

Tue 3a-3b

San Diego Coast District

ADMINISTRATIVE CALENDAR

Tuesday, August 9, 2004

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CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
 7575 METROPOLITAN DRIVE, SUITE 103
 SAN DIEGO, CA 92108-4421
 (619) 767-2370



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Permit Application No. 6-05-52/DL

Date July 8, 2005

ADMINISTRATIVE PERMIT**Tue 3a**

APPLICANT: Verizon Wireless

PROJECT DESCRIPTION: Installation of an unmanned wireless telecommunication equipment enclosure consisting of an emergency generator and 4 cabinets on a concrete pad within a 10' x 30' chain-link, 8-foot high fence.

PROJECT LOCATION: San Onofre Exchange Service Station, Camp Pendleton, San Diego County.

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: August 9, 2005
 10:00 a.m. Tuesday

LOCATION: The Westin South Coast Plaza
 686 Anton Boulevard
 Costa Mesa, CA

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: Diana Lilly

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. 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.

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 proposed unmanned wireless communication facility would consist of the installation of 3 panel antennas and one microwave dish mounted on an existing Marine Corps Exchange Service Station. The antennas would protrude approximately 1 foot above the existing 23-foot high building, and the microwave dish and pole would extend approximately 4 feet above the building. Also proposed is a 300 sq.ft. equipment enclosure surrounded by an 8-foot high chain link fence. The gravel enclosure would house an emergency generator and 4 equipment cabinets on a concrete pad. The enclosure would be located on an unimproved grass/dirt area approximately 45 feet east of the Exchange Service Station. No parking spaces would be affected by the project.

The proposed antennas are exempt under Section 13253(a) of the Commission's regulations because they would be attached to the existing building. However, as the equipment enclosure is a detached structure, it is not an improvement exempt from coastal development permit requirements.

The subject site is located east of Interstate 5, south of Basilone Road within 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 not subject to local permit review by the County. 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. The proposed equipment enclosure would be sited at the edge of an existing developed lot, and would not impact sensitive vegetation. Because there is no certified LCP for this area, the standard of review for this development is Chapter 3 policies of the Coastal Act.

Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas shall be 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 and to be visually compatible with the character of surrounding areas.

There are existing trees adjacent to the proposed equipment enclosure, and the cabinet enclosure will not be visible from Interstate 5. The subject site currently contains a Sprint wireless facility consisting of essentially identical equipment to the proposed project—panel antennas, a microwave dish, and an equipment enclosure. The Commission generally supports co-locating new telecommunications facilities at the same site, to reduce the visual impact of a series of structures. Thus, the proposed project will not result in an adverse scenic impact. Additionally, while the antennas are exempt, it should be noted that each will be painted to match the existing scheme of the building and should not result in adverse visual impacts.

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 #1 requires the to 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. As conditioned above, the Executive Director determines that impacts to scenic coastal resources have been reduced to the maximum extent feasible, consistent with Section 30251 of the Coastal Act.

SPECIAL CONDITIONS:

1. Co-Location of Future Antennae. PRIOR TO AUTHORIZATION TO PROCEED, 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 AUTHORIZATION TO PROCEED, 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.

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

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



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Page 1 of 4
Permit Application No. 6-05-57/DL
Date July 21, 2005

ADMINISTRATIVE PERMIT**Tue 3b**

APPLICANT: T-Mobile USA, Inc.

PROJECT DESCRIPTION: Construction of an unmanned wireless communication facility consisting of installation of a total of 3 antennas on two new 30-foot high light poles; construction of a 288 sq.ft., 4'6" foot high equipment enclosure attached to the back of an existing gas station, surrounded by 6-foot high masonry wall.

PROJECT LOCATION: 3890 Pio Pico Drive, Mello II, Carlsbad, San Diego County.
APN 205-270-36, 37.

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: August 9, 2005
10:00 a.m., Tuesday

LOCATION: The Westin South Coast Plaza
686 Anton Boulevard
Costa Mesa, CA

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: *Diana J. [Signature]*

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. 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.

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 proposed unmanned wireless communication facility would consist of the installation of a total of 3 antennas on two new 30-foot high light poles, (two antennas on one pole, and one on the other) and construction of a 288 sq.ft., 4'6" foot high equipment enclosure attached to the back of an existing gas station. The equipment cabinets will be screened by a 6-foot high masonry wall painted and treated to match the adjacent building.

The subject site consists of two adjacent lots located on the northeast corner of Tamarack Avenue and Pio Pico Drive, just east of Interstate 5 in the City of Carlsbad. The approximately 36,155 sq.ft. northernmost lot is entirely developed with a restaurant and parking, and the southern, 27,878 sq.ft. lot contains a gas station. The Commission approved construction of the gas station in October 1998 (#6-05-99). The proposed light

poles would be located in a parking area on the restaurant lot, near the back of the gas station, and the equipment building would be located adjacent to the gas station in a grassy area at the north, rear side of the building. No parking spaces would be affected by the project.

The City of Carlsbad has a certified local coastal program and has been issuing coastal development permits for development within its jurisdiction for several years. However, there remain several areas of deferred certification where permit authority was not transferred to the City. The subject site falls within one of these areas of deferred certification. Thus, Chapter 3 policies of the Coastal Act is the standard of review for the subject development, with the certified LCP used as guidance.

Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas shall be 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 and to be visually compatible with the character of surrounding areas.

The proposed antennas are fairly narrow, vertical, rectangular structures that will not stand out significantly from the proposed light standards. Although the structures may be slightly and briefly visible from the surrounding streets and adjacent freeway, the project area is fully developed with a variety of commercial structures and landscaping features that will help to obscure the proposed structures. The new, painted, walled cabinet enclosure on the back of the gas station will not have an adverse impact on the visual quality of the neighborhood.

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 #1 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 #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. As conditioned above, the Executive Director determines that impacts to scenic coastal resources have been reduced to the maximum extent feasible, consistent with Section 30251 of the Coastal Act.

SPECIAL CONDITIONS:

1. Co-Location of Future Antennae. PRIOR TO AUTHORIZATION TO PROCEED, 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 AUTHORIZATION TO PROCEED, 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.

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Date of Signing