

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA  
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SAN DIEGO, CA 92108-4402  
767-2370

## RECORD PACKET COPY



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Filed: 3/15/02  
49th Day: 5/3/02  
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Staff: DS-SD  
Staff Report: 5/16/02  
Hearing Date: 6/10-14/02

REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-02-32

Applicant: Cox Communications PCS LP, dba Sprint PCS

Agent: Project Design Consultants

Description: Installation of an unmanned telecommunications facility to include six antennas attached to a new 39' high light standard within an existing parking lot. Also proposed is the construction of a new 10' x 30' x 9' chain-link fence enclosure, surrounding four new, 4-ft. high equipment cabinets.

Site: At the Las Pulgas Road entrance to Camp Pendleton Marine Base, 880 Las Pulgas Road, South of Las Pulgas Road, ½ mile east of I-5, US Marine Corps Base Camp Pendleton, San Diego County.

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STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed Sprint Communication facility with several special conditions. The main issue raised by the proposed development pertains to protection of scenic resources. The proposed monopole will be visible from Interstate 5 and the equipment cabinets will be located along a private road on Marine Corp Base Camp Pendleton. However, the monopole will be disguised as a light pole and is located ½ mile inland, on the east side of I-5, - thus no public views will be blocked. To reduce the potential for future impacts to coastal resources, staff is recommending two conditions regarding the removal of the development should it prove unnecessary in the future, and the co-location of future cellular projects to reduce or avoid any further visual impacts. As conditioned, the project is consistent with the visual resource policies of the Coastal Act.

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Substantive File Documents: Previously Certified San Diego County Local Coastal Program (LCP); Coastal Development Permit Nos. 6-97-160; 6-98-74; 6-00-58; and 6-01-059. Letters from Project Design Consultants to Commission staff, dated 3/25/02 and 4/15/02.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

**MOTION:** *I move that the Commission approve Coastal Development Permit No. 6-02-32 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. 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 antennas and associated equipment, the applicant agrees to make those modifications which would reduce the visual impact of the proposed facility. In addition, if in the future the antennas and associated equipment are no longer needed, the applicant

agrees to be responsible for removal of them. 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 legally 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.

#### IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/Site History. The applicant is proposing to install an unmanned telecommunications facility consisting of a 39' tall light standard with six attached cellular antennas, and construct an approximately 300 sq. ft. enclosure, surrounding 4 new, 4-ft. high equipment cabinets, next to an existing chain link fence that runs southwest, and parallel to, Las Pulgas Road. The site is located approximately 1/2 mile east of Interstate 5, south of Las Pulgas Road, just east of the entrance gate within the US Marine Corps Base Camp Pendleton.

A nearby parking area west of the entrance gate is currently lit with eight approximately 30 foot high light standards dispersed throughout the parking lot. The proposed project includes a 39' high monopole that would replace one of the existing light standards currently in the parking lot.

In November 2000, the Commission approved a similar project on the subject site consisting of a 38-foot high antenna system, a 240 sq. ft. equipment enclosure and a 6-foot high masonry block wall matching the block construction of the existing guardhouse (CDP# 6-00-58). However, the applicant has yet to comply with Special Conditions and thus the project has yet to be constructed.

In June 2001 the Commission approved CDP# 6-01-59 for the construction of two 38 ft. high antenna monopoles disguised as light standards, and associated equipment cabinets, located on the project site. Again, permit conditions have not been met and the development has not been constructed.

The subject site is located on the Camp Pendleton Marine Base, a federally owned and operated military facility used by the United States Marine Corps and located in an unincorporated area of the County of San Diego which is not subject to local permit review by the County. In addition, although the project is subject to the Commission's Federal Consistency Review Process, the Commission's act of granting a coastal

development permit to the applicant functions under the California Coastal Management Program as the equivalent of a concurrence under the Coastal Zone Management Act. Because there is no certified LCP for this area, the standard of review for this development is Chapter 3 policies of the Coastal Act.

2. Visual/Biological 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 proposed development will be located along Las Pulgas Road, and within an existing parking area at the entrance gate to Camp Pendleton Marine base. As the project site is east of Interstate 5, public views of the ocean will not be affected. Although the proposed light standard and antennas will be visible from I-5, the structure will not be distinguishable from the existing 35-foot high light pole, and the pole itself will not block existing views. As well, the proposed light pole is similar in height and bulk to other existing utility poles in the area, including approximately 8 other light poles serving the parking area.

The four proposed equipment cabinets will be placed on a 2" thick concrete pad surrounded by chain link fence, located on an existing disturbed area along Las Pulgas Road, approximately 200 ft. west of the entrance gate to Camp Pendleton. The equipment cabinets will not significantly block any views of the surrounding area because the site already contains a chain link fence and is shielded on three sides by existing vegetation that shall remain, and the proposed cabinets will not lie between any views of the ocean and the road. Moreover, Camp Pendleton has indicated that the current project proposal is authorized to use the site for the installation of a telecommunication facility because the location of the development is compatible with updated security regulations for the base. Camp personnel have extensively reviewed the project proposal, and the current proposed locations for the monopole and equipment enclosure are found to minimize impacts to existing camp activities, and thus are the only sites approved by the base. Furthermore, the project site is not located on public property, and no public access to the area currently exists. Thus, public views will not be affected by the proposed development, and the Executive Director therefore finds the proposed project consistent with Section 30251 of the Act.

The project proposal, if approved, will be one of three permitted telecommunications facilities that could potentially place a total of four monopoles and eight equipment cabinets, surrounded by two enclosures, within the parking area at the Las Pulgas Road entrance gate to Camp Pendleton. However, the two previous permits (CDP# 6-00-58 and #6-01-59), as this one does, include a Special Condition which requires the applicants to cooperate in the co-location of additional antennae and/or equipment on the

project site that is built after the initial development, providing such shared use does not impair the operation of the approved facility. Sprint has indicated through an alternatives analysis submitted with this application, that collocation of these facilities is technically feasible. If the permittees under the other permits decide to exercise their permits and locate antennae at this site, they should cooperate with the permittee under this permit regarding co-location of facilities. The permittees should consult with Commission staff regarding potential changes to approved projects in order to allow co-location.

The existing parking area that comprises the project site contains approximately 8 light poles that provide illumination for the area. The two previously approved projects include the replacement of four of these light standards with antenna monopoles that look and serve as light standards. Therefore, if collocation were, for unforeseen reasons, technically infeasible, the installation of four monopoles would not significantly alter the existing visual qualities of the area because the monopoles would replace existing light standards that are similar in height and scale.

The two previously approved projects also include the installation of two approximately 300 sq. ft equipment enclosures surrounding eight equipment cabinets. The cabinets approved in the previous permits, however, would not have the potential to impact public or ocean views, as the enclosures would be placed directly next to, and east of, the existing entrance guardhouse. As such, the cabinets would not be within line-of-sight from any point off of the base, and would not block existing views from within the base. However, Camp Pendleton has indicated that the proposed location for the two equipment enclosures previously approved by the Commission do not currently meet updated security regulations, and the project locations are no longer authorized by the base. Thus, the possibility of the two previously approved projects being constructed is remote. Although the potential for more than one facility to be constructed on the project site exists, Special Conditions of the previously approved permits, combined with existing site conditions and approvals required by the Marine Corps base, ensure that the maximum resulting development on the site allowed by the Commission would not significantly impact visual resources of the area, and the project is consistent with Section 30251 of the Act.

While the proposed facility 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 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. Based on this concern, the Executive Director determines that two special conditions are required to be consistent with past Commission direction on similar projects. Special Condition #2 requires the applicant to 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 #1 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. This will limit the proliferation of these types of facilities, restrict them to appropriate locations, and prevent the area from being littered with outdated and obsolete facilities in the future. As conditioned above, the Commission determines that impacts to scenic coastal resources have been reduced to the maximum extent feasible, consistent with Section 30251 of the Coastal Act.

Section 30240 of the Coastal Act requires that environmentally sensitive habitat be protected, and that any new development be situated to prevent impacts to these areas, and states, in part:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The project proposal does not involve the significant removal of any vegetation, and the equipment enclosure will be located on an existing disturbed area next to Las Pulgas Road. The proposed monopole and attached antennas will replace an existing light standard, and the structure will not impact any vegetation. Neither site is located near any environmentally sensitive habitat areas, and the project proposal will not impact any coastal resources. Thus, no impacts to any environmentally sensitive areas will result from the proposal. The development as proposed is therefore consistent with Section 30240.

4. 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 subject site is located on the Camp Pendleton Marine Base, a federally owned and operated military facility used by the United States Marine Corps and located in an unincorporated area of the County of San Diego which is not subject to local permit review by the County. In addition, although the project is subject to the Commission's Federal Consistency Review Process, the Commission's act of granting a coastal development permit to the applicant functions under the California Coastal Management Program as the equivalent of a concurrence under the Coastal Zone Management Act. Because there is no certified LCP for this area, the standard of review for this development is Chapter 3 policies of the Coastal Act. Based on the above discussion, the Commission finds that the proposed development, as conditioned, is consistent with all

applicable Chapter 3 policies of the Coastal Act and no adverse impacts to coastal resources are anticipated.

5. 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.

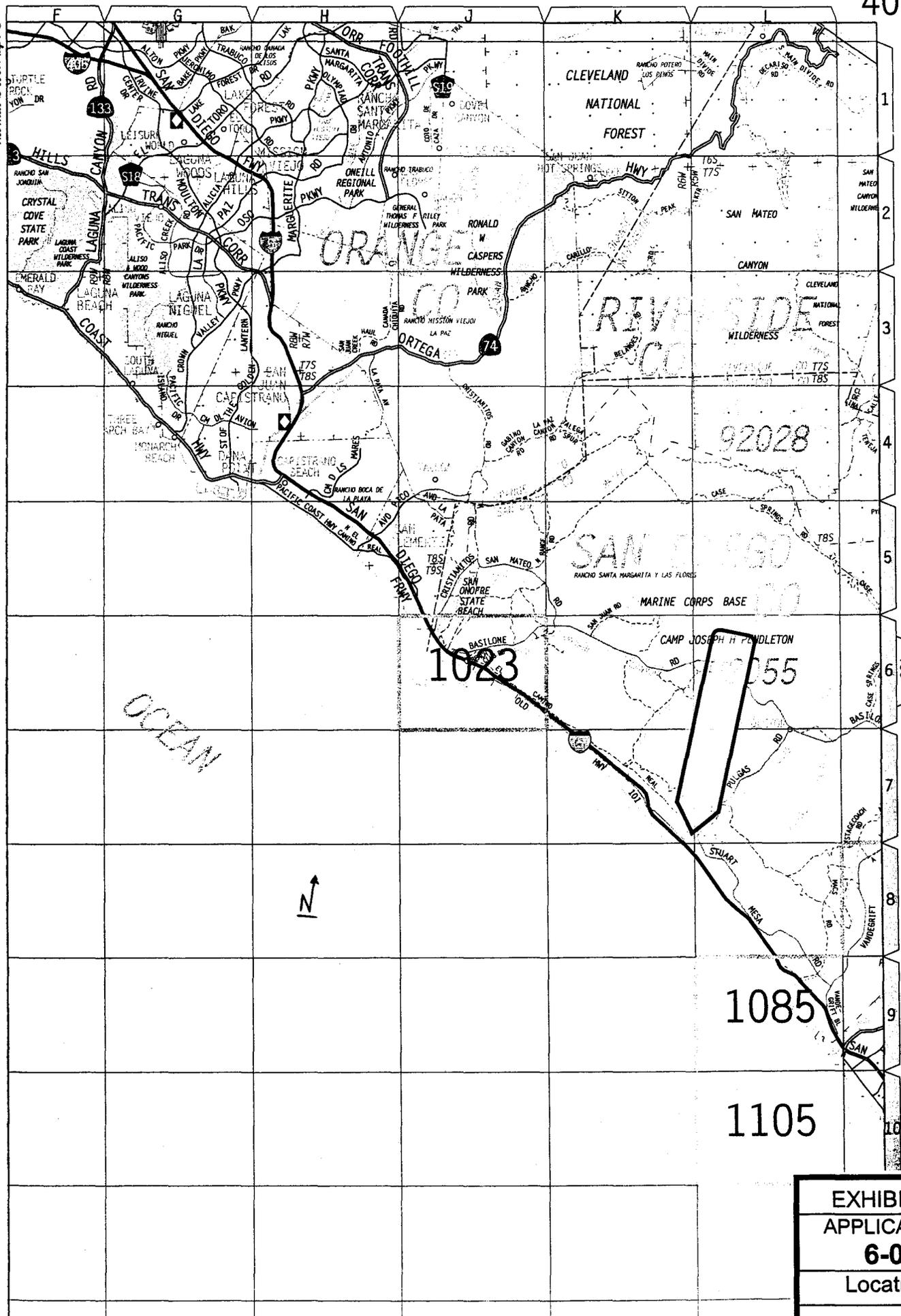
As discussed herein, the proposed project, as conditioned, will not cause significant adverse impacts to the environment. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact that the proposed activity may have on the environment.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

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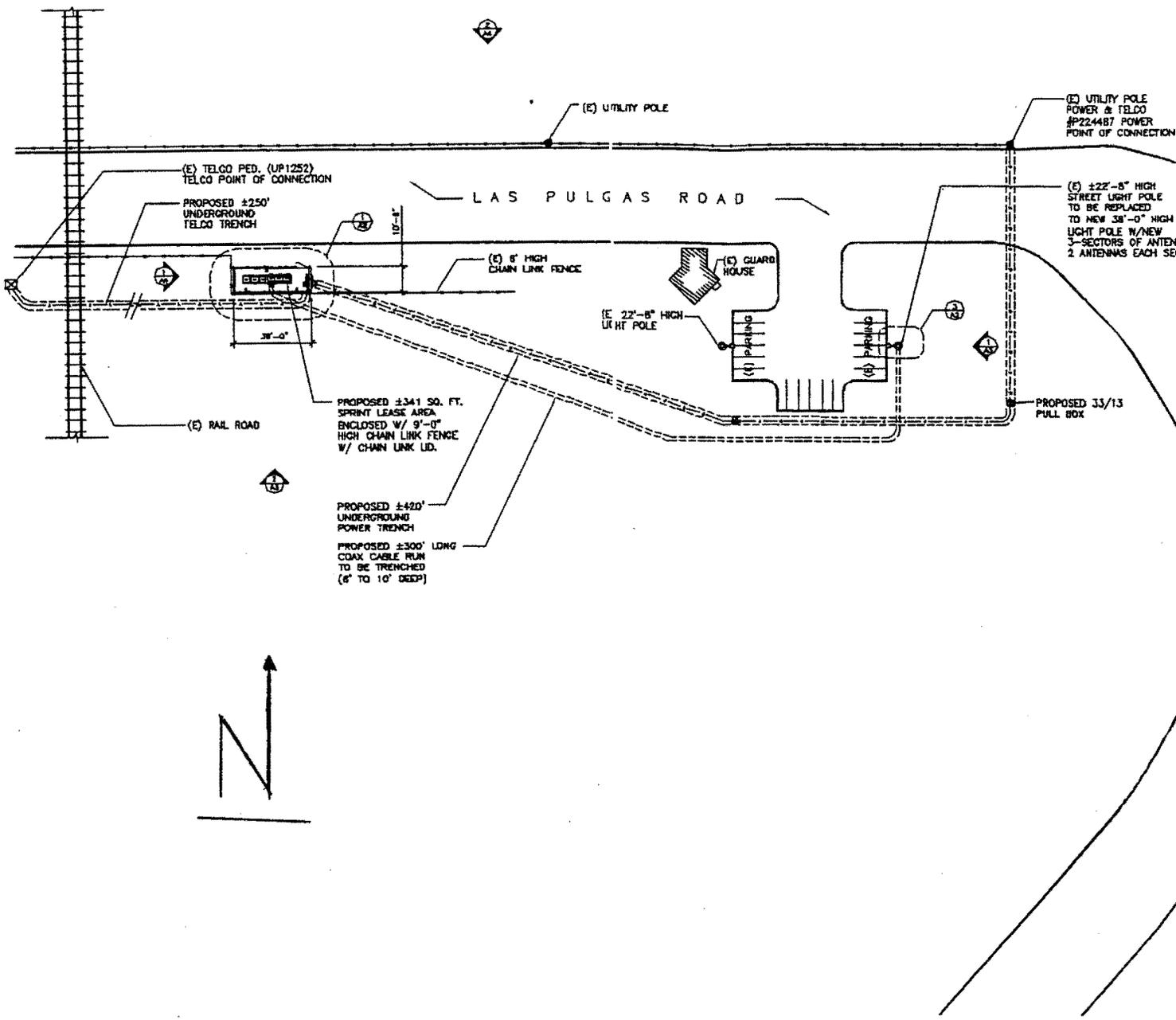


SEE MAP 409

EXHIBIT NO.
APPLICATION NO.
<b>6-02-32</b>
Location Map

California Coastal Commission

0 2.5 5 miles 1 in.



SITE PLAN

EXHIBIT NO. 2
APPLICATION NO.
<b>6-02-32</b>
Site Plan

 California Coastal Commission

