

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA

11 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036

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Permit Application No. 6-97-7/LMDate February 7, 1997ADMINISTRATIVE PERMIT

APPLICANT: Pacific Bell Mobile Services

PROJECT DESCRIPTION: Construction of a wireless communication facility consisting of six panel antennas attached to a 35 ft. high, 12 to 18 inch diameter wooden pole and two approximately 5 ft. high equipment cabinets on either side of the pole on an 18.77 acre site containing an existing single-family residence.

PROJECT LOCATION: 3107 Manchester Avenue, Encinitas, San Diego County.
APN 261-210-15

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, are discussed on subsequent pages.

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

DATE and TIME:	March 14, 1997	LOCATION:	Carmel Mission Inn
	9:00 a.m., Friday		3665 Rio Road
			Carmel, CA 93923

IMPORTANT - Before you may proceed with development, the following must occur:

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Lee McEachern/SS

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

The subject proposal involves the construction of an antenna system for a wireless communication facility (called Personal Communication Services or PCS). The proposed system includes six (6) panel antennas (each 37.2 inches long, 6.3 inches wide and 2.7 inches deep) attached to a 35 ft. high, 12 to 18 inch diameter wooden pole and two metal equipment cabinets (each 63 inches tall, 51 inches wide and 28 inches deep) located on the ground on either side of the pole.

The antenna system will be constructed in the southwestern corner of an 18.77 acre site located one lot north of Manchester Avenue, adjacent to the Interstate 5 Northbound On/Off Ramp in the City of Encinitas. The site, the majority of which is in agricultural production, contains an existing single-family residence. The project involves a footprint of approximately 120 sq. ft. and no grading is proposed or necessary to accommodate the development. Surrounding uses include agricultural and residential to the north, agricultural and related structures to the east, a service station to the south and Interstate 5 to the west.

Although the City of Encinitas has a certified Local Coastal Program (LCP), and has been issuing coastal development permits since May of 1995, the proposed development is located within the Commission's area of original jurisdiction where permit issuing authority is not delegated to the local government. As such, the standard of review is Chapter 3 policies of the Coastal Act, with the certified LCP used as guidance.

Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal area be protected and that new development be sited and designed to protect scenic ocean and coastal views. The subject development is proposed to be located adjacent to Interstate 5, which is a major north/south coastal access route and designated scenic view corridor in the certified Encinitas LCP. In addition, the subject site is located just north of Manchester Avenue, which is also designated as a scenic visual corridor in the Encinitas LCP. As such, installation of the proposed wireless communication facility could have adverse impacts on these scenic corridors.

However, in this particular case, while the wooden pole will be approximately 35 feet high, it is only 12 to 18 inches in diameter and has been designed to look like a telephone pole. In addition, the antennas are mounted flush to the pole and are colored to match the color of the pole. Additionally, the pole and equipment cabinets are proposed to be located on a corner of the site that contains existing substantial trees and landscaping. To the north and west of the site, along the I-5 On-ramp, there exists several approximately 45-foot-tall eucalyptus trees and to the south and east are several approximately 20-foot-high eucalyptus trees. The applicant is also proposing to install three additional trees adjacent to the pole to effectively screen the majority of the development from views from the adjacent scenic corridors. However, because only conceptual landscape plans have been submitted, Special Condition #1 has been attached. This condition requires the applicant to submit final landscape plans that place special emphasis on screening of the proposed facility from views from the south and west. With the installation of the proposed trees, together with the existing trees, the majority of the facility will be sufficiently screened from views from the adjacent scenic corridors.

While the proposed facility, as conditioned, will not have significant adverse impacts on the visual quality of the area, the Commission is concerned that cumulatively, installation of additional similar projects in the area could have adverse impacts on visual resources. As demand for these facilities increase, it is likely that other service providers will be interested in

placing additional structures, antennas and equipment in this and other scenic areas. As such, Special Condition #2 has been attached. This condition requires the applicant to submit a written statement agreeing to remove the structures and restore this site in the future should technological advances make this facility obsolete. In this way, it can be assured that this and other scenic coastal corridors will not be littered with outdated and obsolete facilities in the future. With these conditions, impacts on scenic coastal resources have been reduced to the maximum extent feasible, consistent with Section 30251 of the Coastal Act.

The City of Encinitas received approval of its LCP by the Commission in November of 1994 and coastal development permit issuing authority was delegated to the City in May of 1995. The City's LCP designates Interstate 5 and Manchester Avenue in this area as scenic corridors. As discussed above, existing and proposed landscaping as well as other proposed design features will significantly screen the facility from views from both these roadways. In addition, the proposed antenna system is consistent with the Rural Residential zone and plan designation for the site and no adverse impacts to coastal resources are anticipated. Therefore, the Executive Director has determined that the proposed development will not prejudice the ability of the City of Encinitas to continue to implement its certified LCP.

SPECIAL CONDITIONS: 1. Final Landscape Plans. Prior to the authorization to proceed with development, the applicant shall submit, for review and written approval of the Executive Director, a final landscape plan that is in substantial conformance with the conceptual plan submitted with this application by Marum Associates (date stamped received 1/28/97). Said plan shall first be approved by the City of Encinitas and indicate the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant native or naturalizing plant materials shall be utilized to the maximum extent feasible. Special emphasis shall be placed on the treatment of the site from views from the west and south. Landscaping shall be implemented in compliance with the approved plan.

2. Future Redesign. Prior to the authorization to proceed with development, the applicant shall agree in writing that where future technological advances would allow for reduced visual impacts resulting from the proposed wireless communication facility, the applicant agrees to make those modifications. In addition, if, in the future, the facility is no longer needed, the applicant agrees to abandon the facility and be responsible for removal of all permanent structures, and restoration of the site as needed to re-establish the area consistent with the character of the surrounding area.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing