

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4402

(619) 767-2370

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Filed: October 6, 2000
49th Day: November 24, 2000
180th Day: April 4, 2001
Staff: EL-SD
Staff Report: October 18, 2000
Hearing Date: November 13-17, 2000

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-00-100

Applicant: AT&T Wireless Services/
Wireless Facilities Inc.

Agent: Doug Munson

Description: Construction of an unmanned telecommunications facility, including three antennas mounted on a 30 foot high pole, four radio cabinets and two power cabinets at the base of the pole, an 8 foot high solid wood fence enclosing the facility, and landscape screening.

Lot Area	18.6 acres
Zoning	R-3
Plan Designation	Rural Residential
Ht abv fin grade	30 feet

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

Substantive File Documents: Certified City of Encinitas Local Coastal Program; City of Encinitas Resolution #PC 2000-34/MUP 99-266; Coastal Development Permits 6-97-7; 6-98-108; 6-00-26

STAFF NOTES:

Summary of Staff's Preliminary Recommendation: Staff is recommending approval of the proposed communications facility. The monopole and equipment will be screened by existing and proposed landscaping, and colored to further mitigate any visual impacts of the project. Special Conditions require the applicant to agree to co-locate any future antennae at the project site if technologically feasible, and to submit a written agreement to remove the proposed facilities and restore the site to its former condition should technology changes render the facility no longer viable or necessary in the future. With these conditions all potential visual impacts associated with the proposed development will be reduced to the maximum extent feasible.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-00-100 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. **Exterior Treatment/Final Plans.** The applicant shall submit final plans that comply with the following conditions as proposed on the project plans by Westower Design, Inc. dated 5/05/99, submitted on the applicant's behalf, and as approved by the City of Encinitas in Resolution No. PC 2000-34:

- a. The proposed monopole and all of its associated components will be painted dark brown, and the proposed equipment enclosure shall be surrounded with solid wood fencing not exceeding 8 feet in height.

- b. A minimum of six 48-inch box size, male pepper trees and five 5-gallon Toyon trees shall be planted on the site in such a manner as to screen views of the site from the I-5 corridor.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. 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.

3. 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:

1. Project Description. The subject proposal involves the construction of a wireless communication facility consisting of a 30-foot high monopole with three mounted antennas. The pole would be approximately 8 inches in diameter, and the antennas, as mounted near the top of the pole, would be approximately 4 feet by 3 feet. An approximately 200 sq.ft. area at the base of the antenna would be fenced off to enclose related communications equipment consisting of four radio cabinets and two power cabinets. The solid wood fencing would be a maximum 8 feet high. The monopole and associated antennas would be painted brown. The applicant is proposing to plant six 48-inch box pepper trees and five 5-gallon Toyons between the existing/proposed facilities and Interstate 5 to screen the telecommunications portion of the site.

The antenna system will be constructed in the southwestern corner of an 18.6 acre site located north of Manchester Avenue, adjacent to the Interstate 5 northbound on/off ramp in the City of Encinitas. No grading is proposed or necessary to accommodate the development. The site currently consists of private land in open field agricultural production. In addition to a farmhouse and associated outbuildings, two other telecommunications facilities have been constructed on the same portion of the site as the current proposal. These include 35 ft. high and 30 ft. high monopoles with antennas and associated equipment facilities. Surrounding land uses include agricultural and residential to the north, agricultural and related structures to the east, a service station and Manchester Avenue 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.

2. Visual Resources. Section 30251 of the Coastal Act is applicable and states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas...

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 result in adverse visual impacts as viewed from these scenic corridors.

However, in this particular case, while the proposed monopole will be approximately 30 feet high, it is only 8 inches in diameter. In addition, the hollow design of the monopole provides for the interior positioning of cable conduits thereby eliminating any views of cabling. The antennae will be mounted flush to the pole and will be colored to match the pole. Because the proposed 30-foot-high monopole will be visible from portions of I-5 and Manchester Avenue, and to reduce the contrast of the monopole with the adjacent agricultural site and existing facilities, Special Condition #1 provides that the monopole be painted brown. In this way, those portions of the facility visible from I-5 will better blend with the natural and manmade surroundings and, therefore, not pose a significant adverse visual impact as viewed from the scenic I-5 and Manchester Avenue corridors.

Also to address visual concerns, the proposed equipment cabinet area will be enclosed with a solid wooden fence. The monopole and equipment area are proposed to be located on a corner of the site that contains existing large trees and landscaping, as well as the existing telecommunications

facilities. 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. Additional trees were planted when the previous telecommunications facilities were installed, but they have not gained the expected height and do not provide sufficient screening. The applicant is proposing to install eleven additional trees between all the existing and proposed telecommunications facilities and the Interstate 5 corridor to effectively screen the majority of the development from views from the adjacent scenic corridors. These additional plantings are also addressed in Special Condition #1.

The applicant has submitted documentation indicating a series of project alternatives were considered. Co-location on either of the existing monopoles on the site was rejected by the applicant because those poles were designed to hold only one facility each, and they are not tall enough to provide the vertical separation necessary for each of the different signals to operate optimally. Locations to the west and east were considered but rejected due to topography concerns to the east and public opposition to increasing the amount of telecommunication facilities already in place on CalTrans property just west of I-5. The applicant has determined, therefore, that the proposed project site is the least environmentally-damaging location. The Commission concurs with this conclusion.

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, antennae and equipment in this and other scenic areas. As such, Special Condition #3 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 proposed facility, as conditioned, is in some ways an ideal location for this type of facility, given the natural screening already in place, and additional screening proposed herein. As demand for wireless communication facilities increases, it is likely that other service providers will be interested in placing additional structures, antennae and equipment in the project area, and the Commission is concerned that cumulatively, installation of additional similar projects in the area could have adverse impacts on visual resources. As such, Special Conditions #2 has been attached. Special Condition #2 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. 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. With these conditions, impacts on scenic coastal resources have been reduced to the maximum extent feasible, consistent with Section 30251 of the Coastal Act.

3. Local Coastal Planning. Section 30604 (a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

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 Commission has determined that the proposed development will not prejudice the ability of the City of Encinitas to continue to implement its certified LCP.

4. California Environmental Quality Act (CEQA). Section 13096 of the California Code of Regulations requires Commission approval of a coastal development permit to be supported by a finding showing the permit to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

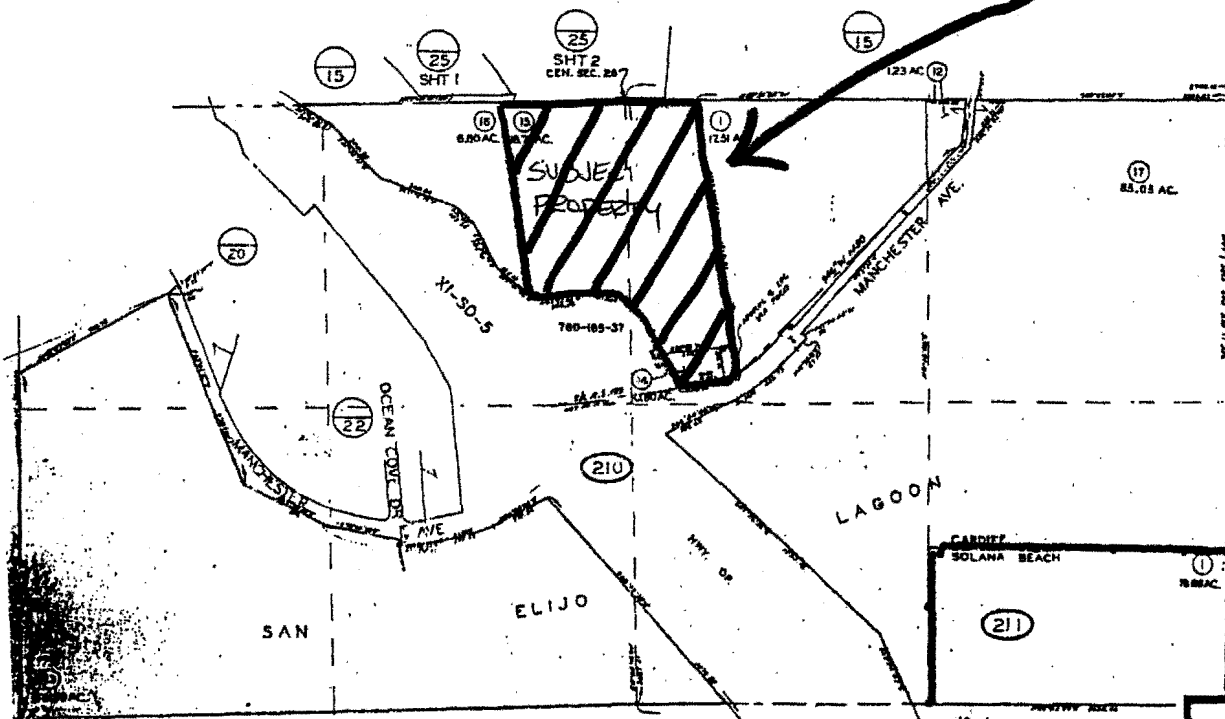
As discussed herein, the proposed project, as conditioned, will not cause significant adverse impacts to the environment. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the proposed activity may have on the environment. Therefore, the Commission finds the proposed project, as conditioned, is the least environmentally-damaging feasible alternative and can be found 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.

Site



6-00-100
Location Maps

6-00-1

17'-6"

15'-0"

PROVIDE 24" DIA. CYPRESS TREES @ 10'-0" O.C.

PROVIDE 6 GAL. TOPON @ 8'-0" O.C. MANUALLY WATERED FOR 1 YR. MINIMUM

TELEPHONE CABINET

EXISTING CONCRETE EQUIPMENT PAD

EXISTING MONOPOLE

EXISTING EQUIPMENT

FENCE (TYPE)

CONCRETE BRACE

CURB

HEDGE

DIRT ROAD

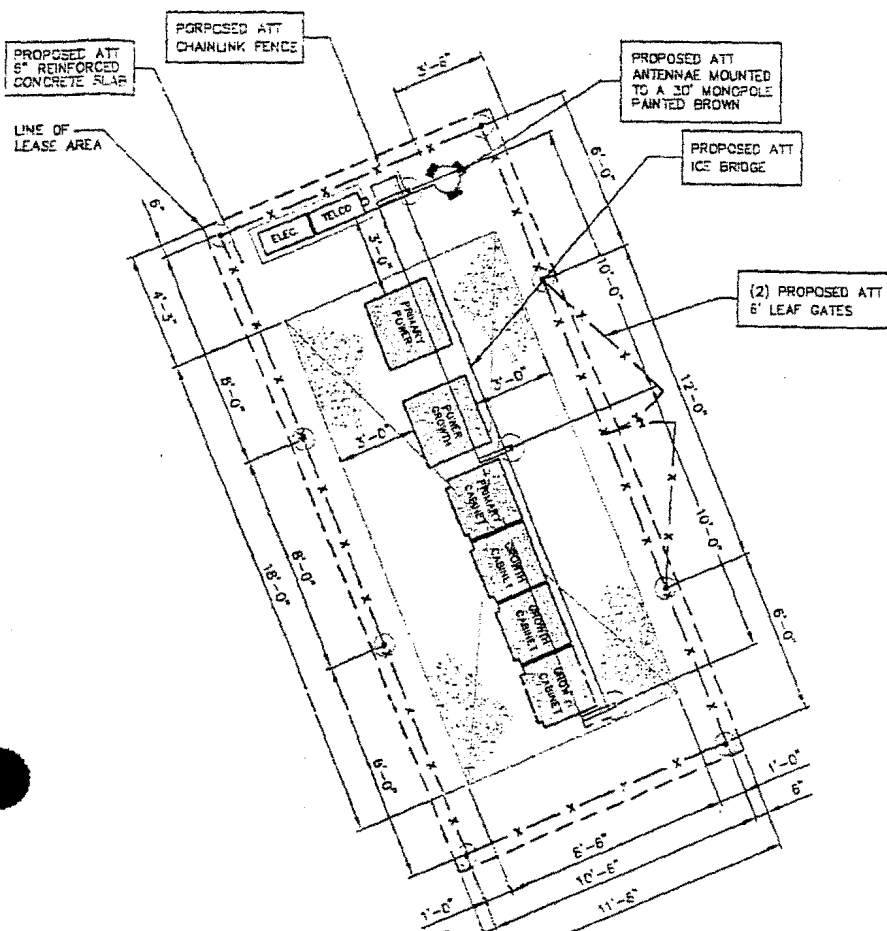

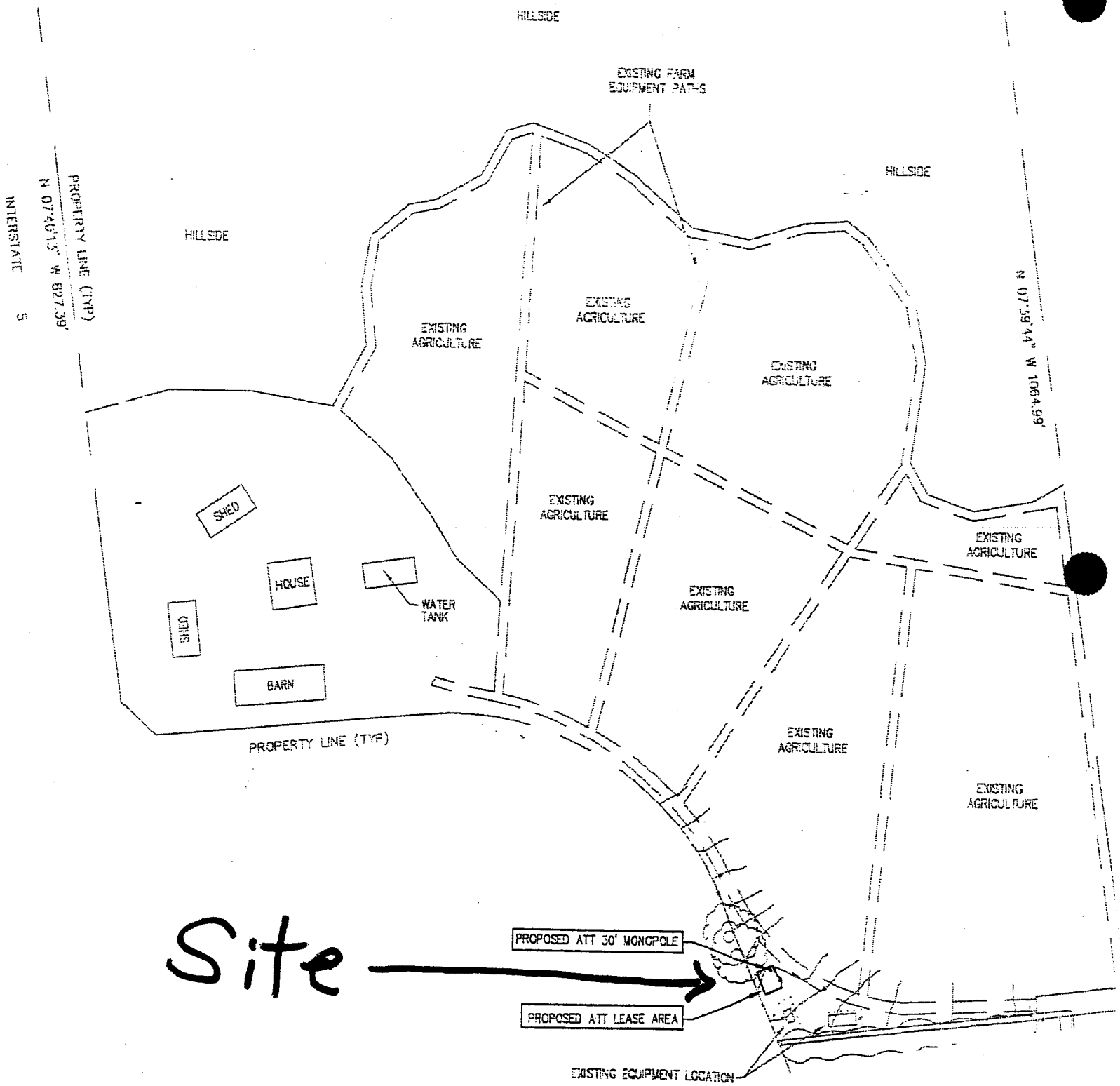


EXHIBIT NO. 2
APPLICATION NO. 6-00-100
Site Plan
 California Coastal Commission

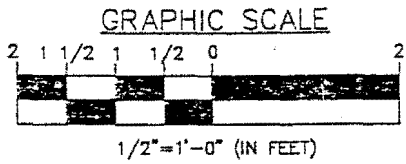
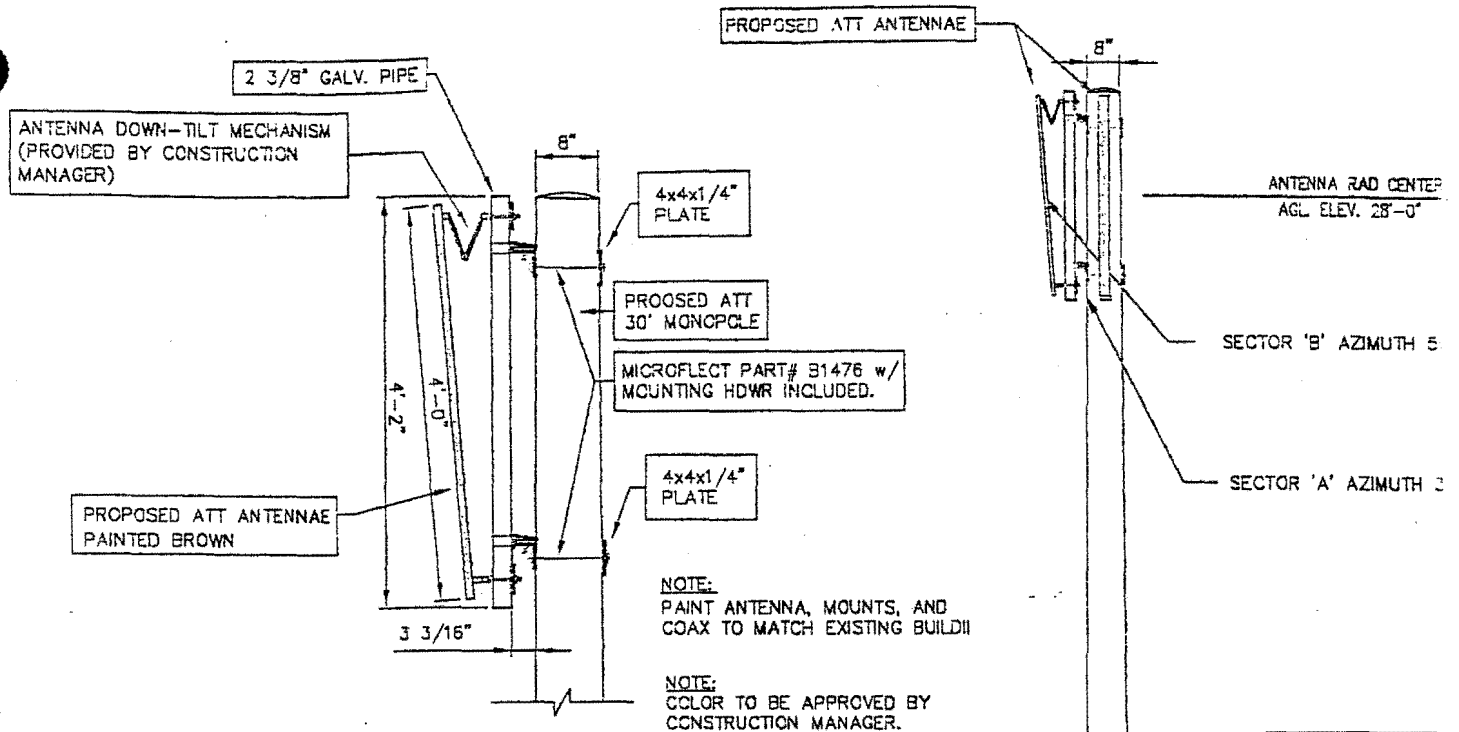
6-00-100



Site

EXHIBIT NO. 3
APPLICATION NO.
6-00-100
Site within
Property
California Coastal Commission

6-00-100



3 ANTENNA DETAIL
SCALE: 1/2" = 1'-0"

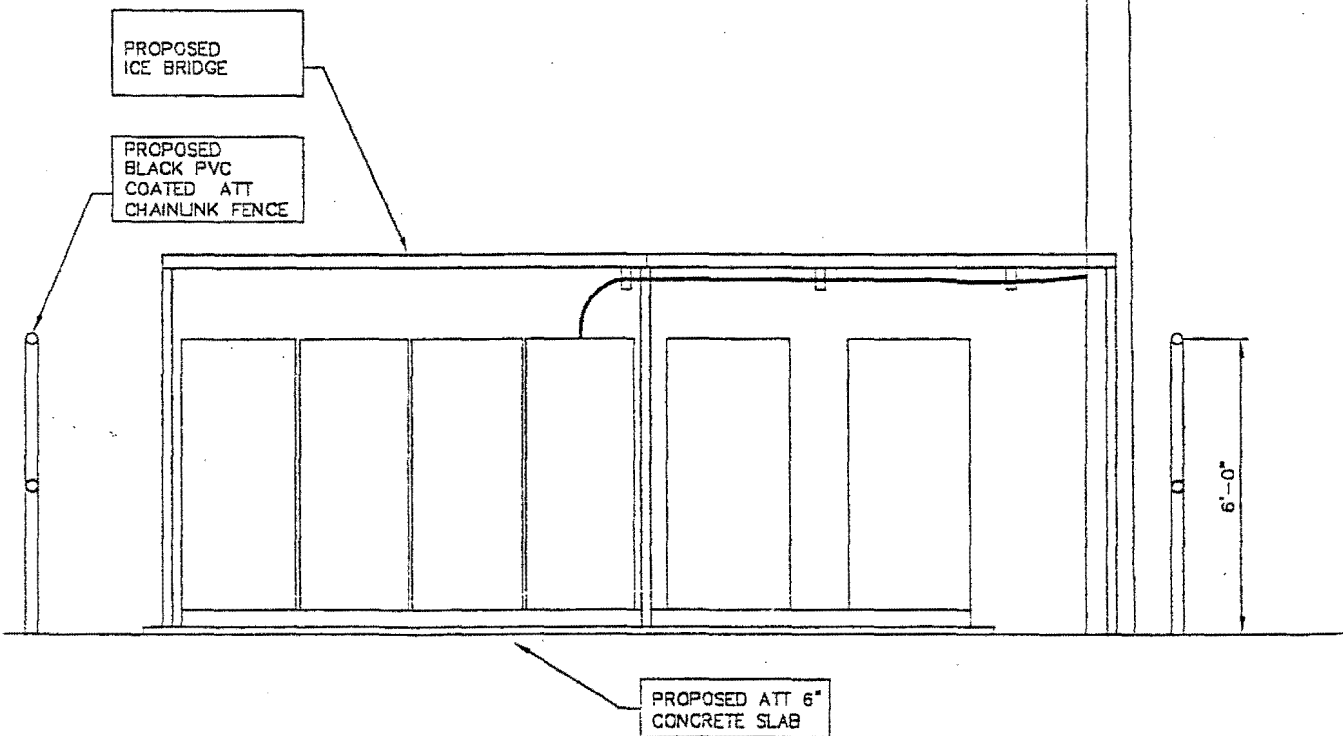


EXHIBIT NO. 4
APPLICATION NO.
6-00-100
Typical
Elevation

