

## CALIFORNIA COASTAL COMMISSION

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Staff: G. Cannon-SD  
Staff Report: 2/18/09  
Hearing Date: 3/11-13/09

## STAFF REPORT: CONSENT CALENDAR

**Application No.:** 6-08-97

**Applicant:** Cricket Communications                      **Agent:** Franklin Orozco

**Description:** Installation of telecommunication facility to include 30-ft. high flagpole with attached antennas and underground equipment vault in San Dieguito Regional Park.

**Site:** 1686 Lomas Santa Fe Drive, County of San Diego.  
APN 302-190-14

**Substantive File Documents:** County of San Diego General Plan and Zoning Ordinance.

### **I. STAFF RECOMMENDATION:**

The staff recommends the Commission adopt the following resolution:

**MOTION:**     *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

### **STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

### **II. Standard Conditions.**

See attached page.

### **III. Special Conditions.**

The permit is subject to the following conditions:

1. Co-Location of Future Antennae. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall agree in writing to cooperate with other communication companies in co-locating additional antennae and/or equipment on the project site in the future, providing such shared use does not impair the operation of the approved facility. Upon the Commission's request, the permittee shall provide an independently prepared technical analysis to substantiate the existence of any practical technical prohibitions against the operation of a co-use facility.

2. Future Redesign. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall agree in writing that where future technological advances would allow for reduced visual impacts resulting from the proposed telecommunication facility, the applicant agrees to make those modifications which would reduce the visual impact of the proposed facility. 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 vegetation. Before performing any work in response to the requirements of this condition, the applicant shall contact the Executive Director of the California Coastal Commission to determine if an amendment to this coastal development permit is necessary.

#### **IV. Findings and Declarations.**

The Commission finds and declares as follows:

**A. Detailed Project Description/History.** The proposed development involves the installation of a wireless telecommunications facility within San Dieguito County Regional Park. The antennas of the facility are proposed to be hidden within a 30 ft.-high flagpole that will be installed just beyond the fence line of an existing baseball field, adjacent to the scoreboard. The equipment building in support of the wireless facility will be placed within an underground vault to be located approximately 100 ft. south of the flagpole/antenna structure. Both the flagpole and the underground vault will be located in a disturbed portion of the park that does not contain environmentally sensitive habitat. While the flagpole will be visible to park visitors, it will not appear as anything other than a flagpole associated with a baseball field. In addition, views of the flagpole within the park will also be sporadic in that most of the park consists of varied hills containing extensive and mature native and non-native vegetation including large eucalyptus trees.

San Dieguito County Regional Park is a 124-acre park located approximately 2 ½ miles east of the shoreline at the northeast intersection of Lomas Santa Fe Drive and Highland Drive. The existing baseball field is located in the park close to the intersection of Lomas Santa Fe and Highland Drives. No views exist across the site of the ocean or shoreline. No adverse impacts to coastal resources are anticipated.

Special Condition #1 requires that the applicant submit a written statement agreeing to cooperate with other communication facilities in co-locating additional antenna on the proposed development, unless the applicant can demonstrate a substantial technical conflict to doing so. Special Condition #2 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 the proliferation of these types of facilities can be limited to appropriate locations, and that the area will not be littered with outdated and obsolete facilities in the future.

The County of San Diego does not have a local coastal plan and, therefore, Chapter 3 policies of the Coastal Act is the standard of review.

**B. Biological Resources.** Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized. The proposed development will not have an adverse impact on any sensitive habitat and will not result in erosion or adverse impacts to water quality. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

**C. Community Character /Visual Quality.** The development will be incorporated as flagpole feature within an existing improved baseball/sports field, and, as conditioned, will be compatible with the character and scale of the surrounding area and will not impact public views. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30251 of the Coastal Act.

**D. Local Coastal Program.** The County of San Diego does not have a certified LCP at this time. Thus, the Coastal Commission retains permit jurisdiction in this community and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the County of San Diego to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

**E. California Environmental Quality Act.** As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

#### **STANDARD CONDITIONS:**

1. **Notice of Receipt and Acknowledgment.** 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
5. 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.



EXHIBIT NO. 1  
APPLICATION NO.  
**6-08-97**  
Location Map





