

## CALIFORNIA COASTAL COMMISSION

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# W6a

Filed: October 20, 2010  
49th Day: December 8, 2010  
180th Day: April 18, 2011  
Staff: DL-SD  
Staff Report: October 26, 2010  
Hearing Date: November 17-19, 2010

### **STAFF REPORT: CONSENT CALENDAR**

**Application No.:** 6-10-68

**Applicant:** San Diego Unified Port District      **Agent:** Lesley Nishihira

**Description:** Extend H Street approximately 600 linear feet bayward as a two-lane road including bike lanes, roadway paving, median, sidewalks, landscaping, drainage, and utilities.

**Site:** H Street from west of Bay Boulevard to the mean high tide line, (approximately 650 feet inland of Marina Parkway), Chula Vista, San Diego County. APN 571-330-17.

**Substantive File Documents:** Certified San Diego Unified Port District Port Master Plan, Certified City of Chula Vista LCP, Chula Vista Bayfront Master Plan Final EIR, May 2010.

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#### **I. STAFF RECOMMENDATION:**

The staff recommends the Commission adopt the following resolution:

**MOTION:**      *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

#### **STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

#### **II. Standard Conditions.**

See attached page.

### **III. Special Conditions.**

The permit is subject to the following conditions:

**1. Final Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, final construction plans for the proposed development. Said plans shall be in substantial conformance with the preliminary plans by the San Diego Unified Port District submitted with this application date stamped September 9, 2010.

The applicant shall undertake the development in accordance with the approved landscape plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

**2. Final Landscaping Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final landscape plan, in substantial conformance with the preliminary plans by the San Diego Unified Port District dated January 15, 2010 for the review and written approval of the Executive Director. Said plan shall include the following:

- a. A plan showing the type, size, extent and location of all trees/shrubs on the site including the proposed irrigation system and other landscape features;
- b. Landscaping on the site shall emphasize the use of drought-tolerant native species. Use of drought-tolerant, non-invasive ornamental species and lawn area is allowed as a small component. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized.
- c. A written commitment by the applicant that all required plantings shall be maintained in good growing condition, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape screening requirements.
- d. All planting shall be completed within 60 days after completion of construction.

The applicant shall undertake the development in accordance with the approved landscape plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

**3. Future Development.** This permit is only for the development described in coastal development permit No. 6-10-68. This approval does not authorize any other development and does not prejudice the Commission in its review of any future PMP or LCP Amendment.

#### **IV. Findings and Declarations.**

The Commission finds and declares as follows:

**A. Detailed Project Description/History.** The proposed project is the extension of H Street from its current terminus just west of Bay Boulevard, west to Marina Parkway. The roadway would consist of a divided road with one 24-foot wide travel lane and Class 2 bike lane in each direction with a 16 foot wide landscaped median, 5 foot wide sidewalks on each side of the roadway, with 7-foot wide landscaping and naturalized swales between the curb and sidewalk, and a minimum 3-foot wide landscape buffer between the sidewalk and the Goodrich property on the south side of the proposed street. Other improvements include storm drains, street lighting, signals, pedestrian crossings, and utility lines.

The existing portion of H Street east of the I-5 freeway is a major east-west arterial through the City of Chula Vista. It then passes over I-5 to its western terminus just bayward of the SD&AE Railway. The H Street corridor across the former South Campus of the Goodrich industrial facility is currently fenced and gated, and not accessible to the public. The site has previously been graded and paved, and there are no natural resources on or adjacent to the site.

The entire H Street extension project covers approximately 4.25 acres, including minor improvements to Marina Parkway to transition to the proposed H Street extension. However, only the eastern 1.65 acres (approximately 650 feet of street length) is within the Commission's permit jurisdiction; the remaining 2.6 acres is located within the Port of San Diego's coastal permit jurisdiction. The Port is scheduled to review and approve an appealable coastal development permit for its portion of the project in November 2010.

The eastern portion of the site was previously within the City of Chula Vista's coastal permit jurisdiction, subject to that City's certified Local Coastal Program (LCP). However, in 1999, a Relocation Agreement among the Port, Goodrich Aerostructures Group, and the City of Chula Vista was executed to transfer lands, including the subject site, from the City of Chula Vista to the Port of San Diego, and to terminate the public trust and Port ownership from a separate parcel to the northwest. The extension of H Street is a required condition of this relocation agreement to allow for the eventual redevelopment of the former South Campus site. Until the Port amends its certified PMP to incorporate the properties into the PMP, the transferred land is within the Commission's jurisdiction and Chapter 3 of the Coastal Act is the standard of review.

The future extension of H Street was previously reviewed by the Commission in March 1998, when it approved Port Master Plan Amendment 25 for the Chula Vista Industrial Business Park Expansion. At that time, language was added in the plan text and on the project list providing for the extension of H Street from its present terminus to Marina Parkway. The Commission made the following finding:

The extension will occur in an area currently designated as "Aviation-Related" Industrial, which is proposed to be redesignated to "Industrial-Business Park". The area is graded and no sensitive vegetation will be impacted by the road extension. The demolition of several existing minor industrial structures is required to accommodate the extension. The road will provide an additional accessway to existing and future development of the area and will alleviate traffic on existing roadways. No impacts to coastal resources are anticipated.

Similarly, the extension of H Street to Marina Parkway is also provided for in the current version of the Chula Vista Local Coastal Program, which the Commission approved in 1993 and is appropriately used for guidance in this area.

The proposed project is not intended to be the ultimate build-out of H Street. The Port and the City of Chula Vista are currently planning a significant revision and update to their certified plans to accommodate the Chula Vista Bayfront Master Plan development, which would cover 550 acres including the subject site. In the Final EIR for the Chula Vista Bayfront Master Plan, the H Street Extension is shown envisioned as extending bayward from its existing terminus to and beyond Marina Parkway, ending a cul-de-sac that would connect to the extended E Street. H Street would eventually be constructed as a five lane major street between I-5 and Street A (a new north/south street between H Street and J Street), a four-lane major street between Street A and Marina Parkway, and a three-lane Class II collector between Marina Parkway and the extended E Street.

The proposed project has been designed to accommodate the above-describe roadway expansion, but that future expansion could not occur until and unless the proposed Chula Vista Bayfront Master Plan is certified by the Commission, and the parcels adjacent to H Street are developed. The proposed project will facilitate the redevelopment of the surrounding parcels as planned for in the existing certified PMP and Chula Vista LCP, and to improve public access to the bayfront. The proposed project is consistent with the existing certified PMP and LCP, and is not dependent on, nor does it effect the potential future development of the surrounding area as envisioned by future plan updates. Special Condition #3 notifies the applicant that approval of this project does not constitute approval of any portion of the proposed Chula Vista Bayfront Master Plan or projects within.

As proposed, at no time during construction would vehicular access be closed on Bay Boulevard or the Sandpiper Way/Marina Parkway intersection, so public access to and around the shoreline would not be adversely impacted by construction activities. The preliminary landscape plan submitted with the application confirms that no invasive plant species are proposed that might adversely impact sensitive habitat areas, such as the F &

G Street Marsh located approximately ¼ mile from the site. Special Condition #2 requires submittal of a final landscape plan prohibiting the use of invasives, and Special Condition #1 requires submittal of final plans for the project.

**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, as adequate drainage controls and BMPs will be provided. 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. Public Access/Parking.** As conditioned, the proposed development will not have an 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.

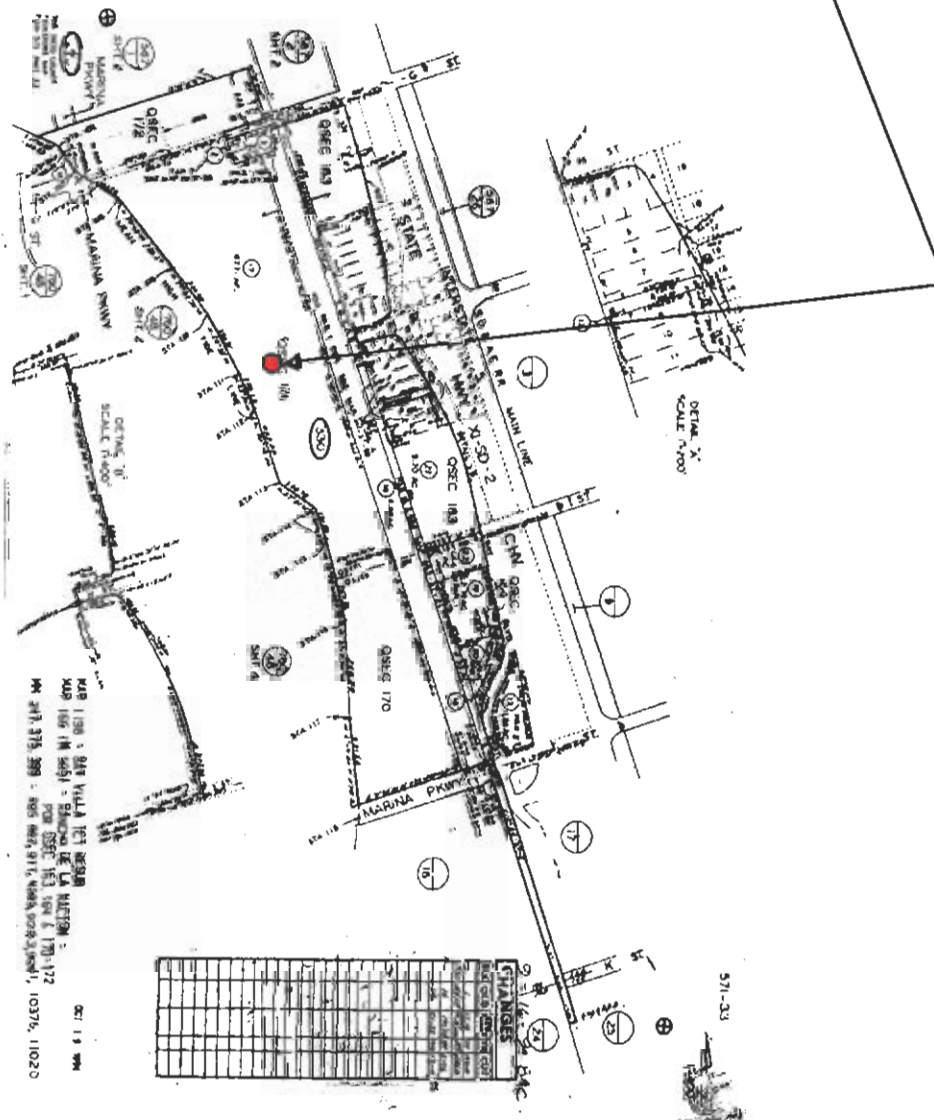
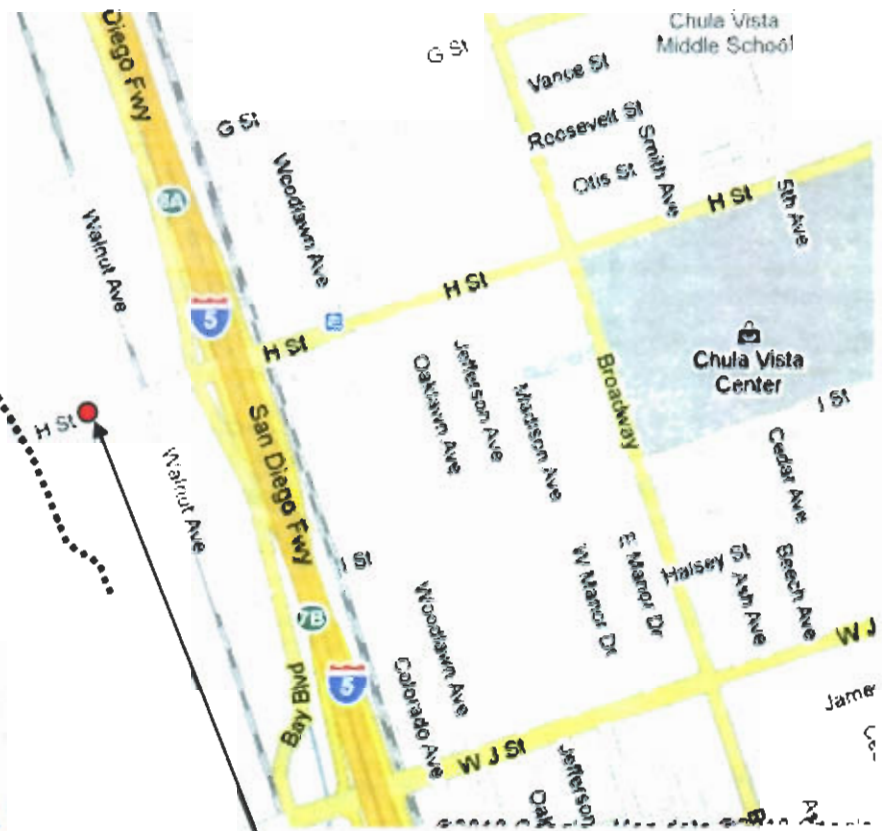
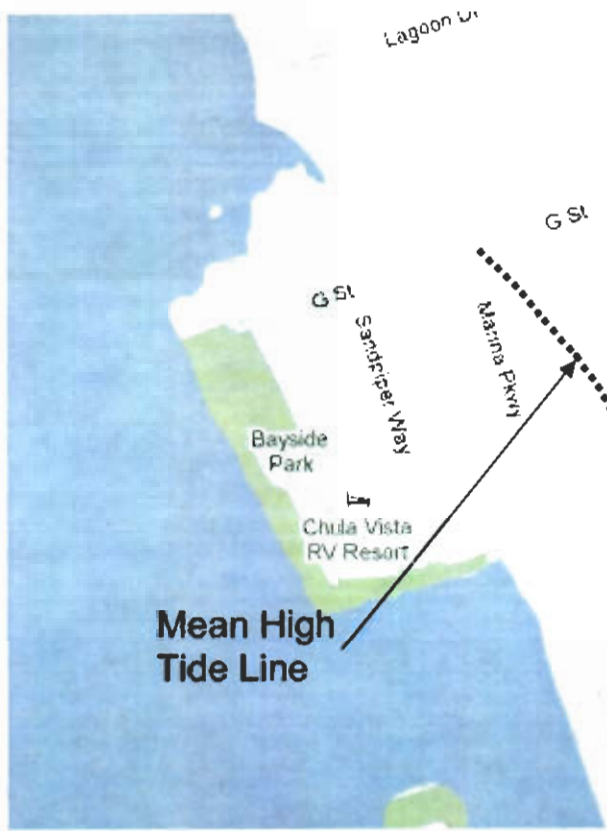
**E. Growth Inducement.** As proposed, this development will be growth-inducing, but as planned and provided for in the certified Port Master Plan and Chula Vista LCP. The adjacent parcels have been developed for various business and industrial in the past, and the proposed roadway will provide improved access to future development on the parcels. The project area is able to accommodate growth with adequate public services, and future development consistent with the certified plans will not have significant adverse effects, either individually or cumulatively, on coastal resources, as required by Section 30250 of the Coastal Act.

**F. Local Coastal Planning.** The site was previously under the coastal permit jurisdiction of the City of Chula Vista and the standard of review for coastal development permits was the certified LCP. However, in 1999, a Relocation Agreement among the Port, Goodrich Aerostructures Group, and the City of Chula Vista was executed to transfer lands, including the subject site, from the City of Chula Vista to the Port of San Diego, and to terminate the public trust and Port ownership from a separate parcel to the northwest. Until the Port amends its certified PMP to incorporate the properties into the PMP, the transferred land is within the Commission's jurisdiction and Chapter 3 of the Coastal Act is the standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act, the certified Port Master Plan, and the previously certified LCP. Approval of the project, as conditioned, will not prejudice the ability of the Port of San Diego to implement its certified PMP.

**G. 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.

**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.



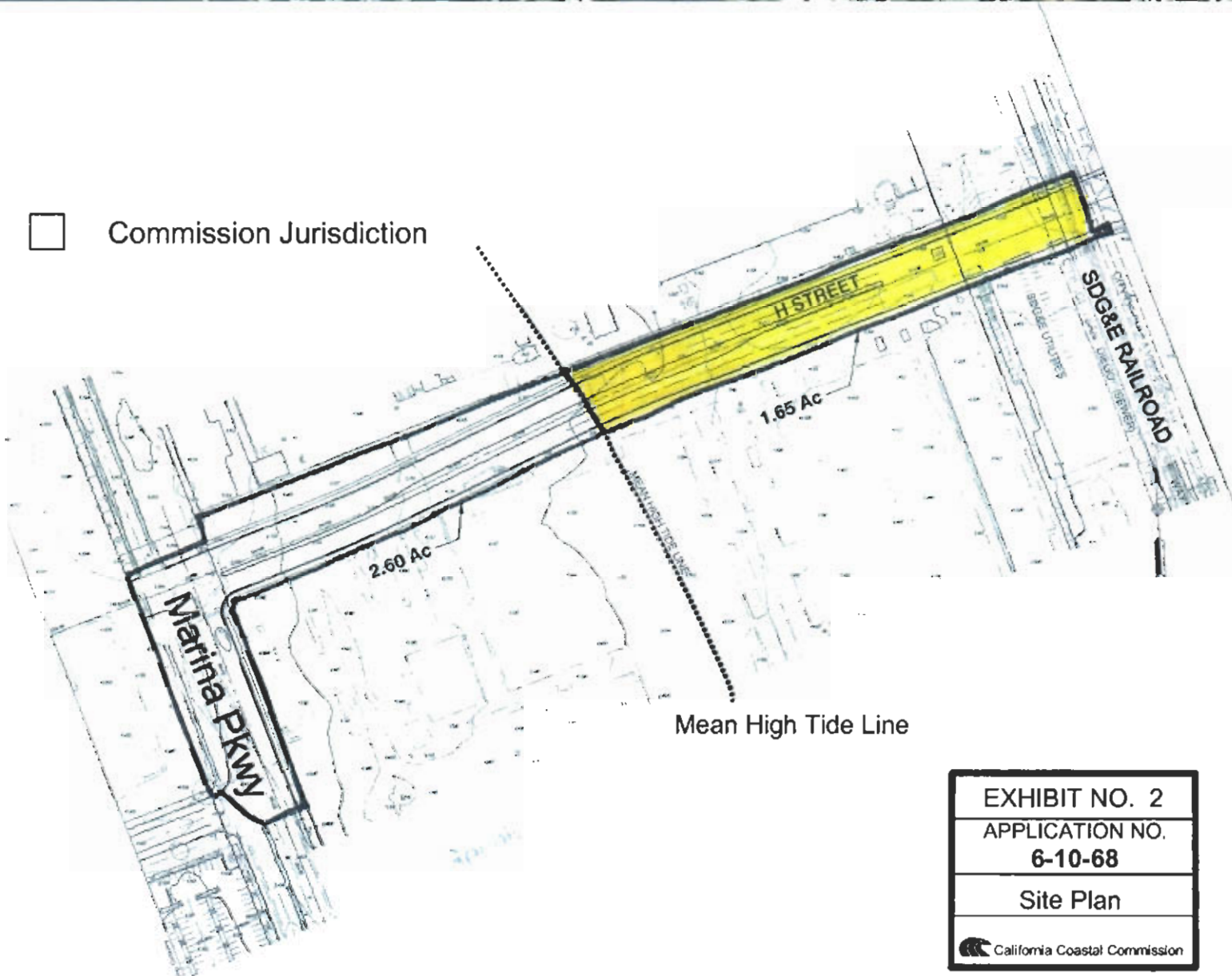
Site

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|-------------------------------|
| EXHIBIT NO. 1                 |
| APPLICATION NO.               |
| <b>6-10-68</b>                |
| Location Map                  |
| California Coastal Commission |





☐ Commission Jurisdiction



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|---------------------------------------------------------------------------------------------------------------------|
| EXHIBIT NO. 2                                                                                                       |
| APPLICATION NO.                                                                                                     |
| 6-10-68                                                                                                             |
| Site Plan                                                                                                           |
|  California Coastal Commission |