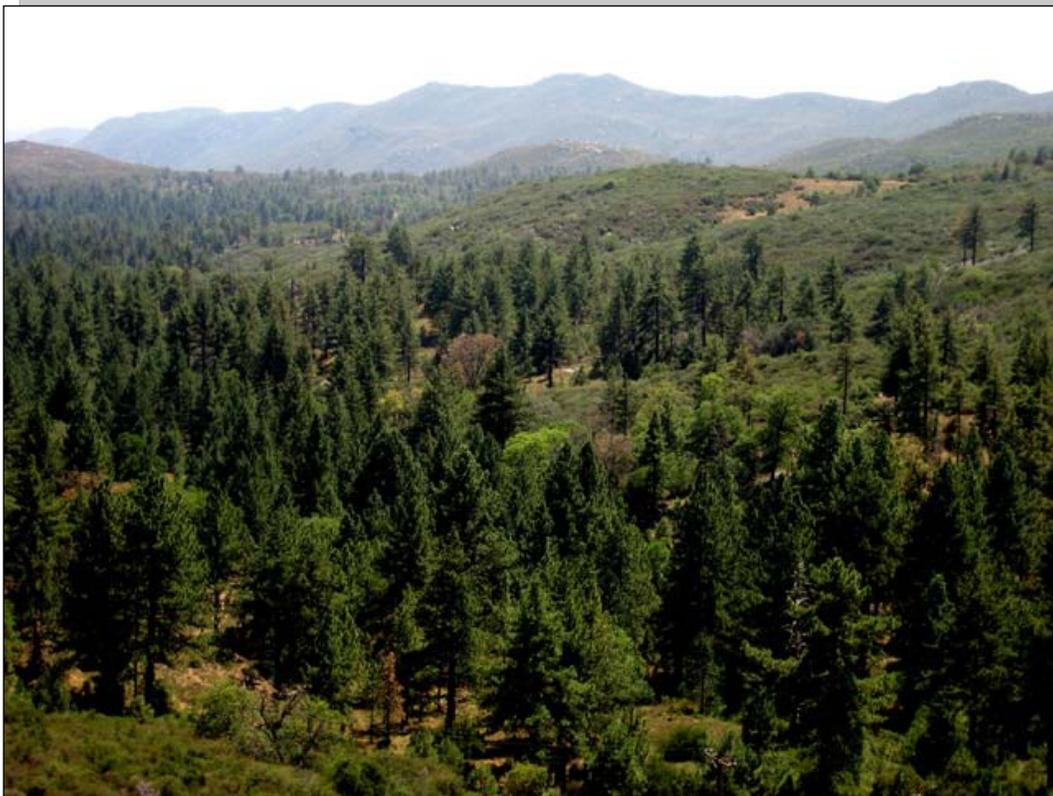


**APPENDIX A. GENERAL PLAN AMENDMENT 12-004
- FOREST CONSERVATION INITIATIVE LANDS DRAFT PLAN**

General Plan Amendment 12-004
Forest Conservation Initiative Lands



DRAFT PLAN

Proposed Project for
Draft Supplemental Environmental Impact Report

Prepared by
San Diego County
Planning & Development Services

February 2013

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Document Contents

Project Overview	1
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PROJECT OVERVIEW

Purpose of the Amendment

On December 8, 2010 the Board of Supervisors directed staff to prepare a General Plan Amendment (GPA 12-004) for the Forest Conservation Initiative lands consistent with the adopted General Plan Update land use designations. The GPA also evaluates adjacent properties and takes into account any changed conditions that need to also be considered. Primary components of the Project include:

- Revised land use designations on private parcels that were subject to the Forest Conservation Initiative (FCI) totaling approximately 75,000 acres within the Alpine, Central Mountain, Desert, Jamul/Dulzura, Mountain Empire, North Mountain, Pendleton - DeLuz, and Ramona Planning Areas (refer to Figure 1 at the end of this section);
- Minor amendments to the Alpine Community Plan and the Central Mountain, Jamul/Dulzura and North Mountain Subregional Plans;
- Revisions to the zoning use regulations, minimum lot size, and/or building type, as necessary, to ensure consistency between zoning and the revised land use designations; and
- Buildout of the proposed land use changes in Alpine will result in associated impacts to ten road segments that will either need an increase in the number of travel lanes or will need to be accepted to operate at a deficient Level of Service (LOS) of E or F. Therefore, associated revisions to the Mobility Element road network will be determined after coordination with the community planning group.

The FCI was a voter-approved initiative which required a minimum lot size of 40 acres on private lands within the Cleveland National Forest. The FCI was originally approved in 1993 and expired on December 31, 2010. The land use map changes that occurred under the General Plan Update (approved in August of

2011) excluded FCI lands. When the FCI expired, the areas affected by the FCI reverted to the land use designations in effect before the FCI was enacted. As a result, the General Plan Update land use designations and the Guiding Principles and Policies are not consistent with the former General Plan designations currently applied to the former FCI lands. The Guiding Principles are described in Chapter 2, Vision and Guiding Principles, of the General Plan, beginning on page 2-6.

http://www.sdcounty.ca.gov/pds/gpupdate/docs/GP/Cover_Intro_Vision.pdf.

This GPA is being prepared to correct these inconsistencies and proposes to appropriately re-designate these lands to be consistent with the Guiding Principles and Policies of the adopted General Plan.



The proposed Project would also change the land use designations for a limited number of private parcels in the communities of Alpine, Cuyamaca, Julian, and Campo/Lake Morena, totaling approximately 400 acres that are adjacent to former FCI lands. This action is intended to consider changed circumstances and to ensure that these lands are designated in a manner consistent with the changes proposed for the former FCI lands.

Environmental Review

A draft Supplement to the General Plan Update Program Environmental Impact Report (PEIR) has been prepared in accordance with Section 15163 of the CEQA Guidelines. The Supplemental EIR focuses on the primary effects

PROJECT OVERVIEW

that can be expected to follow from adoption of the proposed FCI Lands GPA.

Public Outreach

Changes to an adopted General Plan must follow the process specified by state law, which includes evaluation and analysis, public and agency review, Planning Commission review, and Board of Supervisors approval. A summary of the primary outreach efforts for the FCI Lands GPA is provided below.

- Web Page — A web page has been established to provide the most current information on this Project as it progresses through the planning phases.
<http://www.sdcounty.ca.gov/pds/advance/FCI.html>
- E-mail Notifications — Planning and Development Services, Advance Planning Division, publishes regular email notifications to provide project specific information, including when the various components of the public outreach program will occur. Property owners affected by this Project and other interested parties have been encouraged to sign up to receive this newsletter.
- Property Owner Notification — Early in the project planning process, property owners of affected parcels were mailed a “notification of a proposed property change”. The purpose of this notification was to inform property owners of the proposed GPA, identify when the Project would be addressed at the applicable planning or sponsor group, and to encourage them to sign up to receive the regular Advance Planning email notifications (discussed above) to keep abreast of the Project status.
- Community Planning Group (CPG) Input — A draft land use map was prepared based on CPG recommendations. This map was used as the basis of the Supplemental EIR analysis.
- Tribal Consultation — All tribal governments within the San Diego region were consulted

about the changes proposed by this Amendment in accordance with Senate Bill 18.

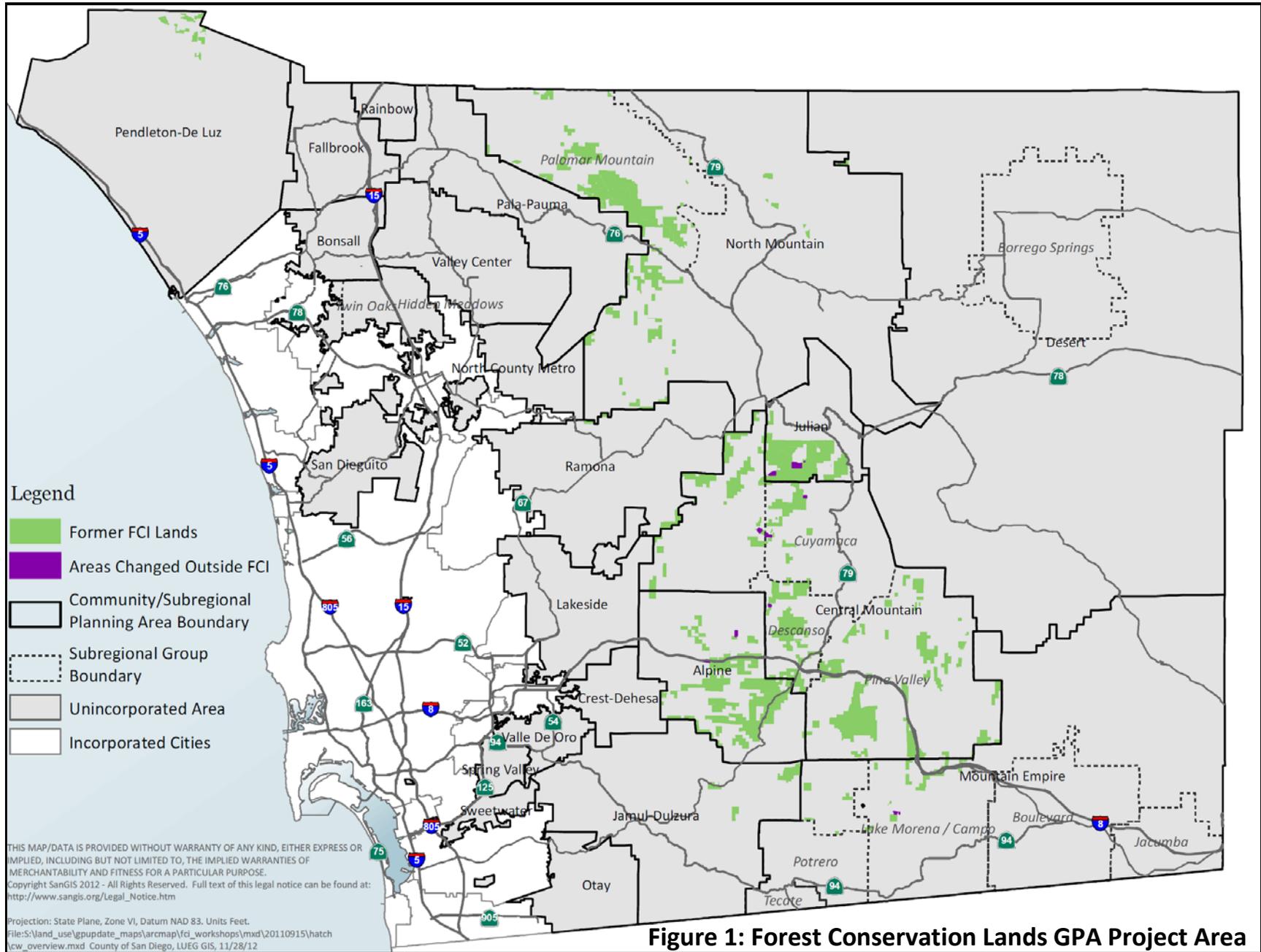
- Public and Agency Review — The Draft Plan and Supplemental EIR are being circulated for a 45-day public review.
- Public Hearings — The Draft Plan will be presented to the Planning Commission and Board of Supervisors during separate hearings providing property owners and members of the public with additional opportunities to provide comments.



Staff Contacts:

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Mindy Fogg at 858-694-3831 or Mindy.Fogg@sdcounty.ca.gov.

PROJECT OVERVIEW

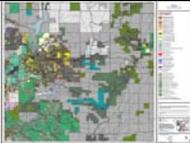
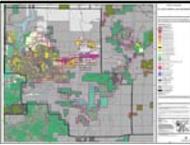


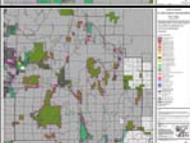
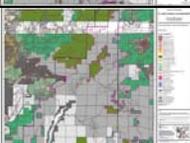
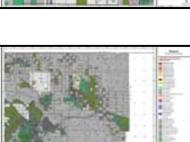
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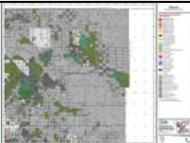
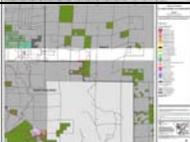
LAND USE MAP REVISIONS

Links to land use maps are provided below showing the current general plan map, along with the draft land use map used as the basis for the Supplemental EIR. The draft land use maps were endorsed by the respective community planning or sponsor group. The land use changes proposed on the draft land use maps are shown as follows:

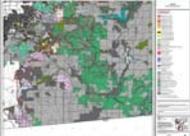
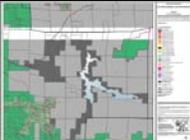
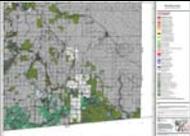
- Current General Plan Maps — Former FCI lands shown with a black hatch
- Draft Land Use Map — Former FCI lands are shown outlined with heavy red line and non-FCI land included with this Project are shown with a yellow hatch

Alpine	Current General Plan http://www.sdcounty.ca.gov/pds/advance/docs/FCI/alpine_Adpt_GP.pdf	
	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/alpine_draft_lu.pdf	

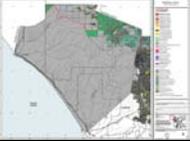
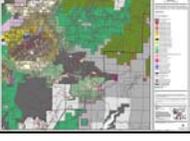
Central Mountain	Current General Plan http://www.sdcounty.ca.gov/pds/advance/docs/FCI/CentralMountain_Adpt_GP.pdf	
	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/cuyamaca_LU.pdf	
Cuyamaca	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/cuyamaca_LU.pdf	
Descanso	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/descanso_LU.pdf	
Pine Valley	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/pinevalley_LU.pdf	
Other	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/central_mtn_LU.pdf	

Desert	Current General Plan http://www.sdcounty.ca.gov/pds/advance/docs/FCI/Desert_Adpt_GP.pdf	
	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/desert_LU.pdf	

LAND USE MAP REVISIONS

Jamul / Dulzura	Current General Plan http://www.sdcounty.ca.gov/pds/advance/docs/FCI/Jamul_Adpt_GP.pdf	
	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/jamul_LU.pdf	
Julian	Current General Plan http://www.sdcounty.ca.gov/pds/advance/docs/FCI/Julian_Adpt_GP.pdf	
	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/julian_LU.pdf	
Mountain Empire	Current General Plan http://www.sdcounty.ca.gov/pds/advance/docs/FCI/MountainEmpire_Adpt_GP.pdf	
Lake Morena / Campo	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/Campo_LU.pdf	
Other	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/mtn_empire_LU.pdf	
North Mountain/ Palomar	Current General Plan http://www.sdcounty.ca.gov/pds/advance/docs/FCI/NorthMountain_Adpt_GP.pdf	
	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCI/north_mtn_LU.pdf	

LAND USE MAP REVISIONS

Pendleton DeLuz	Current General Plan http://www.sdcounty.ca.gov/pds/advance/docs/FCl/Pendleton_Adpt_GP.pdf	
	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCl/pendleton_LU.pdf	
Ramona	Current General Plan http://www.sdcounty.ca.gov/pds/advance/docs/FCl/Ramona_Adpt_GP.pdf	
	Draft Land Use Map http://www.sdcounty.ca.gov/pds/advance/docs/FCl/ramona_LU.pdf	

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REVISIONS TO COMMUNITY PLANS

Synopsis of proposed Alpine Community Plan revisions:

The proposed community plan revisions reflect proposed land use map changes, which would assign land use designations that create a second village east of the Viejas casino area, along with an expansion to the existing village boundary. In addition, the proposed Community Plan changes recognize that an expansion to the water and sewer service areas is required to serve the land use intensities proposed for the eastern areas of the planning area.

Alpine Community Plan			
Page	Section	Revision	Rationale for Change
5	2 Community Character Findings	<p>Revise the last paragraph on the page as follows:</p> <p>The community character of Alpine will be best maintained by a gradual decrease in density from the Country Town two villages and a centralized industrial and commercial area. It is the intent of the community to keep residential and agricultural areas of Alpine free from industrial and major commercial encroachments.</p>	Revised to reflect the addition of a second Village at East Willows Road based on the Draft Land Use Map endorsed by the Alpine Community Planning Group.
6	2 Community Character Findings	<p>Revise the first paragraph on the page as follows:</p> <p>Within the Rural Village boundaries (Refer to Figure 3 on page 9), the design guidelines contained in the Alpine Design Manual will ensure that development is consistent with Alpine's village character.</p>	Same as above.
6	2 Community Character Findings	<p>Add the following paragraph at the end of the Findings section:</p> <p>Expansions of imported water and sanitary sewer services are necessary to accommodate the increased land use intensities identified on the Alpine General Plan land use map. More specifically, both imported water and sewer services are necessary to fully realize the land use intensities allowed by the Village Core Mixed Use designated areas along Willows Road east of Viejas and imported water is necessary to realize the increased residential densities south of Alpine Boulevard between the West and East Willows Road interchanges with Interstate 8.</p>	Added to identify where expansions to imported water and sanitary sewer services are necessary based on increased densities proposed by the Draft Land Use Map endorsed by the Alpine Community Planning Group.

REVISIONS TO COMMUNITY PLANS

Alpine Community Plan			
Page	Section	Revision	Rationale for Change
9	1 Community Character Figure 3 Alpine Village Boundary	<p>ALPINE VILLAGE BOUNDARY San Diego County General Plan</p> <p>Figure 3a</p>	Figure revised to show an expanded village area and renumbered as Figure 3a, based on the Draft Land Use Map endorsed by the Alpine Community Planning Group.
After page 9	1 Community Character	<p>ALPINE VILLAGE BOUNDARY San Diego County General Plan</p> <p>Figure 3b</p>	New Figure 3b added to reflect the area proposed as Village Core Mixed Use to the east of the Viejas Casino based on the Draft Land Use Map recommended by the Alpine Community Planning Group.

REVISIONS TO COMMUNITY PLANS

Alpine Community Plan			
Page	Section	Revision	Rationale for Change
11	2 Land Use General <u>Findings</u>	<i>Revise the second paragraph under Findings as follows:</i> The pattern for community development presented in the Alpine Community Plan accommodates growth in and surrounding the existing town; designating the agricultural areas and the remote, more mountainous areas for low density rural uses. Residential development ranging from single-family houses on half acre or less lots to multi-family units is contained <u>within the two Village boundaries</u> . Major commercial development is generally restricted to properties along Alpine Boulevard, Arnold Way, <u>Willows Road</u> , and to the Tavern Road-Interstate 8 Interchange area.	Added to reflect the draft land use map recommended by the Alpine Community Planning Group.
11	2 Land Use General	<i>Revise Policy 2 as follows:</i> Direct higher density residential development to the existing <u>and planned</u> urban services area; continue existing densities to the imported water service area; and encourage low densities beyond those limits.	Added to reflect the draft land use map recommended by the Alpine Community Planning Group, which assigns land use intensities requiring urban services to the north and south of Interstate 8 east of the Alpine Village.
12	2 Land Use Residential	<i>Revise Policy 2 as follows:</i> Higher density development in the existing sanitation district area is encouraged over that in areas requiring major extension of sewer lines, <u>with the exception of the Willows Road area east of the Viejas casino where mixed use development is also encouraged</u> .	Added to reflect the draft land use map recommended by the Alpine Community Planning Group, which would assign a Village Core Mixed Use designation east of the Viejas Casino complex.
27	7 Public Facilities and Services <u>Water - Findings</u>	Most of the central area of Alpine is serviced by Padre Dam Municipal Water District. There is sufficient water to serve the existing population. <u>The General Plan land use map assigns densities that will require the expansion of the Water District east to the East Willows interchange both north and south of Interstate 8.</u>	Added to reflect that the draft land use map recommended by the Alpine Community Planning Group, which will require an expansion of the water services area in Alpine.

REVISIONS TO COMMUNITY PLANS

Alpine Community Plan			
Page	Section	Revision	Rationale for Change
28	7 Public Facilities and Services <u>Sewer - Findings</u>	<p><i>Revise the last paragraph as follows:</i></p> <p>Major annexations and extensions of service areas have been granted over the past several years by the Alpine Sanitation District and LAFCO. The General Plan land use map assigns densities that will require further expansion of the Sanitation District along Willows Road east of the Viejas Casino complex on the north side of Interstate 8.</p>	Added to reflect that the draft land use map recommended by the Alpine Community Planning Group, which will require and expansion of the sewer services area in Alpine.

REVISIONS TO COMMUNITY PLANS

Synopsis of proposed Central Mountain Subregional Plan revisions:

The proposed subregional plan revisions remove a reference to the now expired Forest Conservation Initiative and revise the allocation of land use designations in Descanso to reflect the draft land use map recommended by the Descanso Community Planning Group on March 26, 2012.

Central Mountain Subregional Plan																																																						
Page	Section	Revision		Rationale for Change																																																		
62	Land Use Designation by Ownership and Plan Designation <u>Descanso Subregional Group Area</u>	<table border="0"> <tr> <td><u>PLAN DESIGNATION</u></td> <td><u>OWNERSHIP</u></td> <td><u>PERCENTAGES</u></td> </tr> <tr> <td>VILLAGE RESIDENTIAL 2</td> <td>PRIVATE</td> <td>0.5%</td> </tr> <tr> <td>VILLAGE RESIDENTIAL 2.9</td> <td>PRIVATE</td> <td>1%</td> </tr> <tr> <td>VILLAGE RESIDENTIAL 4.3</td> <td>PRIVATE</td> <td>0.2%</td> </tr> <tr> <td>SEMI-RURAL RESIDENTIAL 1</td> <td>PRIVATE</td> <td>0.4%</td> </tr> <tr> <td>SEMI-RURAL RESIDENTIAL 2</td> <td>PRIVATE</td> <td>0.5%</td> </tr> <tr> <td>SEMI-RURAL RESIDENTIAL 4</td> <td>PRIVATE</td> <td>2.2%</td> </tr> <tr> <td>SEMI-RURAL RESIDENTIAL 10</td> <td>PRIVATE</td> <td>8.6%</td> </tr> <tr> <td>RURAL COMMERCIAL</td> <td>PRIVATE</td> <td>0.1%</td> </tr> <tr> <td>OPEN SPACE (CONSERVATION)</td> <td>PUBLIC/PRIVATE</td> <td>2%</td> </tr> <tr> <td>RURAL LANDS 40*</td> <td>PRIVATE</td> <td>2718.4%</td> </tr> <tr> <td>RURAL LANDS 80</td> <td>PRIVATE</td> <td>43.9%</td> </tr> <tr> <td>PUBLIC/SEMI-PUBLIC</td> <td>PUBLIC</td> <td>2.4%</td> </tr> <tr> <td>FEDERAL AND STATE LANDS</td> <td></td> <td>58%</td> </tr> <tr> <td><u>PUBLIC AGENCY LANDS</u></td> <td>PUBLIC</td> <td>60.6%</td> </tr> <tr> <td>NO PLAN</td> <td>INDIAN RESERVATION</td> <td>2.2%</td> </tr> <tr> <td></td> <td>TOTAL ACRES</td> <td>20,94138</td> </tr> </table>	<u>PLAN DESIGNATION</u>	<u>OWNERSHIP</u>	<u>PERCENTAGES</u>	VILLAGE RESIDENTIAL 2	PRIVATE	0.5%	VILLAGE RESIDENTIAL 2.9	PRIVATE	1%	VILLAGE RESIDENTIAL 4.3	PRIVATE	0.2%	SEMI-RURAL RESIDENTIAL 1	PRIVATE	0.4%	SEMI-RURAL RESIDENTIAL 2	PRIVATE	0.5%	SEMI-RURAL RESIDENTIAL 4	PRIVATE	2.2%	SEMI-RURAL RESIDENTIAL 10	PRIVATE	8.6%	RURAL COMMERCIAL	PRIVATE	0.1%	OPEN SPACE (CONSERVATION)	PUBLIC/PRIVATE	2%	RURAL LANDS 40*	PRIVATE	27 18.4%	RURAL LANDS 80	PRIVATE	4 3.9%	PUBLIC/SEMI-PUBLIC	PUBLIC	2.4%	FEDERAL AND STATE LANDS		58%	<u>PUBLIC AGENCY LANDS</u>	PUBLIC	60.6%	NO PLAN	INDIAN RESERVATION	2.2%		TOTAL ACRES	20,941 38	Revised allocation of land use designations to reflect the draft land use map recommended by the Descanso Community Planning Group.
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REVISIONS TO COMMUNITY PLANS

Synopsis of proposed Jamul/Dulzura Subregional Plan revisions:

The proposed subregional plan revisions remove a portion of a policy and text that reference the now expired Forest Conservation Initiative.

Jamul/Dulzura Subregional Plan			
Page	Section	Revision	Rationale for Change
9	Chapter 2 Land Use <u>Rural Residential</u> Policy 4	<i>Delete the entire paragraph after subparagraph (f) as follows:</i> Clustering of residential development, however, is prohibited on FCI-affected lands as stipulated in the Forest Conservation Initiative Overlay Land Use Designation in the County General Plan Land Use Element.	Deleted the reference to the Forest Conservation Initiative.
9	Chapter 2 Land Use <u>Rural Residential</u> Policy 5	<i>Delete Policy 5 as follows:</i> Residential development outside the County Water Authority boundary should be limited to densities consistent with the County Groundwater Ordinance. The clustering of dwelling units is acceptable in areas that use groundwater, as long as they meet the provisions of the County Groundwater Ordinance. Clustering of residential development, however, is prohibited on FCI-affected lands as stipulated in the Forest Conservation Initiative Overlay Land Use Designation in the County General Plan Land Use Element	Deleted the reference to the Forest Conservation Initiative.

REVISIONS TO COMMUNITY PLANS

Synopsis of proposed North Mountain Subregional Plan revisions:

The proposed subregional plan revisions would add a section to the end of the Land Use Chapter that specifies an overlay for multi-use communication structures, along with goals and policies for administering the overlay. This overlay was previously specified in the Land Use Element of the former General Plan, but not included in the General Plan Update adopted in 2011.

North Mountain Subregional Plan			
Page	Section	Revision	Rationale for Change
12	2 Land Use	<p><i>Insert the following section, including text and figure, at the end of Chapter 2, Land Use:</i></p> <p><u>MULTI-USE COMMUNICATIONS STRUCTURE GOAL</u></p> <p><u>COMMUNICATIONS STRUCTURES ON PALOMAR MOUNTAIN COMPATIBLE WITH THE PALOMAR OBSERVATORY AND OTHER NEARBY LAND USES.</u></p> <p><u>The purpose of this section is to provide criteria and guidance for the siting of communications facilities on Palomar Mountain. An overlay, shown on Figure 1, identifies acceptable locations for siting communications facilities in the Palomar Mountain area. The purpose of this overlay is to specify areas that have been determined to be acceptable locations for the operation of communications transmitting and receiving facilities and to promote co-location of communications facilities within those areas. Communications facilities include antennas and/or microwave dishes that send and/or receive radio frequency signals. These facilities may include structures, towers or accessory buildings. This section is not intended to pertain to cell towers; however, that use would be appropriate on these structures. State and local government emergency services are exempt from collocating their communications facilities with commercial communication facilities and from siting their communication facilities within the overlay as required for public safety. The objective of this overlay is to promote the effective, efficient and coordinated activities of the broadcasting and communications industry and to encourage the sharing of such areas by multiple operators.</u></p>	<p>This section is intended to replace the Telecommunication Site Overlay Designation in the former General Plan, which was not included in the General Plan Update, adopted August 2011. This overlay is proposed for inclusion in the Subregional Plan.</p>

REVISIONS TO COMMUNITY PLANS

North Mountain Subregional Plan			
Page	Section	Revision	Rationale for Change
12	2 Land Use (continued)	<p>LEGEND</p> <ul style="list-style-type: none"> Preferred Communication Site Location Semi-Rural Residential (SR-4) Semi-Rural Residential (SR-10) Rural Lands (RL-40) Rural Lands (RL-60) Rural Commercial Public/Semi-Public Facilities Public Agency Lands Open Space (Recreation) Parcel Boundary Water Body River / Stream <p>NORTH MOUNTAIN COMMUNICATION STRUCTURES OVERLAYS</p> <p>San Diego County General Plan</p> <p>Map Date: January 2013 Source: County of San Diego</p> <p>Figure 3</p>	<p>Add a new Figure 3 Communication Structures Overlays. This figure shows the two overlay areas in North Mountain that are preferred sites (outlined in blue) for communications facilities on Palomar Mountain</p>
		<p><i>Add the following text and policies after figure:</i></p> <p>The following policies address the siting of communications facilities.</p> <p>POLICIES</p> <p>1 Require new applications for communication facilities to demonstrate that there is no existing space on any existing tower site which would accommodate the current request. Such evidence shall, among other things, indicate that no other available facility exists which can accommodate the applicant's transmission needs within that existing facility's transmission range. In addition, each applicant must submit evidence that approval of the request will not harmfully affect any existing use or have any foreseeable harmful affect on</p>	<p>Proposed goals and policies to support proposed Communication Structures Overlay.</p>

REVISIONS TO COMMUNITY PLANS

North Mountain Subregional Plan			
Page	Section	Revision	Rationale for Change
		<p><u>the future use of any nearby communication facility. These criteria may be waived if the applicant demonstrates a marketplace shortage of space so as to create a monopoly of sites. State and local government emergency services are exempt from this requirement.</u></p> <p><u>2. Require each new facility site to have the following:</u></p> <ul style="list-style-type: none"> • <u>A southwest exposure that supports the urbanized areas of the County and is oriented away from the Palomar Observatory (Observatory). The County can waive this criterion if:</u> • <u>A demonstrated public need is shown to exist for a tower facility with cross mountain top capability; and</u> • <u>The applicant demonstrates no adverse effect will occur to the Observatory or to community character.</u> • <u>Access to a public road for the purpose of facilitating maintenance trips and minimizing traffic congestion.</u> • <u>Electric power, supplied by either SDG&E or alternative energy sources, available at the site.</u> • <u>Adequate parcel size to accommodate all accessory structures, minimize visual impacts, and have the ability to contain within the tower site boundary any debris resulting from tower failure and/or objects falling from the tower(s). Each applicant tower operator must provide a means to prevent unauthorized access to the tower structure.</u> <p><u>3. No tower shall impair enjoyment of the outdoor recreation uses and opportunities that exist on Palomar Mountain.</u></p> <p><u>4. Each tower operator shall maximize compatibility between tower facilities, residents and visitors. Site development must be minimal and must consider visual impacts to adjoining users and/or sites.</u></p> <p><u>5. Each tower site must provide landscaping and/or other buffer systems to screen the base of the tower adequately from adjacent residential uses, streets, parks, or other public property. All landscaping of communications sites must utilize species of plants/trees native or common to the Palomar Mountain area. All landscaping of communications sites must be maintained and watered until firmly established during the life of the facility.</u></p> <p><u>6. Special attention shall be paid to proximity to the Observatory by adherence to the following criteria:</u></p> <ul style="list-style-type: none"> • <u>No individual antenna of any type which emits an Effective Radiated Power (ERP) of 5</u> 	

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		<p><u>kilowatts (kW) or more shall be located within a six-mile radius of the Observatory without first proving that there will be no adverse affect upon the operations of the observatory. The burden of proof shall be on the applicant.</u></p> <ul style="list-style-type: none"> • <u>For antennas transmitting less than 5kW ERP it is the responsibility of the Observatory to establish proof of a communications conflict.</u> • <u>When considering the siting of a communications facility in proximity to the Observatory, where conflict is predictable as identified in either circumstance mentioned above, two factors should be thoroughly analyzed. These are: (a) the degree of critical importance of the communication service proposed; and (b) the alternative sites which are available to serve this need.</u> • <u>In all cases (not limited to sites proximate to the Observatory) a Major Use Permit shall be required for any antenna which will emit 5kW ERP or more power. This requirement applies equally to an existing tower or to the upgrading (in terms of ERP) of an existing antenna.</u> • <u>With specific regard to the Observatory: (a) any communications facilities located within five miles of the Observatory should not employ any outdoor lighting (non-FAA lighting) except as may be required for occasional emergency use only, in which case the lamp type shall be low-pressure sodium. Interior lighting shall be fully shielded from outside view; and (b) discourage communications facilities of such height as to require aircraft warning lights, as per the FAA standards in effect on July 1, 1984, from being constructed within five miles of the Observatory.</u> 	