

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):

The proposed development includes installing 12 antennas behind RF-transparent screens that will be approximately 18 feet long to a side and protrude approximately 18 inches from the building façade. The antennas and screens will not increase the height of the building. Additionally, the screens will be textured and painted to match The Plunge building. The associated unmanned utility boxes will be housed in a 247 square foot utility room to be constructed outside the western wall of the Wave House Athletic Club building. The area is currently part of the open walkways that meanders through Belmont Park, though because this particular stretch runs behind several of the leaseholds, it is lightly used. Like the antenna screens, the utility room will be textured and painted to match the adjacent building.

Special Condition No. 1 requires the applicant to submit final plans in substantial conformance with the approved plans submitted by the applicant on August 15, 2013. Special Condition No. 2 requires the applicant to submit and adhere to approved plans siting construction access out of the public right-of-ways. Special Condition No. 3 clarifies that this permit is only for the work proposed, and any other future development will require a separate, approved permit. Special Condition No. 4 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 No. 5 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.

A. Public Access/Parking. As conditioned, the proposed development will not have adverse impact on public access to the coast or to nearby recreational facilities. As conditioned, the proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

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 is located within an existing developed area 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 subject site is located in an area of original jurisdiction, where the Commission retains permanent permit authority 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 City of San Diego to implement its certified LCP for the Mission Beach community.

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.

SPECIAL CONDITIONS:

This permit is subject to the following conditions:

- 1. Final Plans.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final project plans and BMPs. Said plans shall be in substantial conformance with the plans submitted to the Commission by applicant in its application submitted August 15, 2013.

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 legally required.

2. **Storage and Staging Areas/Access Corridors.** PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final plans indicating the location of staging areas and access corridors to the construction site. The final plans shall indicate that:
 - a. No overnight storage of equipment or materials shall occur on sandy beach, the public boardwalk, or public parking spaces.
 - b. Access corridors shall be located in a manner that has the least impact on public access to and along the shoreline. Also, the proposed work shall not affect access along public sidewalks.
 - c. No work shall occur between Memorial Day weekend and Labor Day of any year.
3. **Future Permitting Requirement.** This permit is for the installation of twelve antennas, their associated utility boxes, and the utility room. All other development proposals for the site, including, but not limited to, construction of other structures, shall require review and approval by the Coastal Commission, or its successor in interest, under a separate coastal development permit or an amendment to this permit.
4. **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.
5. **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.

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