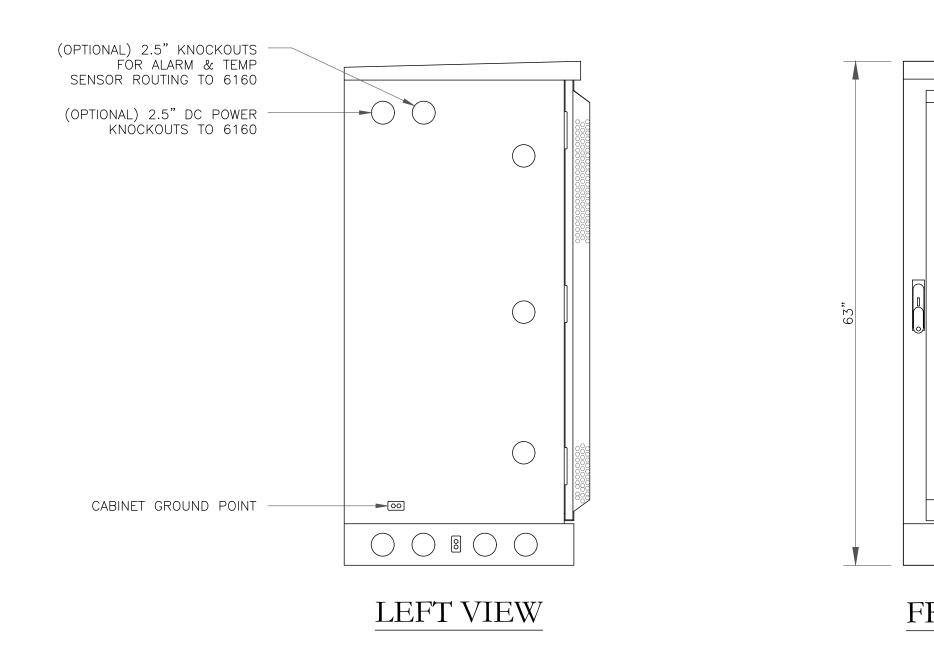
NOTE:

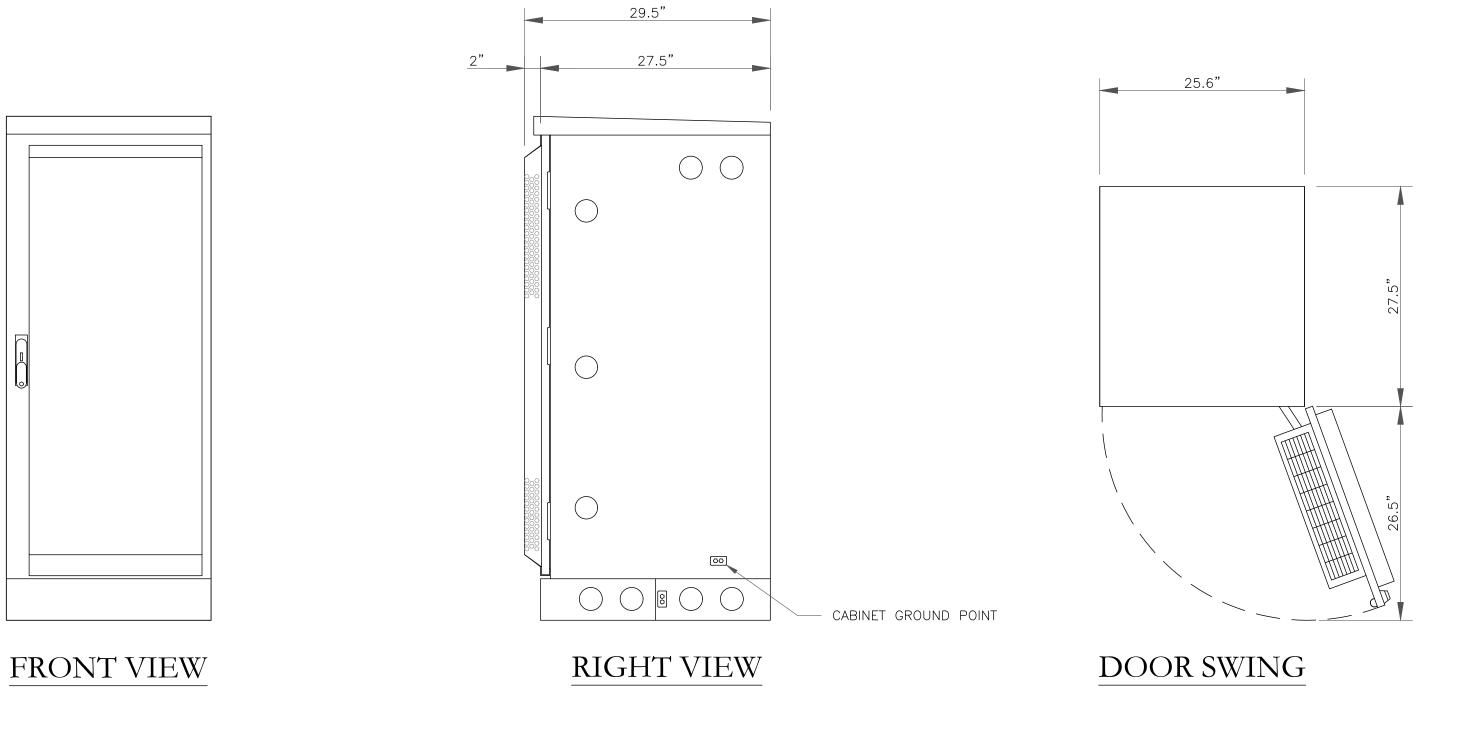
CORRECT KNOCKOUT TOOL REQUIRED FOR PUNCHING KNOCKOUTS. DO NOT DRILL THROUGH KNOCKOUTS

CONDUIT MUST BE PROPERLY SECURED TO PREVENT DAMAGE TO CABINETS AND OR CABLING GROUNDING NOTE:

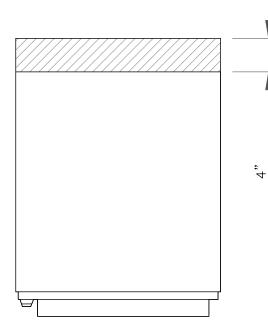
CABINET GROUNDING TO USE A SINGLE, #2 BTCW CONDUCTOR, W/ 2-HOLE, 1" C-C, LONG BARREL, WINDOW LUG, IN 3/4" LFNC TO GROUND RING. PLINTH GROUNDING IS NOT REQUIRED.







PLAN VIEW



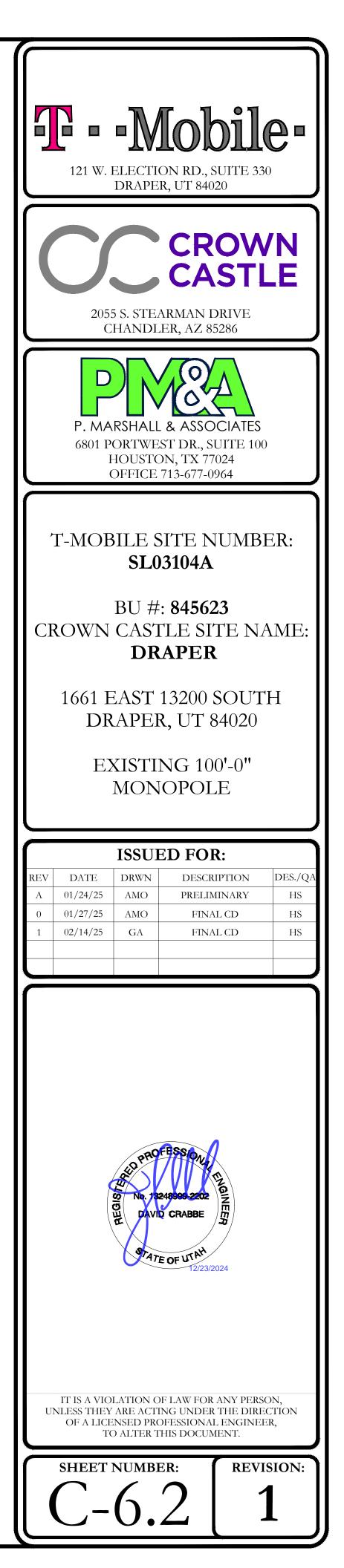


EXHIBIT H APPLICANT QUESTIONAIRE AND RESPONSES

City of Draper Response to Permitted Use Questions

- Is this use permitted in the zone in which this use is proposed?
 Response: Yes. This is a modification the existing wireless Cell Tower.
- 2. Does the proposed use conform to the development standards in the applicable zone?

Response: N/A – No change in use.

- Does the proposed use conform to the general regulations and regulations for specific uses set forth in this Title?
 Response: N/A – The existing use remains in compliance with general regulations.
- 4. Is the proposed use located on any land classified as a primary or secondary conservation area or sensitive land? (This excludes land that is expressly permitted in the Draper City Municipal Code.) Response: No
- 5. Is the proposed use located in any protected area shown on a natural resource inventory?

Response: No

 Please identify any other applicable requirements of the Draper City Municipal Code & explain how the proposed use conforms to these requirements.
 Response: N/A – No changes in the existing use. Modification to cell tower.

Written Narrative for the Overview of proposed use

Modification to an existing Cell Tower. Project scope of work is 6409 EFR compliant.

SOW: Removing (6) antennas, (12) coax, (1) hybrid cable, (3) RRUs. Adding (3) antennas, (2) hybrid cables, (3) RRUs.

Final Configuration: (6) antennas, (3) hybrid cables, (6) RRUs.



8020 Katy Freeway Houston, TX 77024 Phone: (714) 794-4261 www.crowncastle.com

March 6, 2025

CITY OF DRAPER, UT PLANNING & ZONING DEPARTMENT 1020 E. PIONEER RD DRAPER, UT 84020

Via Online Portal

********NOTICE OF ELIGIBLE FACILITIES REQUEST*********

RE: Request for Minor Modification to Existing Wireless Facility – Section 6409 Site Address: 1661 EAST 13200 SOUTH, DRAPER, UT 84020 Crown Site Number: 845623 / Crown Site Name: DRAPER Customer Site Number: SL03104A / Application Number: 685416

On behalf of T-Mobile West LLC ("T-Mobile" or "Applicant"), Crown Castle USA Inc. ("Crown Castle") is pleased to submit this request to modify the existing wireless facility noted above through the collocation, replacement and/or removal of the Applicant's equipment as an eligible facilities request for a minor modification under Section 6409¹ and the rules of the Federal Communications Commission ("FCC").²

Section 6409 mandates that state and local governments must approve any eligible facilities request for the modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. Under Section 6409, to toll the review period, if the reviewing authority determines that the application is incomplete, it must provide written notice to the applicant within 30 days, which clearly and specifically delineates all missing documents or information reasonably related to whether the request meets the federal requirements.³ Additionally, if a state or local government, fails to issue any approvals required for this request within 60 days, these approvals are deemed granted. The FCC has clarified that the 30-day and 60-day deadlines begins when an applicant: (1) takes the first step required under state or local law; and (2) submits information sufficient to inform the jurisdiction that this modification qualifies under the federal law⁴. Please note that with the submission of this letter and enclosed items, the thirty and sixty-day review periods have started. **Based on the date of this filing, the deadline for written notice of incomplete application is April 5, 2025, and the deadline for issuance of approval is May 5, 2025.**

³ See 47 CFR § 1.6100 (c)(3). ⁴ See 2020 Upgrade Order at paragraph 16.

¹ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6409 (2012) (codified at 47 U.S.C. § 1455).

² Acceleration of Broadband Deployment by Improving Wireless Facility Siting Policies, 29 FCC Rcd. 12865 (2014) (codified at 47 CFR § 1.6100); and Implementation of State & Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012, WT Docket No. 19-250 (June 10, 2020).

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The proposed scope of work for this project includes:

Add or replace antennas, ancillary equipment and ground equipment as per plans for an existing carrier on an existing wireless communication facility.

At the end of this letter is a checklist outlining the applicable substantial change criteria under Section 6409. Additionally, the following items are included in support of this request:

- Construction Drawings
- Structural Analysis

As these documents indicate, (i) the modification involves the collocation, removal or replacement of transmission equipment; and (ii) such modification will not substantially change the physical dimensions of such tower or base station. As such, it is an "eligible facilities request" as defined in the FCC's rules to which the 60-day deadline for approval applies. Accordingly, Applicant requests all authorization necessary for this proposed minor modification under Section 6409.

Our goal is to work with you to obtain approvals earlier than the deadline. We will respond promptly to any request for related information you may have in connection with this request. Please let us know how we can work with you to expedite the approval process. We look forward to working with you on this important project, which will improve wireless telecommunication services in your community using collocation on existing infrastructure. If you have any questions, please do not hesitate to contact me.

Regards,

Chyna Gudgel

Chyna Gudgel Permitting Specialist, Tower Services Crown Castle, Agent for T-Mobile (714) 794-4261 Chyna.Gudgel@crowncastle.com

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Section 6409 Substantial Change Checklist for Towers Outside of the Public Right of Way

The Federal Communications Commission has determined that a modification substantially changes the physical dimension of a wireless tower or base station under 47 U.S.C. § 1455(a) if it meets one of six enumerated criteria under 47 C.F.R. § 1.6100.

Does the modification increase the height of the tower by more than the greater of:(a) 10%; or(b) the height of an additional antenna array plus separation of up to 20 feet from the top of the nearest existing antenna?
Does the modification add an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 feet or more than the width of the tower structure at the level of the appurtenance, whichever is greater?
Does the modification involve the installation of more than the standard number of new equipment cabinets for the technology involved or add more than four new equipment cabinets?
Does the modification entail any excavation or deployment outside the current site by more than 30 feet in any direction, not including any access or utility easements?
Does the modification defeat the concealment elements of the eligible support structure?
Does the modification violate conditions associated with the siting approval for the tower or base station other than as specified in 47 C.F.R. § $1.6100(c)(7)(i) - (iv)$?

Criteria for Towers Outside of the Public Rights of Way

If all questions in the above section are answered "NO," then the modification does <u>not</u> constitute a substantial change to the existing tower under 47 C.F.R. § 1.6100.

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