



**NOTICE OF DECISION**  
Development Services Department

<b>Project Name:</b>	609 S Vulcan Ave - Wireless Facility
<b>Request:</b>	A Substantial Conformance Determination with the previously approved major use permit per Planning Commission Resolution No. PC-00-45 (Case No. 99-312 MUP/CDP), to allow for antenna and equipment upgrades to an existing Verizon Wireless telecommunications facility.
<b>Discretionary Action:</b>	Substantial Conformance (SUBC)
<b>CEQA Determination:</b>	EXEMPT
<b>DECISION:</b>	APPROVED
<b>Project Number:</b>	SUBC-008470-2025
<b>DSD Number:</b>	2026-36
<b>Location:</b>	609 South Vulcan Avenue
<b>Community:</b>	Old Encinitas
<b>APN:</b>	258-201-270
<b>Applicant:</b>	Sixonine Vulcan, LLC
<b>Representative:</b>	Rinn Ngeth, NuWave Communications
<b>Project Planner:</b>	Hoger Saleh, Assistant Planner, <a href="mailto:hsaleh@encinitasca.gov">hsaleh@encinitasca.gov</a>
<b>Decision Date:</b>	April 17, 2026
<b>Report Approval:</b>	<input checked="" type="checkbox"/> Andrew Maynard, Planning Manager <input checked="" type="checkbox"/> Raffi Mangassarian, Senior Planner

**PROJECT DESCRIPTION**

This document is to certify that the applicant's proposed plans, dated received by the City of Encinitas on April 15, 2026, have been determined to be in substantial conformance (SUBC) with the originally approved planning commission resolution No. PC-00-45 (Case No. 99-312 MUP/CDP) dated July 27th, 2000.

**BACKGROUND:***Project Site*

The subject property is located at 609 South Vulcan Avenue (APN: 258-201-27-00) within the Downtown Encinitas Specific Plan and is zoned Office Professional (D-OP) within the Downtown Encinitas Specific Plan and within the Coastal Zone Overlay. The subject property is a corner lot previously developed under the County of San Diego with an 8,521-square foot, three-story commercial office building. Since incorporation, the City has processed the following discretionary permits for the site:

Planning Commission Resolution No. PC-92-27 (Case No. 92-070 MUP) approved on September 10, 1992, authorized the operation of a graduate school with an associated acupuncture clinic and offices within the second floor of the existing three-story commercial building. A substantial conformance permit was then processed and approved on February 6, 1995, which authorized the expansion of the school into the existing first floor and mezzanine space, taking up a total of 6,241 square feet. A parking study was completed for the establishment of the educational institution use and determined eight parking spaces would be required and reserved for the use.

Planning Commission Resolution No. PC-00-45 (Case No. 99-312 MUP/CDP) dated July 27, 2000, authorized the installation, operation and maintenance of a wireless telecommunications facility. The facility consists of seven panels adhered to the exterior of the building, and associated equipment located within the first floor of the existing commercial building. Four of the antennas were approved to be mounted to the existing parapet wall along the north elevation. The antennas were concealed with a compatible screening enclosure treated with color and texture to match the existing finish of the building. The other three antennas were approved to be flush mounted on the wall of the south elevation with a seal applied around the antennas, so no airspace or shadow is visible. The antennas were required to be painted with a textured paint to match the existing finish of the building wall.

**PROJECT SUMMARY/ANALYSIS:**

The Applicant, Verizon Wireless, submitted wireless site 6409(a) application with materials proposing to modify the existing roof mounted wireless facility on an existing commercial building with antennas, radio units and other associated components screened from public view behind fiber reinforced plastic ("FRP") screen walls architecturally designed to be compatible with the existing building façade colors and materials. The existing site is designed to blend in with the architecture of the existing commercial building. The applicant submitted plans, dated April 15, 2026 ("Plans"), that show Verizon has deployed antenna equipment to operate a two-sector wireless telecommunications facility with a total of five antennas divided between the sectors.

The proposed plans also show that Verizon Wireless is proposing to overhaul its' wireless facility by decreasing its antenna count and replacing some of the associated equipment. Verizon's proposal will decrease the antenna count from five panel antennas to a total of two panel antennas. Furthermore, the existing FRP screen will be reconfigured to better shield the antennas and equipment from public view.

The existing wireless facility is being modified, as described below, and as listed on the project plans:

**Antenna Level:**

- Installation of two 2'-0" Verizon wireless panel antennas
- Installation of six Verizon wireless RRUs
- Installation of one existing Verizon wireless 3315 raycap surge suppressor
- Installation of Verizon wireless cable tray
- Installation of one Verizon wireless HCS cable
- Removal of five existing Verizon wireless panel antennas
- Removal of two existing Verizon wireless RRU's
- Removal of one existing Verizon wireless 1064 surge suppressor
- Removal of existing Verizon wireless cable tray
- Relocation of one existing Verizon wireless 3315 surge suppressor
- Relocation of one existing Verizon wireless HCS cable
- Installation of new FRP extension

**Equipment level:**

- Removal of one existing Verizon wireless 1064 surge suppressor
- Removal of two existing Verizon wireless RRUs
- Installation of one existing Verizon wireless 3315 surge suppressor
- Installation of one existing Verizon wireless DC up-converter
- Upgrade existing Verizon wireless power rack with 600amp rectifiers

All accessory equipment modifications and antennas visible on the west side of the building to the public shall be painted and maintained at all times to match the color of the building.

The applicant submitted a Radio Frequency Emissions Compliance Report prepared by Waterford Consultants dated March 13, 2026 ("Waterford RF Report"). The Waterford RF Report contains a registered professional engineer's stamp sealed on March 16, 2026, and therefore is relied upon for its accuracy as certified through the engineer's professional stamp.

Permitech Solutions, (the City's Third-Party RF Engineer), reviewed the analysis contained in the applicant's Radio Frequency Emission Study and concurred with the findings. The site as proposed will operate in full compliance with the standards for Radio Frequency (RF) Emissions, as adopted by the Federal Communications Commission (FCC). The study includes information related to the facility's power, access, signage, antenna height, and other elements, and confirms that all recommended radio frequency emissions mitigation measures are followed, and that the proposed changes at the existing telecommunications facility demonstrate planned compliance with the FCC Rules for the proposed site design.

All signage will comply with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. Additionally, all signage will provide a working local or toll-free telephone number to its network operations center, that reaches a live person who can exert transmitter power-down control over this site, as required by the FCC.

**This determination is based on the following findings for substantial conformance with a Use permit pursuant to Encinitas Municipal Code Section 30.74.105::**

**1. No project condition is changed or deleted;**

The proposed modification does not affect the original conditions of approval originally approved of planning commission resolution No. PC-00-45 (Case No. 99-312 MUP/CDP) dated July 27, 2000, which will remain in effect for this project.

**2. No feature, facility, or amenity is deleted or substantially altered which had been considered essential to the project's quality, safety, or function by the decision making body;**

No feature, facility or amenity is deleted or substantially altered, which is essential to the project's quality, safety, or function. The overall integrity, safety, and function of the wireless communications facility will remain the same with the antenna modification to the entire antenna array and associated accessory equipment replacement. The wireless communications facility, with the proposed modifications, will operate in full compliance with the standards for Radio Frequency (RF) Emissions, as adopted by the Federal Communications Commission (FCC). The wireless telecommunications facility will adhere to the site compliance recommendations outlined in the RF report prepared by the applicant. Furthermore, PermiTech Solutions, (the City's Third-Party RF Engineer), has reviewed the analysis contained in the applicant's Radio Frequency Emission Study and concurred with the findings. The study includes information related to the facility's power, antenna height, and other elements, and has confirmed that all recommended radio frequency emissions mitigation measures are followed, and that the proposed changes at the existing telecommunications facility demonstrate planned compliance with the FCC Rules for the proposed site design. All signage shall be in compliance with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol and content conventions. Additionally, all signage shall provide a working local or toll-free telephone number to its network operations center, that reaches a live person who can exert transmitter power-down control over this site, as required by the FCC.

The design is consistent with the exterior appearance of the original facility approved pursuant to approval of Planning Commission Resolution No. PC-00-45 (Case No. 99-312 MUP/CDP) dated July 27, 2000. This design maintains the same essential function approved by the previous decision-making body.

**3. No additional lots or dwelling units are added;**

The project does not propose additional lots or dwelling units.

**4. No public or private open space is reduced in area or in its potential for use and enjoyment;**

The proposed project is limited to the existing developed portions of the site, which is within the existing lease hold area. No public or private open space will be reduced or modified by this proposal.

**5. The shape and bulk of structures, exterior building materials, landscaping, parking and access are substantially in conformance with the spirit and intent of the use permit decision;**

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The project still maintains the same design appearance and functional characteristics, whereby the spirit and intent of the original design review permit are maintained consistent with Case No. 99-312 MUP/CDP. The antennas are completely screened, as are all other equipment, as originally approved.

6. **The grading plan will not increase or decrease the final grade on any part of the site by more than three feet over or under the plan approved by the design review decision, unless the Director finds that: (a) the design is substantially altered by the grading change, (b) the design review approval specifically prohibits variation to the elevation of the pads, or (c) the change in pad elevation impacts surrounding views, and/or substantially increases the bulk and mass of a building; and**

No grading is proposed within the scope of work.


7. **No significant changes are made which, in the opinion of the Director, should be reviewed by the body which approved the original use permit application.**

No significant changes are being made that would require review by the original approval body. The proposed project is consistent with the spirit and intent of the originally approved entitlement. Based on the discussion above, the Development Services Department finds that there are no significant changes that would require submittal of a discretionary permit modification.

**Environmental Status:** The project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 – Existing Facilities. CEQA Guidelines Section 15301 exempts from environmental review the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing private structures, which involve negligible or no expansion. The project proposes minor alterations to the existing wireless facility, which meets the requirements for this exemption, and none of the exceptions in CEQA Guidelines 15300.2 apply, therefore, the project may rely on the categorical exemptions and is exempt from environmental review.

This determination shall be valid 10 days from the date of this Determination, during which time any aggrieved person may, upon payment of necessary fees, file an appeal. Additional permits, including Building Permits, may be required by the Development Services Department or other City Departments. It is the applicant's responsibility to obtain all necessary permits required for the type of project proposed. The applicant may proceed through the plan check process during the appeal period at his/her own risk; **plan check fees are non-refundable.** Any filing of an appeal will suspend this action as well as any processing of permits in reliance thereon in accordance with Encinitas Municipal Code Section 1.12.020(D)(1) until such time as an action is taken on the appeal.

If you have any questions regarding this determination, please contact Hoger Saleh, Assistant Planner, at (760) 633-2714 or by email at [hsaleh@encinitasca.gov](mailto:hsaleh@encinitasca.gov); or contact the Development Services Department, 505 South Vulcan Avenue, Encinitas, CA 92024 at (760) 633-2710 or by email at [planning@encinitasca.gov](mailto:planning@encinitasca.gov).

DocuSigned by:  
  
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Andrew Maynard  
Planning Manager

### Certificate Of Completion

Envelope Id: 2142EA6D-3A77-48F6-A1E6-FE33CC3F67C4	Status: Completed
Subject: Complete with Docusign: 008470-2025 SUBC (609 S Vulcan Ave ) 2026-36.docx	
Source Envelope:	
Document Pages: 5	Signatures: 1
Certificate Pages: 3	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Brayden James
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	505 S Vulcan Ave
	Encinitas, CA 92024
	bjames@encinitasca.gov
	IP Address: 209.215.56.226

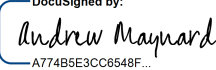
### Record Tracking

Status: Original	Holder: Brayden James	Location: DocuSign
4/17/2026 2:20:26 PM	bjames@encinitasca.gov	

### Signer Events

Andrew Maynard  
 amaynard@encinitasca.gov  
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### Signature

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Sent: 4/17/2026 2:20:54 PM  
 Viewed: 4/17/2026 2:25:57 PM  
 Signed: 4/17/2026 2:26:02 PM

**Electronic Record and Signature Disclosure:**  
 Accepted: 4/17/2026 2:25:57 PM  
 ID: 3f131227-8d04-43d0-839c-7b59421a66c6

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	4/17/2026 2:20:54 PM
Certified Delivered	Security Checked	4/17/2026 2:25:57 PM
Signing Complete	Security Checked	4/17/2026 2:26:02 PM
Completed	Security Checked	4/17/2026 2:26:02 PM

Payment Events	Status	Timestamps
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### Electronic Record and Signature Disclosure

## **ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

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At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### **Withdrawing your consent**

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

### **How to contact City of Encinitas:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [IT-Service-Desk@encinitasca.gov](mailto:IT-Service-Desk@encinitasca.gov)

### **To advise City of Encinitas of your new email address**

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at [IT-Service-Desk@encinitasca.gov](mailto:IT-Service-Desk@encinitasca.gov) and in the body of such request you must state:

your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

### **To request paper copies from City of Encinitas**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to [IT-Service-Desk@encinitasca.gov](mailto:IT-Service-Desk@encinitasca.gov) and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

### **To withdraw your consent with City of Encinitas**

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to [IT-Service-Desk@encinitasca.gov](mailto:IT-Service-Desk@encinitasca.gov) and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify City of Encinitas as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by City of Encinitas during the course of your relationship with City of Encinitas.